



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

February 27, 2014

NOTICE OF INTENT TO REVOKE LICENSES

Steve Sylvester
S & S Tree Horticultural Specialist, Inc.
405 Hardman Avenue South
South St. Paul, MN 55075

RE: Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses held by S & S Tree Horticultural Specialist, Inc. d/b/a S & S Tree Horticultural Specialist, Inc. for the City of Saint Paul License ID #0017938

Dear Mr. Sylvester:

The Department of Safety and Inspections (DSI) will recommend revocation of the Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses held by S & S Tree Horticultural Specialist, Inc. d/b/a S & S Tree Horticultural Specialist, Inc. for the City of Saint Paul. The basis for the recommendation is as follows:

On January 30, 2014, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating that your Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses expired as of September 30, 2013. You currently owe \$482.00 in delinquent license and late fees.

You were asked to call DSI to schedule a vehicle inspection and submit the following information along with your payment: 1) current vehicle information (year, make, model and license plate #); 2) proof of registration with the Commissioner of Agriculture; 3) proof that you have employed an individual who possesses current certification as an arborist from the ISA and 4) a copy of your Tax ID or Social Security Number.

You were given until February 20, 2014 to pay the delinquent license and late fees and submit the required information. As of today's date neither has been received.

At this time, you have three (3) options how to proceed:

1. You can pay the delinquent license and late fees and submit the required information. If this is your choice, you should send the payment and information directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, March 10, 2014**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the required information will be considered to be a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Monday, March 10, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **Monday, March 10, 2014**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

If you have not contacted me or DSI by Monday, March 10, 2014, I will assume that you are not contesting the revocation of your Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,



Geoffrey Karls
Assistant City Attorney

cc: Kristina Schweinler, Senior License Inspector – DSI

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 27th day of February she served the attached **NOTICE OF INTENT TO REVOKE LICENSES** and correct copy thereof in an envelope addressed as follows:

Steve Sylvester
S & S Tree Horticultural Specialist, Inc.
405 Hardman Avenue South
South St. Paul, MN 55075

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

Julie Kraus
Julie Kraus

Subscribed and sworn to before me
this 27th day of February 2014

Rita M. Bossard
Notary Public

