



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

July 10, 2014

NOTICE OF INTENT TO DENY LICENSE

Brooke Francis Nordstrom
5210 Bloomington Avenue South
Minneapolis, MN 55417

RE: Taxicab Driver (Provisional) license application submitted by Brooke Francis Nordstrom for the City of Saint Paul
License ID #: 20140001623

Dear Mr. Nordstrom:

The Department of Safety and Inspections will recommend denial of the Taxicab Driver (Provisional) license application submitted by Brooke Francis Nordstrom for the City of Saint Paul. The recommendation is based on the following information:

On June 11, 2014, you submitted an application for a Taxicab Driver (Provisional) license with the Department of Safety and Inspections (DSI). During a routine criminal history check as part of the application process, DSI discovered that you were convicted on July 14, 2011 in Anoka County of Misdemeanor Disorderly Conduct –Brawling or Fighting (Minn. Stat. § 609.72.1(1)). You were placed on Supervised Probation for a term of two (2) years and discharged from that probation on January 11, 2013.

Saint Paul Legislative Code § 376.16 (e) (4) (a) provides the following eligibility requirement for taxicab operator licensure: “Not be under sentence or have been discharged from sentence for any felony conviction within five (5) years immediately preceding application for a license, or under sentence or have been discharged from sentence for any non-traffic gross misdemeanor or non-traffic misdemeanor conviction within the three (3) years immediately preceding application for a license.”

In addition, a further check of your criminal history showed numerous Felony convictions: 1) Felony Possession of a Controlled Substance – Fifth Degree in Scott County; 2) Felony 5th Degree Controlled Substance in Crow Wing County; 3) Felony Simple Robbery in Hennepin County; and 4) Felony Controlled Substance Crime – 5th Degree in Hennepin County.

Saint Paul Legislative Code § 310.06 (b) (6) (c) states the basis for adverse action: “The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has engaged in or permitted a pattern or practice of conduct of failure to comply with laws reasonably related to the licensed activity or from which an inference of lack of fitness or good character may be drawn.”

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

1. 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 no later than **Monday, July 21, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Taxicab Driver (Provisional) license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
2. If you dispute the facts outlined above, or wish to present evidence that the conviction is not related to your license as a taxicab driver, or that you have been rehabilitated pursuant to Minn. Stat. §364.01 et seq, you may request a hearing before an Administrative Law Judge (ALJ). I will need to receive your letter no later than **Monday, July 21, 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.

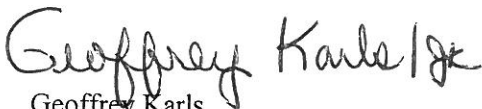
Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

3. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, July 21, 2014**. Information should be directed to the attention of Dan Niziolek. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

If you have not contacted me or DSI by Monday, July 21, 2014, I will assume that you do not contest the denial of your Taxicab Driver (Provisional) license. 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: Dan Niziolek, DSI Deputy Director
Tom Ferrara, DSI

STATE OF MINNESOTA)
) ss.


AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

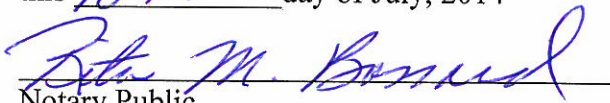
Julie Kraus, being first duly sworn, deposes and says that on the 10th day of July she served the attached **NOTICE OF INTENT TO DENY LICENSE** and correct copy thereof in an envelope addressed as follows:

Brooke Francis Nordstrom
5210 Bloomington Avenue South
Minneapolis, MN 55417

(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

Subscribed and sworn to before me
this 10th day of July, 2014


Notary Public

