



CITY OF SAINT PAUL
Mayor Melvin Carter

Civil Division
400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

August 22, 2018

NOTICE OF INTENT TO SUSPEND LICENSE

Thomas J. Berry, Sole Proprietor
Selby Ornamental Iron Co.
1160-7th Street East
St. Paul, MN 55106

RE: City Contractor – General Installation license held by Selby Ornamental Iron Co. d/b/a Selby Ornamental Iron Co. for the premises located at 1160-7th Street East in Saint Paul
License ID #: 00TR200310

Dear Licensee:

The Department of Safety and Inspections will recommend suspension of the City Contractor – General Installation license held by Selby Ornamental Iron Co. d/b/a Selby Ornamental Iron Co. for the premises located at 1160-7th Street East in Saint Paul. The recommendation is based on the following information:

On June 27, 2018, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspection (DSI) stating your City Contractor – General Installation license expired on June 15, 2018 and was now delinquent. You were also required to submit the following information along with your license fee payment:

- **A current \$2,500 License, Permit and Performance Bond**
- **Current General Liability Insurance with a 30-day notice of cancellation and naming the City of Saint Paul as Additional Insured.**
- **A completed Certificate of Compliance Minnesota Workers' Compensation Law Form**
- **Tax ID or Social Security Number**

According to DSI records, you submitted the license fee payment of \$206.00 on July 3, 2018 along with a current bond and your Tax ID or Social Security Number. You also submitted the Certificate of Compliance Minnesota Workers' Compensation Law Form on July 2, 2018.

However, you had not submitted current General Liability insurance with a 30-day notice of cancellation and naming the City of Saint Paul as Additional Insured by the July 18, 2018 deadline.

In addition to the suspension of your City Contractor – General Installation license, per Saint Paul Legislative Code § 310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit required information to maintain your license.

You have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Friday, August 31, 2018**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the **September 12, 2018** City Council Consent Agenda for approval of the proposed remedy.
2. You can submit the required insurance information listed above and send it directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, August 31, 2018**. A self-addressed envelope is enclosed for your convenience. Submission of the required insurance information will be considered a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but 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 the facts and requesting a public hearing no later **Friday, August 31, 2018**. The matter will then be scheduled before the City Council to determine whether to suspend your City Contractor – General Installation license and impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you no longer wish to do business in the City of Saint Paul, you will need to complete and return the attached REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, August 31, 2018**.

If you have not contacted me by Friday, August 31, 2018, I will assume that you do not contest the suspension of your City Contractor – General Installation license and imposition of a \$500.00 matrix penalty. In that case, the matter will be placed on the September 12, 2018 City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact Julie Kraus, my Legal Assistant at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney
License No: 024989

Cc: Thomas J. Berry, 2356 South Shore Drive, White Bear Lake, MN 55110
Lissa Jones, Interim Executive Director, Dayton's Bluff Community Council, East Side Enterprise Center
804 Margaret Street, St. Paul, MN 55106
Thomas J. Berry, 5547 Fenway Court, St. Paul, MN 55110-5780

Attachments: REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL

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 22nd day of August, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:

Thomas J. Berry, Sole Proprietor
Selby Ornamental Iron Co.
1160-7th Street East
St. Paul, MN 55106

Thomas J. Berry
2356 South Shore Drive
White Bear Lake, MN 55110

Lissa Jones, Interim Executive Director
Dayton's Bluff Community Council
East Side Enterprise Center
804 Margaret Street
St. Paul, MN 55106

Thomas J. Berry
5547 Fenway Court
St. Paul, MN 55110-5780

(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 22nd day of August 2018


Notary Public

