

BEMIDJI CITY COUNCIL

Work Session Agenda

Monday, February 22, 2010

**City Hall
Conference Room
5:30 P.M.**



1. CALL TO ORDER / ROLL CALL

2. BREC SEATING

3. DISCUSS 2 A.M. CLOSING FOR LIQUOR LICENSE HOLDERS

4. CONSIDER SPONSORSHIP OF 2010 BEMIDJI DAY AT THE CAPITOL (\$275)

5. ADJOURNMENT



Breaking new ground since 1897
206 Beltrami Avenue NW
Bemidji, MN 56601
O 218.759.0596
F 218.759.0995
www.krausanderson.com

February 19, 2010

Bemidji City Council
317 Fourth Street NW
Bemidji, MN 56601

**RE: Bemidji Regional Event Center
1111 Event Center Drive NE
Bemidji, MN 56601**

Dear Bemidji City Council,

Kraus-Anderson® Construction Company has reviewed the bids that were received on January 29, 2010, for the Arena Seating and Telescoping Stands.

We are recommending award of contract to the following bidder:

<u>Work Scope</u>	<u>Contractor, City, State</u>	<u>Bid Amount</u>
#12.1 – Arena Seating & Telescoping Stands	Hussy Seating Company 38 Dyer Street North Berwick, MA 03906	\$1,060,870.00

Total Recommended: \$1,060,870.00

We have attached a bid tabulation sheet that reflects the bids received for the bid division noted above.

If you have any questions regarding this information, please do not hesitate to contact me at 218-444-6967.

Very truly yours,

KRAUS-ANDERSON® CONSTRUCTION COMPANY

A handwritten signature in black ink, appearing to read 'Gerry Domino', is written over the company name.

Gerry Domino
Senior Project Manager

Attachments

BEMIDJI REGIONAL EVENT CENTER

OWNER: CITY OF BEMIDJI
 CONSTRUCTION MGR.: KRAUS-ANDERSON® CONSTRUCTION COMPANY
 ARCHITECT: LEO A. DALY

BID TABULATIONS
 JANUARY 29, 2010 10:00AM

WORK SCOPE 12.1: ARENA SEATING & TELESCOPING STANDS

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Hussey Seating Company	Track Seating	Irwin Seating Company			
BID SECURITY	Bid Bond	Bid Bond	Bid Bond			
ADDENDA REC'D.	1-8	7-8	1-8			
BASE BID		\$1,169,797.49	\$1,298,722.00			
COMBINED BASE BID	\$1,060,870.00					
	Work Scope: 12.1 - Arena Seating & Telescoping Stands					
Unit Price #1 - ADD Telescopic Seats	\$143.00/Seat	N/A	T.B.D			
Unit Price #1 - DEDUCT Telescopic Seats -	(\$143.00)/Seat	N/A	T.B.D.			
Unit Price #2 - ADD General Seats	\$116.00/Seat	N/A	\$107.51/EA			
Unit Price #2 - DEDUCT General Seats	(\$116.00)/Seat	N/A	(\$107.51)/EA			
Unit Price #3 - ADD Club & Suite Seats	\$199.00/Seat	N/A	\$156.00/EA			
Unit Price #3 - DEDUCT Club & Suite Seats	(\$199.00)/Seat	N/A	(\$156.00)/EA			
Alternate #11 - Portable Telescopic Platforms	\$33,638.00	\$45,063.59	\$73,574.00			
VA #1 (Irwin Seating Company)			(\$92,102.00)			
VA #2 (Irwin Seating Company)			\$617.26			
VA #3 (Irwin Seating Company)			\$1,209.55			
VA #4 (Irwin Seating Company)			(\$3,127.00)			

Kraus-Anderson® Construction Company

206 Beltrami Avenue
 Bemidji, MN 56601

CHANGE ORDER REQUEST

Telephone: 218-759-0596
 Fax: 218-759-0995

Bemidji Regional Event Center
 1111 Event Center Drive NE
 Bemidji, MN 56601

Project # 12422

Change Order Request: 140

Date: 2/19/2010

To: John Chattin
 City of Bemidji
 317 Fourth Street NW
 Bemidji, MN 56601

From: Gerry Domino
 Kraus-Anderson® Construction Company
 206 Beltrami Avenue
 Bemidji, MN 56601

Description	Category	Status
PCO #284 - Hussey Seating Requested Revisions		Architect

Reference	Required By	Days Req	Amt Req
	2/26/2010	0	\$8,051.00

Notes

PCO No	Date	Reference	Amount Proposed	Days Req	Category	Reason
284	2/19/2010	None	\$8,051.00	0	Request For Proposal	Architect/Engineer

Hussey Seating Requested Revisions

Company	Item Description	Amount Proposed
Hussey Seating	Add for Medallion seat - \$9.00 per seat.	\$20,889.00
Hussey Seating	Deduct for taking CAL 133 off the quote.	\$(12,838.00)

APPROVAL

 City of Bemidji

Approved

Rejected

 Date

 Leo A. Daly

Approved

Rejected

 Date

 Kraus-Anderson Construction Company

Approved

Rejected

 Date

Kraus-Anderson® Construction Company

206 Beltrami Avenue
Bemidji, MN 56601
Tel: 218-759-0596
Fax: 218-759-0995

REQUEST FOR PROPOSAL

PCO No. 284

Page 1 of 1

DATE: 2/19/2010

PROJECT: Bemidji Regional Event Center
1111 Event Center Drive NE
Bemidji, MN 56601

PROJECT NO.: 12422

TO: Judy Schlink, Hussey Seating

CC: Gerry Domino, Kraus-Anderson® Construction Company
Gregg Judge, Kraus-Anderson® Construction Company
Bill Born, Kraus-Anderson® Construction Company
John Chattin, City of Bemidji
Steve Parker, Leo A. Daly

ATTACHMENTS: None

REQUESTED BY: Architect/Engineer

Please provide a cost breakdown in accordance with the Contract Documents and a Summary for the change described herein and on the attachments (if any) listed.

This is not an authorization to proceed with the work described herein unless and until approved by the Owner. On approval, this change will be included in a Change Order, which will provide the formal Contract Change.

DESCRIPTION OF PROPOSAL:

Hussey Seating requested revisions.

This Proposal is a "No Change" item for _____
Type/Print Contractor's Name

ALL RESPONSES ARE REQUIRED WITHIN SEVEN (7) DAYS.



MEMORANDUM

TO: Mayor, Council and City Manager
FROM: Al Felix, City Attorney *AF*
DATE: February 19, 2010
RE: Request to Extend On-Sale Hours from 1:00 a.m. to 2:00 a.m. (Bar Closing)

Monday's work session has been scheduled to take up consideration of a request that the City amend the City Code (alcoholic beverage regulations) to allow on-sale intoxicating liquor to be served until 2:00 a.m. The time limit currently is 1:00 a.m. An ordinance amendment is necessary to effect a change to 2:00 a.m.

Recall that in 2003 the Minnesota Legislature passed the legislation authorizing on-sale intoxicating liquor to be served until 2:00 a.m., unless otherwise limited by municipal regulation. The theory behind the legislation was that border cities were experiencing issues with people (intoxicated drivers) traveling across the border into neighboring cities after 1:00 a.m. (i.e. Wisconsin in particular) to take advantage of 2:00 a.m. bar closing times. Consequently, from a public safety standpoint, the goal was to eliminate the incentive for late night imbibers hitting the roadways to these border cities, and, correspondingly, the resulting frequency of intoxicated drivers travelling back and forth during these early hours.

The legislation also provided that to be able to serve between 1:00 and 2:00 a.m., an on-sale intoxicating liquor Licensee must obtain a permit from the Commissioner of Public Safety and pay the State a permit fee, with the proceeds deposited by the State in its own "alcohol enforcement account or special revenue fund" (legislature promised to hire additional state patrol troopers with the proceeds).

The City in 2003 declined to permit the 2:00 a.m. closure and, in fact, amended its regulations to specifically limit the hour to 1:00 a.m. Because we only issue on-sale licenses to restaurants, a restaurant could continue to serve food after 1:00 a.m. but not alcoholic beverages.

The benefit argued by the proponent is that the later hour will serve convention patrons expected with the opening of the BREC. However, law enforcement disputes that assertion. It is generally perceived that the later 2:00 a.m. closing simply creates more opportunity for mayhem on the streets, be it driving related or other behavior caused by additional opportunity for consumption of too much alcohol.

2/17/2010

To: Bemidji City Council

Re: 2:00 AM Bar Closing Time

Dear Councilors,

I am writing in response to the Mr. Hanson's request for the City of Bemidji to allow 2:00 AM closing time for on-sale liquor establishments. I believe the lengthened time would not benefit the community. If we were a border town that had to compete for business or had shift workers who often take advantage of the later closing, then there maybe a legitimate argument, but we don't. After talking with some of the local patrons that are out until 1:00 AM, they would just arrive at the bars later in the evening. Their budgets only allow for a set amount of purchases. I believe the 2:00 AM closing would only increase the liability and overhead for our locally owned establishments as well as the City of Bemidji without adding any value to our community.

In closing, I ask if you would reject any requests for a 2:00 AM closing in the City of Bemidji.

Thank you very much for your time and consideration.

Mitch Rautio

A handwritten signature in cursive script, appearing to read 'Mitch Rautio', written in black ink.

Keg n' Cork
310 Beltrami Ave.

TOM HANSON
Founder & Corporate Advisor
218.234.1052

COLE HANSON
President/CEO
218.841.8239



2am License Talking Pointz

CORPORATE OFFICE
714 Lake Ave. #101
Detroit Lakes, MN 56501
Office 218.847.8932
Fax 218.847.0502
www.zorbaz.com
hq@zorbaz.com

*Minnesota has matured, particularly as a venue for conventions, sports and entertainment events. It's in the best interests of the city to implement a more mature bar closing policy.

*The greater Minneapolis Convention & Visitors Association had heard repeatedly from groups vowing that they would not bring their meetings to Minnesota until bar hours lengthen. Minnesota allowed 2am optional bar close in response. Consequently, Bemidji will now be competing for convention business, within the state, and at a distinct disadvantage if a 2am optional closing policy isn't adopted.

*Minnesota's tough dram-shop liability laws are still in force; providing a strong disincentive to over-serve.

*Alcohol consumers who take the wheel at 2am will share the road with comparatively few nondrinkers. The current Bemidji law could be putting more people at risk.

*Early to bed, early to rise habits are ingrained in Minnesota's traditional culture. But droves of newcomers and visitors are diversifying that culture. Today, Minnesotans work, eat, and play at all hours; and the city's bar hours should accommodate them.

*Overall, consumers have adapted to the 2am closing time, and adjusted their eating and drinking habits accordingly. By not allowing this closing time as an option to business, the city is unable to capitalize on the total income/tax producing opportunity available, with the new events center development.

*48 states offer a 2am, or later, optional bar closing time.

ZORBAZ LOCATIONZ

DETROIT LAKEZ
218.847.5305

LITTLE PINE/PERHAM
218.346.4900

PELICAN LAKE
218.532.2254

OTTERTAIL LAKE
218.864.5979

CROZZ LAKE
218.692.4567

GULL LAKE
218.963.4790

ZHATEAU ZORBAZ
218.237.1969

GRAND RAPIDZ
218.326.1006

BIG ZANDY
218.426.3665

TOM HANSON

Founder & Corporate Advisor
218.234.1052

COLE HANSON

Prezident/CEO
218.841.8239



CORPORATE OFFICE

714 Lake Ave. #101
Detroit Lakes, MN 56501
Office 218.847.8932
Fax 218.847.0502
www.zorbaz.com
hq@zorbaz.com

Our business model developed over 40 years requires a number of constants, one of which is 2am closing. Without it we cannot make the considerable investment required of a new location.

Zorbaz has strict guidelines on alcohol service and we rigidly adhere to them.

The 1am closing causes people to order and consume their last drink and then leave en mass, while 2am tends to have the late nite crowd dissipates over the last hour at a more leisurely pace. Often times it is food and a beer before leaving as our kitchen serves food until 2am.

Our formula is based on specific hours of operation, and we find when we deviate from our business model it is unsuccessful. We have experienced no problems because of the 2am closing nor has any community we are in voiced any additional concern because of it.

ZORBAZ LOCATIONZ

DETROIT LAKEZ 218.847.5305	LITTLE PINE/PERHAM 218.346.4900	PELICAN LAKE 218.532.2254	OTTERTAIL LAKE 218.864.5979	CROZZ LAKE 218.692.4567	GULL LAKE 218.963.4790	ZHATEAU ZORBAZ 218.237.1969	GRAND RAPIDZ 218.326.1006	BIG ZANDY 218.426.3665
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BEMIDJI POLICE DEPARTMENT
Chief Gerald Johnson
613 Minnesota Ave NW ❖ Bemidji MN 56601
Phone: 218-333-9111 Fax: 218-333-8370
bemidjipd@ci.bemidji.mn.us

MEMORANDUM

To: John Chattin, City Manager

From: Chief Gerald Johnson

Date: February 19, 2010

CC: City Council

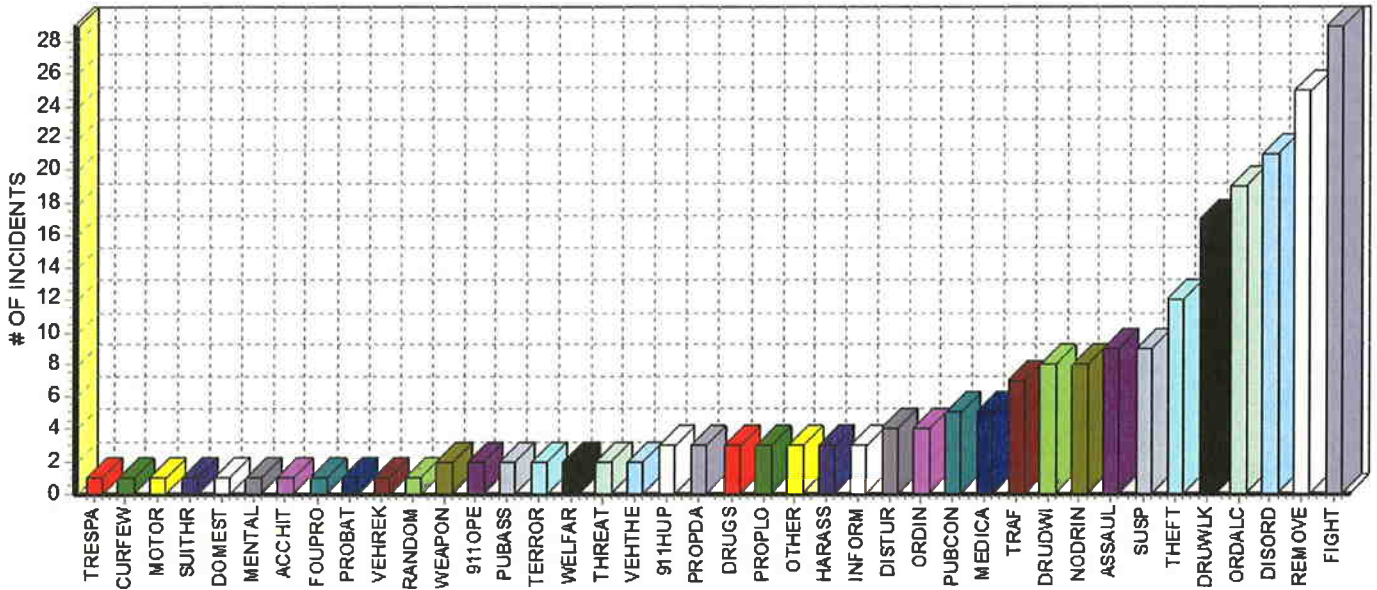
RE: Request for 2 a.m. Bar Closing

I have had two graphs put together to illustrate the calls my department has handled at 10 local bars in 2009, this includes call times and call types, not included is driving related offenses. Also included are two graphs illustrating the calls at the Git-R-Dun Saloon, this establishment is now closed but shows the activities they encountered when the bar was open until 2 a.m., during a two year period.

I would like the opportunity to discuss the 2 a.m. closing proposal with the council at their Monday work session.

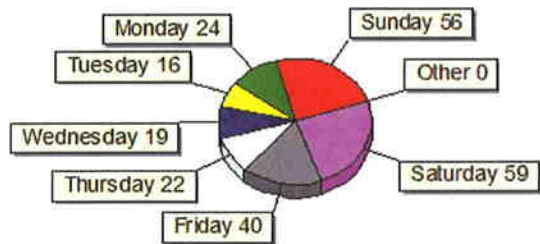
10 BARS IN BEMIDJI FOR 2009

Police Calls by Incident Type



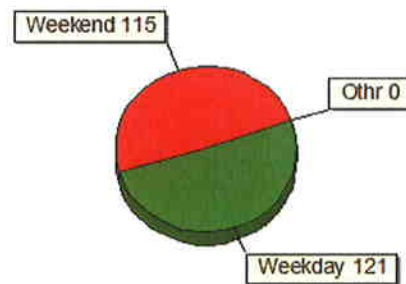
TRESPA 1	CURFEW 1	MOTOR 1	SUITHR 1	DOMEST 1	MENTAL 1	ACCHIT 1
FOUPRO 1	PROBAT 1	VEHREK 1	RANDOM 1	WEAPON 2	911OPE 2	PUBASS 2
TERROR 2	WELFAR 2	THREAT 2	VEHTHE 2	911HUP 3	PROPDA 3	DRUGS 3
PROPLO 3	OTHER 3	HARASS 3	INFORM 3	DISTUR 4	ORDIN 4	PUBCON 5
MEDICA 5	TRAF 7	DRUDWI 8	NODRIN 8	ASSAUL 9	SUSP 9	THEFT 12
DRUWLK 17	ORDALC 19	DISORD 21	REMOVE 26	FIGHT 29		

By Day of Week



Sunday 23.73 %	Monday 10.17 %
Tuesday 6.78 %	Wednesday 8.05 %
Thursday 9.32 %	Friday 16.95 %
Saturday 25 %	Other 0 %

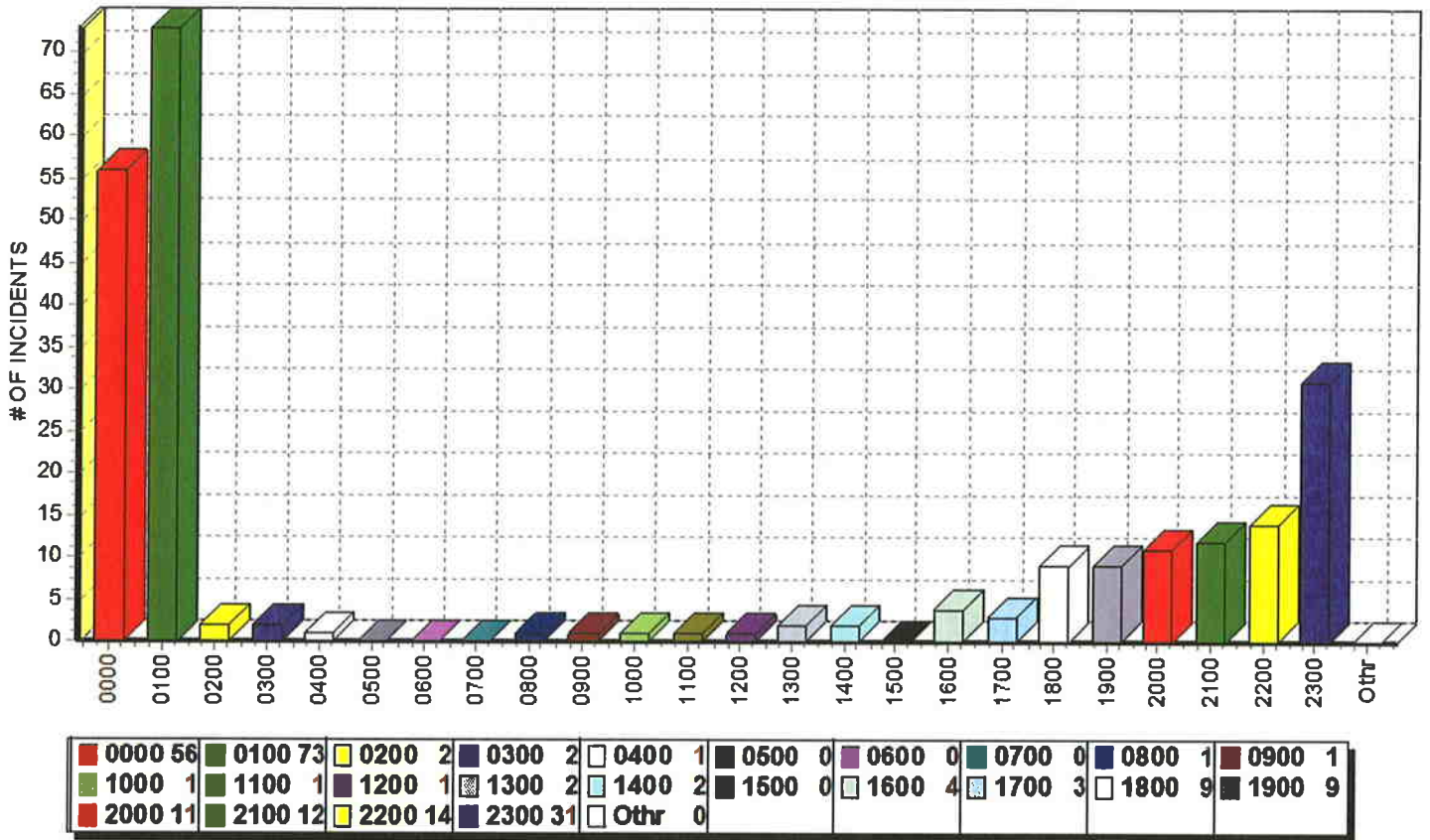
Weekday vs Weekend



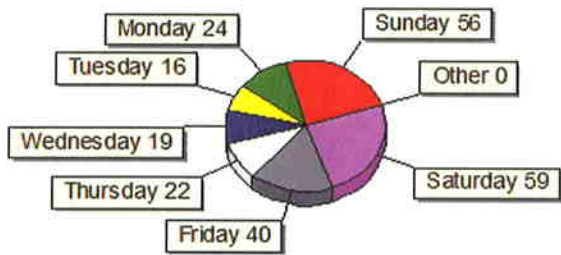
Weekend 48.73 %	Weekday 51.27 %
Oth 0 %	

10 BARS IN BEMIDJI FOR 2009

Police Calls by Time of Day

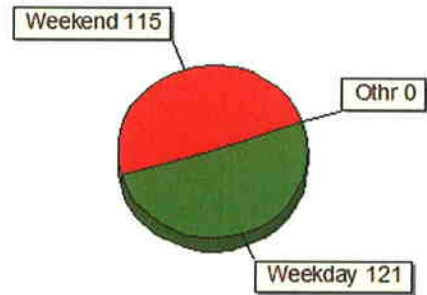


By Day of Week



Sunday	23.73 %	Monday	10.17 %
Tuesday	6.78 %	Wednesday	8.05 %
Thursday	9.32 %	Friday	16.95 %
Saturday	25 %	Other	0 %

Weekday vs Weekend

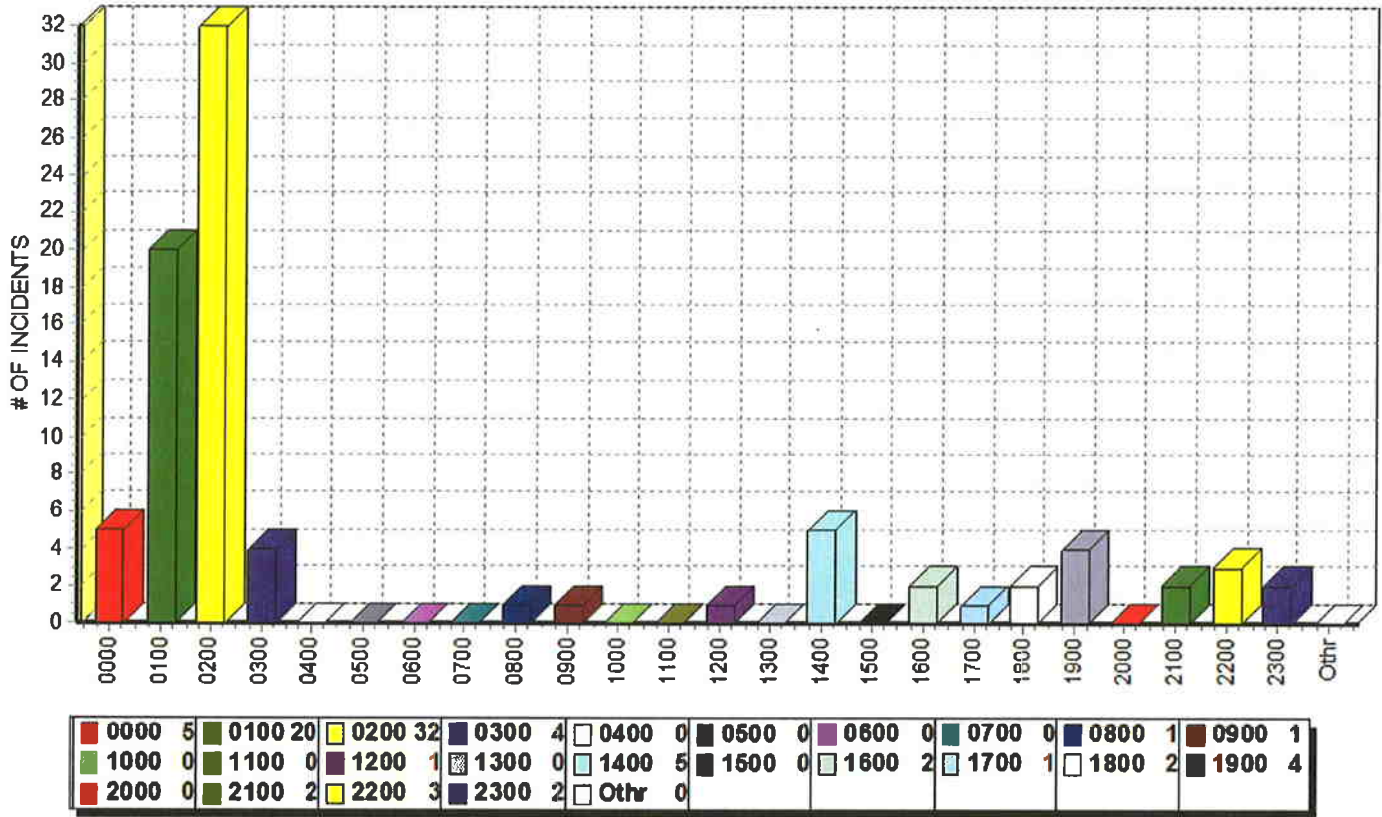


Weekend	48.73 %	Weekday	51.27 %
Othr	0 %		

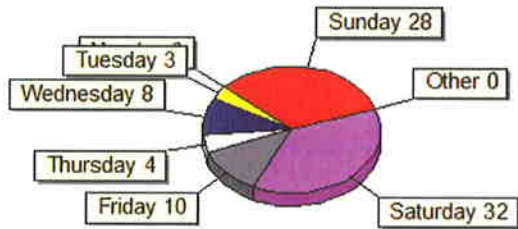
Git-R-Dun

01/01/06-02/17/2008

Calls by Time of Day

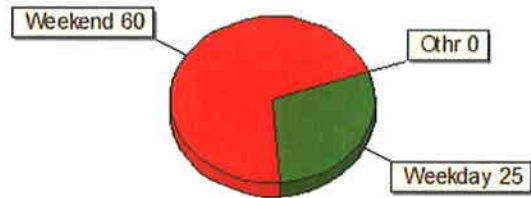


By Day of Week



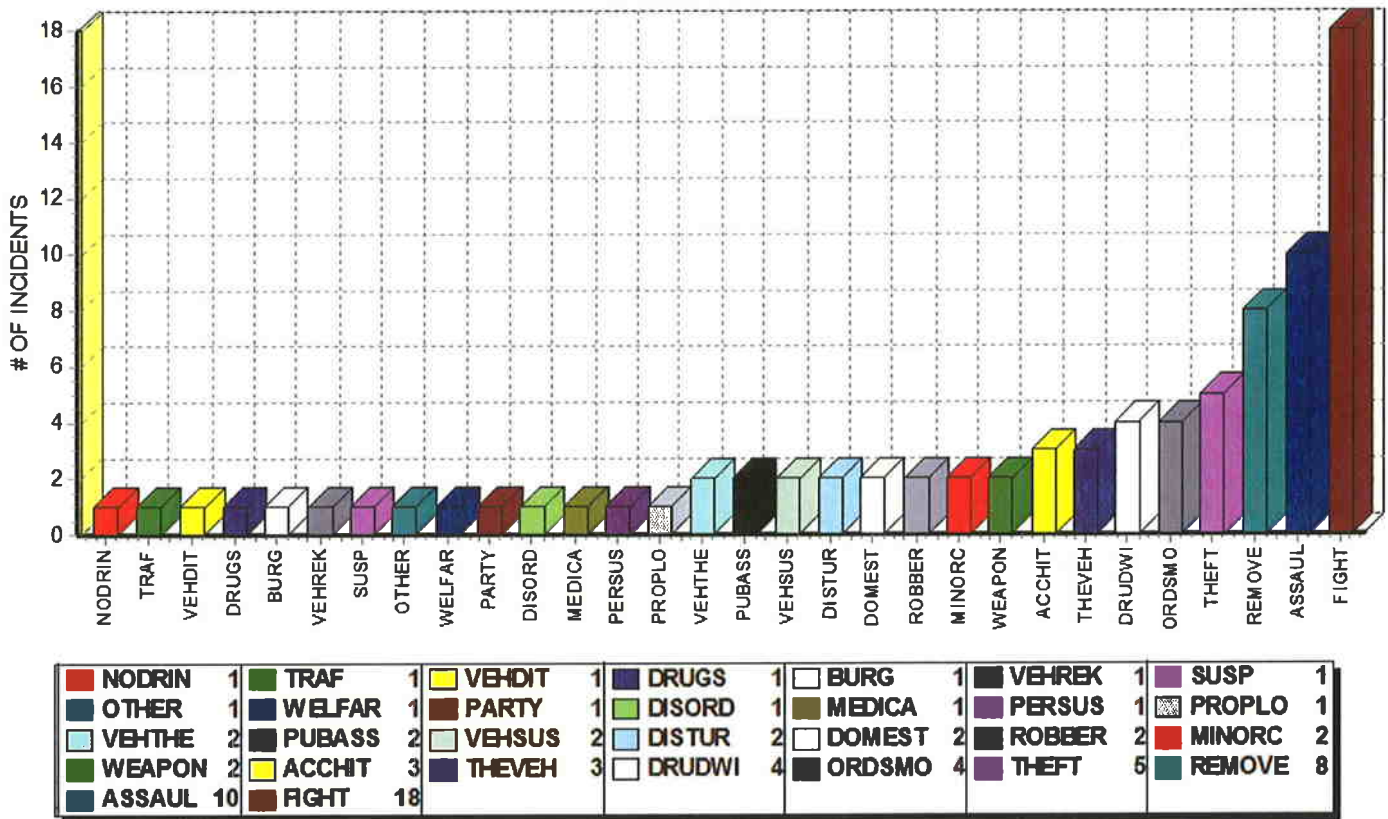
Sunday	32.94 %	Monday	0 %
Tuesday	3.53 %	Wednesday	9.41 %
Thursday	4.71 %	Friday	11.76 %
Saturday	37.65 %	Other	0 %

Weekday vs Weekend

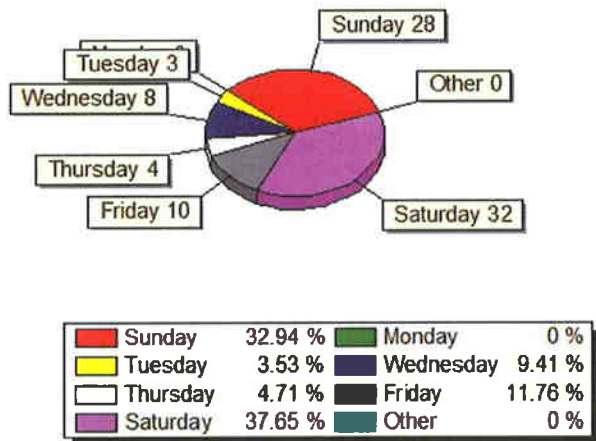


Weekend	70.59 %	Weekday	29.41 %
Othr	0 %		

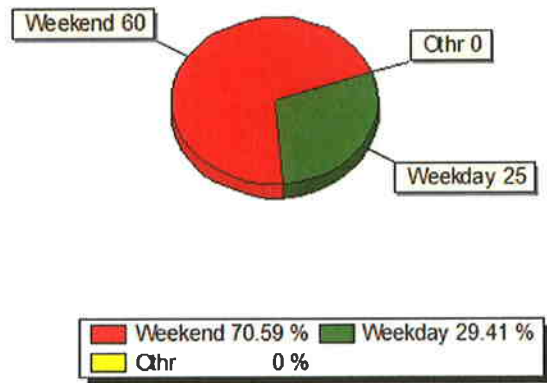
Git-R-Dun
01/01/06-02/17/2008
Calls by Incident Type



By Day of Week



Weekday vs Weekend



John Chattin

From: Bemidji Chamber - Lori [lori@bemidji.org]
Sent: Friday, February 05, 2010 6:46 AM
To: John Chattin; Tony Murphy
Subject: Capitol Day
Attachments: Registration form.pdf

As you know we are working on our plans for the 2010 Capitol Day. Your past support of \$275 to sponsor our legislative reception has been greatly appreciated. It has helped to keep our costs down for our volunteer attendees.

The Public Affairs committee is asking for your continued support with a reception sponsorship of \$275 for 2010.

I look forward to your reply.

Thank You

Lori Paris

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<http://www.facebook.com/pages/Bemidji-Chamber-of-Commerce/210232988355>

Mission: "Serve our members and advocate for our business community"

Lori Paris - IOM
President
Bemidji Area Chamber of Commerce
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Have Business Questions?
www.mnbizconnect.com