

**LORAIN PORT AUTHORITY
Board of Directors
Regular Board Meeting
Tuesday, July 10, 2018**

Board of Directors: Ms. Carr, Mrs. Cook; Messrs. Bansek, Davila, Kusznr, Mullins,
Nielsen, Zellers and Zgonc

Staff: Tom Brown, Executive Director

Yvonne Smith, Accountant

Tiffany McClelland, Economic Development Specialist

Kelsey Leyva, Office Manager

Michael Brosky, Esq., Legal Advisor (7:06 p.m.)

Guests: Dana Pinter, Lorain Port Authority Intern

Mareccia Rivera, Lorain Port Authority Intern

I. Roll Call

A. The meeting was called to order at 7:00 p.m. by Chairman Brad Mullins with roll call indicating a quorum present.

II. Report of Officers

A. Chairman

1. Intern Introductions: Ms. Dana Pinter, the marketing intern, and Ms. Mareccia Rivera, the tourism intern, introduced themselves to the board. Mr. Brown said the interns are working hard already and have ordered shirts and other marketing merchandise for the Port. Mr. Mullins thanked the interns for their efforts and said the Port is glad to have them on board this summer.
2. Correspondence: Mr. Brown said the intern graduation in August is going to be sponsored by the Port Authority. Ms. McClelland actually started as an intern through the same program before being hired as a full-time employee. The two entities have a great partnership. Mr. Brown said the Port also sponsored a fundraiser in fall 2017 that supports Leadership

Lorain County, and he plans to offer the same arrangement this fall for the Connections Lorain County Halloween Party and Costume Contest on October 19, 2018.

3. Geocaching request letter: Mr. Brown said GeoWoodstock is a large geocaching event held in a variety of locations. Last year's GeoWoodstock was in Cincinnati and it drew about 9,000 people from all 50 states and 30 countries. He said he doesn't have all the details as the group met with Ms. McClelland and Ms. Leyva, but the group is currently asking for support, so they can apply for the 2020 GeoWoodstock. Black River Landing would be the meeting location or check-in for the geocachers. Mr. Bansek asked for clarification of the small fee mentioned in the packet. Ms. McClelland said additional asks may come later, but what the group needs right now is support to apply. They're currently asking for the space. What we'd need to coordinate is the date. GeoWoodstock is either the Saturday of Memorial Day weekend or the Saturday around the Fourth of July. Ms. McClelland said she doesn't see scheduling being an issue. They're essentially asking for initial support. Mr. Zellers asked if the group reached out to us. Ms. McClelland said yes. The woman who made the request is very involved in geocaching in Northeast Ohio and has some history in the City of Lorain. Ms. McClelland explained geocaching is somewhat like a GPS scavenger hunt. You download an app, get coordinates and search near that location for a geocaching object. It's usually a small, waterproof box in plain sight with something inside. There is a geocache at Black River Landing. They're all over Lorain and basically anywhere you can think of. It could be a fake tree trunk with a small knickknack inside. You can take something out, put something in. Write in the booklet. It's a one-day event. The geocaching group is asking for the main event on Saturday to be at Black River Landing. Ms. Leyva said some business owners in Cincinnati took advantage of the extra visitors and offered unofficial events the week leading up to GeoWoodstock. Ms. McClelland said the draw is large and people are already trying to

coordinate charters to find a geocache in Lake Erie. It's the highest ranked and one of the most difficult caches to locate. Mr. Mullins asked if the board needed to start a sponsorship or partnership with the geocaching group. Ms. McClelland said at this point the group simply wants support to submit an application. Future talks about additional needs will come if GeoWoodstock comes to Lorain in 2020. The announcement will be in April/May 2019. Mr. Nielsen moved to support the geocaching event. Mr. Davila seconded. Motion carried.

B. Executive Director

1. BrewFest Sponsorship: Mr. Brown said there have been several discussions but we need to make an official motion to sponsor the event. Last year we were a sponsor and provided the site. Mr. Bansek moved to do so. Mr. Zellers said he wants to know if we've outlined criteria for fee waivers. Mr. Brown said the Port has been very conservative when it comes to fee waivers and he sees the Port as a sponsor and a partner to Brewfest, so we're not really offering a fee waiver. It's partially our event. Mr. Zellers asked which committee would handle the guidelines for fee waivers. Ms. Carr and Mr. Mullins said likely the Marketing and Public Affairs Committee. Mr. Zellers said he would like the topic of fee waivers to be discussed by that committee. Mrs. Smith suggested amending the motion to say sponsor and not fee waiver. Mr. Brown said as an internal policy he's trying to kill the term "fee waiver." Mr. Bansek said he sees this being more of a partnership, especially as the event continues to grow. Mrs. Cook said she's been complaining about fee waivers for 10 years. Mr. Brown said he handles a lot of the requests without the board's input. Mr. Bansek then amended his motion to sponsor Brewfest. Mr. Zellers seconded the motion. Motion carried. Mr. Zgonc then said he agreed with Mr. Zellers. He asked if we needed a motion to send the discussion of fee waiver guidelines to the committee. Ms. Carr said she didn't believe a motion was necessary. Mr. Brown said he turns people down all the time.

He's cultivating a culture to eliminate fee waiver requests. We're trying to streamline operations and not spend time talking about the small stuff.

2. Journal Jog Sponsorship: Mr. Brown said we've sponsored this since the beginning. The group using the building as a meeting place for the runners and walkers. It's a fundraiser for the mayor's scholarship and the Mary Lee Tucker Program, which provides underprivileged children with clothes. Mr. Kuszniir moved to sponsor the event. Ms. Carr seconded. Motion passed.
3. MOU with Lorain County Board of Commissioners for trash cans: Mr. Brown said two or three years ago he Port applied for a grant to obtain picnic tables, benches and trash cans at Riverside and Lakeside Parks. The grant was never approved and part of the reason why was due to our lack of recycling. The Port was instructed to apply for a secondary grant to implement a recycling program. Internally the staff supports and practices recycling. A recycling dumpster is onsite at Black River Landing, but the Port has not purchased outdoor recycling cans. A couple of months ago the county invited Mr. Brown to visit and look at potential recycling cans. Mr. Brown said he has no issue with new cans, but the discussion was about the content that would be on the cans. The cans are basically small billboards. The memorandum of understanding would provide 31 cans total for Black River Landing, Riverside Park and Lakeside Landing, but the county would like to sell three of the panels and the Port would sell one of the panels. The cans are nice and provide two separate containers for waste and recycling, but Mr. Brown said he isn't sure if an ad for a transmission shop at lack River Landing is exactly what the agency is looking for. Ms. Carr moved to send the topic to the marketing committee. Mr. Zgonc seconded the motion. Motion carried.
4. Fireworks Schedule Proposal: Mr. Brown said he felt the schedule worked well this year. It was one of the only years we didn't have a concert. The show was great, and Murray Ridge did a great job of cleaning up after. Ms. Carr said the fireworks were excellent. In the months leading up to

July Fourth, several meetings took place between the Lorain Police Department, Lorain's Safety Service Department and Mr. Brown. The city experienced an issue with manpower. Auxiliary officers typically volunteer on the holiday, however, not many signed up as they were scheduled to work the next morning. The police department usually has 25 officers and only 16 volunteered. There were also attempts to call in nine officers who would get paid overtime, but they didn't reach nine. The city wants a matrix so there isn't a question about when the fireworks are held. Their argument this year is they couldn't get the volunteers to man the traffic spots. Ms. Carr said the port gave significant notice to the city. Mr. Brown said the city sees it as a city function sponsored by the Port Authority and is asking for some cooperation. Mr. Mullins asked about how the schedule would work moving forward. Mr. Brown said fireworks would be on Saturday if July Fourth fell on a Sunday. If the holiday is on a Monday, the fireworks would be on Sunday. If the fourth was on a Tuesday, the fireworks would be Monday because people would have Tuesday off. The schedule would follow this pattern, except when the holiday falls on a Friday or Saturday. The auxiliary officers typically set up the cones, work the fireworks display and then pick up traffic cones until about 2 a.m. Then they're asked to come in the next day at 6 a.m., which contributed to the lack of volunteers. Ms. Carr said the Port gives significant notice, more often than not we have the fireworks on the Fourth of July and it's never been an issue any other year. She found the structure rigid. Mr. Zellers said he doesn't see this as an unreasonable request. He understands people won't stay up when they have to work the next day. He sees this as a way to streamline the process. Ms. Carr said what it boils down to is we would never be able to have the fireworks on the Fourth of July unless it was on Friday or Saturday. She believes there will be situations where we won't want to follow the rule. Mr. Kuszniir said the policy also wouldn't ensure staff would be available. He felt the amount of time given for the city to make staffing arrangements was appropriate. He doubted the city

would make staffing arrangements months in advance. Mr. Brown said he's gotten phone calls about the fireworks since February. The city was never happy with the date. Mr. Brown said the auxiliary doesn't want to work until 2 a.m. and then come in at 6 a.m., especially after volunteering an extraordinary amount of time. Internally, the staff liked not having a concert on the night of fireworks. They were able to be more of a patron. Mr. Mullins said he doesn't think this is that big of a deal and sees it as a political move to generate a positive relationship. Mr. Brown said he was surprised to learn several other cities host their fireworks on July 3rd. Ms. Carr said she's not concerned about the day, but she wants us to be aware we're losing our flexibility. Mr. Brown said even though we give advance notice, this schedule would make it so we never had to give notice again. The day would be known. Mr. Mullins said he agrees with setting a schedule. Mr. Davila asked about making exceptions. Mr. Brown said he thinks it would need to be one way or the other. Hypothetically, the fireworks would be on a Thursday next year. Mr. Zellers moved to accept city's proposed schedule. Mr. Bansek seconded. With five "no" votes, the motion failed. Mr. Brown said he has time to continue working with the city on a better solution. Mr. Zgonc then moved to have the 2019 fireworks display on July Fourth. Mrs. Cook seconded the motion. Mr. Brown said we have plenty of time and he felt it may be wiser to continue communications before setting the date. Mr. Davila asked how other communities pay for fireworks. Mr. Brown said it varies from city to city. Mr. Zgonc and Mrs. Cook withdrew the previous motion. Mr. Mullins moved to send the topic to the Marketing and Public Affairs Committee. Mr. Zgonc seconded. Motion passed.

5. Board Boat Tour: Mr. Brown said the staff would like to get the board out on our shuttle boat. He's looking for input as far as availability to get the event scheduled. Should it be limited to board members or extended to significant others? The goal is to offer a few dates while the weather is still nice. Mr. Zellers asked about the legal perspective. Mr. Brown said it's not

board business related, so there is no legal concern. Another option would be allowing board members to pick a date on the schedule. Mr. Davila said he would like to do it as a team. Mr. Zellers said he liked the team idea and including significant others as well. Mr. Bansek said he liked the idea of bringing significant others, too. Mr. Brown said he could look into getting two captains. Mr. Zellers asked if the board was interested and many answered yes. Mr. Mullins said an evening would be nice. Mr. Zellers said having at least two choices would be ideal. Mr. Brown said staff would send out two dates to pick from.

III. Report of Committees

A. Contract Management Committee

1. TAI Engineering Services Addendum: Ms. McClelland said in April we passed the agreement to move forward with TAI Engineering Services and the Kelleys Island Ferry Boat Line project. The project is moving along and through further conversations, ODOT has determined an engineer's estimate is needed before going out for bids. This wasn't included in the initial scope of services for TAI, meaning an addendum to the initial contract is needed. The cost will be completely covered by Kelleys Island. Ms. McClelland said the goal is to have the estimate completed within the next three to five weeks. Mr. Zellers asked about the total contract. Ms. McClelland said it was broken into two parts, and we signed on to the first part, which was \$134,000. The addendum would tack on an extra \$24,000, bringing the cost to \$158,000. Mr. Zellers asked about Kelleys Island's reaction to the additional cost. Ms. McClelland said conversations are still taking place. Kelleys Island knows the engineer's estimate needs to happen, but the exact cost and who was paying it was up in the air. ODOT made it clear this part will only be privately funded. Further discussions with Kelleys Island will take place tomorrow. Mr. Mullins asked what would happen if Kelleys Island doesn't like the price. Ms. McClelland said if Kelleys balks at the price, the project could be done. Another option is going out to bid for this item specifically. Mr. Zellers asked what the Port

Authority needed to do. Ms. McClelland said this resolution was needed to have the engineer's estimate completed. While it isn't the Port's money, the funds from Kelleys Island will pass through the Port Authority. Mr. Mullins asked about the order of operations and if the resolution was premature. Ms. McClelland said having the document ready for tomorrow's conversation with Kelleys would be ideal. She said the timing of the project has reached a tricky point and it would struggle if this was delayed at all. Mr. Brown said ODOT and Federal Highway accepted this estimate. Ms. McClelland said the estimate is sufficient to provide ODOT what they're looking for and they find it to be a respectable price. They say we don't need to seek additional bids. Mr. Zgonc said Kelleys Island doesn't know about the bill. Ms. McClelland said they know about the additional bill, but they don't know the price. Mr. Brown said ODOT explained this is preliminary work not covered by the grant.

Mr. Mullins presented:

SUBJECT TO SPECIFIC CHANGES REQUESTED BY THE BOARD SAID AGREEMENT SHALL BE SUBSTANTIALLY IN THE FORM NOW ON FILE WITH THE EXECUTIVE DIRECTOR WITH SAID CHANGES THEREIN AS ARE NOT ADVERSE TO THE INTERESTS OF THE PORT AUTHORITY AND AS MAY BE APPROVED BY THE EXECUTIVE DIRECTOR, OR HIS DESIGNEES AND LEGAL COUNSEL, A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ACCEPT THE PROPOSED ADDENDUM TO THE ENGINEERING SERVICES AGREEMENT WITH TECHNOLOGY ASSOCIATES, INC FOR AN ENGINEER'S ESTIMATE SERVICES.

Ms. Carr moved to accept the resolution No. 2018-21. Mr. Zellers seconded. Roll call vote as follows:

Ayes: 9

Nays: 0

Abstain: 0

Resolution Passed

B. Strategic Development Plan Committee

1. Ms. Carr said she and Mr. Brown have had numerous conversations lately and they have identified two consultants in relation to the marina lease. Mr. Brown spoke to both consultants who confirmed the timetable we're on is acceptable. Ms. Carr said she and Mr. Brown are looking for a third consultant and additional data. They will come back with a request for input. Mr. Zellers asked if an RFQ would be involved. Ms. Carr said we wouldn't need to. We would be relying on the expertise of the consultant. Mr. Zgonc asked if they're Ohio companies. Ms. Carr said yes. Not necessarily Cleveland, but they're in Ohio.

C. Marketing and Public Affairs Committee

1. Mr. Bansek said it will be a busy month. A meeting is on the horizon. Mr. Brown said the t-shirts and giveaways at International Festival resulted in a few hundred emails captured. It's getting people excited and it's working. Mr. Davila said it's nice to hear people in Cleveland talking positively about the Port and Lorain.

D. Grounds Maintenance and Capital

1. Mr. Nielsen said he wasn't sure if this was the right committee, but he wanted to discuss the use of drones during events. He was at a concert recently and a man was flying a drone over the people. The Port Authority doesn't currently have a policy, or any signs posted during events. Mr. Nielsen wants to look into creating a policy as he could see the drones as a hazard. Ms. McClelland said she was surprised to hear that because flying over people is illegal. She said she previously witnessed drone use on the south end of Black River Landing during concerts, but not over people. Mr. Nielsen and Mrs. Smith confirmed the drone was flown over people. Mr. Brown said even with signage it still could happen. Mr. Nielsen asked Mr. Brosky if the Port was covered even without signage. Mr. Brosky said the easy answer is maybe, but a policy would be a good idea to clear up any confusion. Mrs. Cook asked if there were any overarching regulations for drones. Mr. Nielsen suggested the staff coming up with

recommendations. Mr. Mullins agreed and said the staff could come up with a policy. Then it can go to the Bylaws and Personnel Committee.

E. Financial Planning and Audit Committee

1. June 2018 Financial Statement: Mr. Kuszniir said he met with Mrs. Smith to look over the June financial statements and receipts and everything looked great. He then moved to approve the financial statement. Mr. Zgonc seconded. Motion passed.
2. Then and Now: Mrs. Smith said no then and now certificates required board approval.
3. 2019 Estimated Budget: Mrs. Smith said the hearing for the temporary budget was held at 6 p.m. prior to the regular board meeting. The meeting was advertised in the paper, as is required, and the budget is a pure estimate at this point. We are currently estimating an unencumbered carryover balance of \$400,000 for the general fund. In 2019 the real estate taxes are estimated to be the same amount as 2018, which is \$815,363. We currently have 47 percent of the real estate taxes collected this year. The estimated budget shows \$1,415, 700 in general and \$1, 000 in the special revenue fund. We will be in the black. Mrs. Smith said the 2019 temporary budget is due to the county auditors by July 20, 2018.

Mr. Mullins presented:

A RESOLUTION TO APPROVE THE 2019 ANNUAL BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE LORAIN PORT AUTHORITY.

Ms. Carr moved to accept Resolution No. 2018-22. Mr. Bansek seconded the motion.

Roll call vote as follows:

Ayes: 9

Nays: 0

Abstain: 0

Resolution Passed

4. Budget amendment: Mrs. Smith said this amendment will affect the 2018 budget and would increase the Kelleys Island Ferry Boat Line Fund by \$24,674. Mr. Mullins asked if it was appropriate to pass a resolution before

having discussions with Kelleys Island. Mrs. Smith said without this resolution, the Port wouldn't be able to sign the contract until November if Kelleys Island does agree. Mr. Brown suggested the motion be made, pending the acceptance of the contract.

Mr. Mullins presented:

A RESOLUTION RATIFYING EXPENDITURES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO REVISE THE 2018 OPERATING BUDGET, TRANSFER AND APPROPRIATE FUNDS AND REQUEST AN AMENDED CERTIFICATE OF ESTIMATED RESOURCES FROM THE COUNTY AUDITOR, PENDING CONTRACT APPROVAL.

Mr. Davila moved to accept Resolution No. 2018-23. Mr. Kuszniir seconded the motion. Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

F. Bylaws and Personnel Committee

1. Mrs. Cook said she had nothing to report.

IV. Other Business

A. None.

V. Public Comment

A. Mr. Payerchin thanked the Board for their support of the Journal Jog. It's a primary supporter of the Mary Lee Tucker Clothe-a-Child Program. The charity, which provides coats and other items to underprivileged youth, was started by the Morning Journal decades ago. Volunteer shoppers help the children pick out items during the holiday season. The Journal Jog is set to take place August 5, 2018. Mr. Payerchin invited all board and staff to attend.

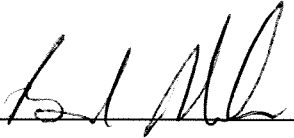
VI. Executive Session

A. Purposes of Property Disposition: Ms. Carr moved to enter. Mr. Nielsen seconded. Motion carried unanimously.


Ms. Carr moved to exit executive session. Mrs. Cook seconded. Motion carried.

VII. Adjournment

- A. There being no further business to come before the committee, Ms. Carr moved to adjourn. Mrs. Cook seconded the motion. The motion carried and the meeting adjourned at 8:14 p.m.



Brad Mullins, Chairman



Tom Brown, Executive Director