

**Lorain Port Authority  
Board of Directors  
Regular Meeting  
Tuesday, October 15, 2019, at 7:00 p.m.**

**Board of Directors:** Mrs. Cook; Messrs. Bansek, Davila, Kusznir, Mullins, Sommers, Zellers and Zgonc

**Staff:** Tom Brown, Executive Director  
Yvonne Smith, Accountant  
Tiffany McClelland, Economic Development Director  
Kelsey Leyva, Office Manager  
Mike Brosky, Attorney

**Guests:** Gail Bonsor, Caboose Committee  
Rick Payerchin, Morning Journal

**I. Roll Call**

A. The meeting was called to order at 7:03 p.m. by Chairman Brad Mullins with roll call indicating a quorum present.

**II. Pledge of Allegiance**

**III. Disposition of Meeting Minutes**

A. **September 10, 2019, Regular Board Meeting:** Without question, Mr. Zellers moved to approve the minutes. Second by Mr. Bansek. Motion carried.

**IV. Report of Officers**

**A. Chairman**

**1. Correspondence:**

a. Issue 13: Mr. Brown said he received a last-minute phone request asking the board to consider endorsing Issue 13, which is the Lorain Schools renewal levy. Mr. Brown said if the levy doesn't pass, it's bad for everyone. Mr. Zgonc moved to endorse the levy. Second by Mr. Sommers. Motion carried.

b. Lorain Winterfest advertising request: Mr. Brown said the Lorain Winterfest group wants to advertise in local papers. They're asking for \$1,000. Mr. Mullins asked what we've done in the past. Mr. Brown said it varies from year to year. They will not be at the site this year. They

are back at Veterans Park. Mr. Zellers asked what we donated in the past. Mr. Brown said three years ago we may have given \$500. Two years ago, we made no donation. Last year was mostly in-kind with their use of the site. Mr. Mullins moved to give \$500. Mr. Zgonc seconded. Motion carried.

- c. Second Harvest Food Bank facilities request: Mr. Brown said we have let the group use the site in the summer for their produce pantry and they like it so much they want to make it a regular location in the winter. The issue is the Trees and Trains Committee uses the facility from October-February. He has been talking back and forth with Second Harvest and explained they could not have the building during that time. Secondly, we do not plow that side of the site or the pavilion areas. There will be additional costs on our end if we allow them to come year-round. Spring/summer is easy for us. Mr. Brown is waiting for clarification from Second Harvest on the dates and times. Mr. Mullins asked if action was needed. Mr. Brown said no, this can be held until further update from Second Harvest. Mr. Brown's recommendation is no as the request currently stands. Mr. Zgonc mentioned the repainting of steel components, too. Mr. Brown said that was a good point.
- d. Lorain Millennial Group sponsorship request: Mr. Brown deferred to Ms. Leyva. She explained she is a member of the Millennial Group at the Lorain Historical Society. The group was asked to get involved with Lorain Winterfest this year. Initially the Millennials attempted to work with the Winterfest Committee but ultimately decided to create a parallel event on the same day, November 30. The Millennials are planning a Broadway Beverage Crawl from 3-7 p.m. that would encourage visitors to stop in the different participating businesses and grab a complimentary cup of hot chocolate from our station in the Palace lobby. The event overlaps Lorain Winterfest, the Broadway Cookie Crawl and ends right before Bob Earley's show "First Snow" at

the Palace. Mrs. Kaitlyn Donaldson submitted a letter to the board requesting \$200 to go toward promotional items and supplies needed for the beverage crawl. Mr. Bansek moved to donate \$200. Second by Mr. Sommers. Motion carried with one abstention by Mr. Kusznir.

**B. Executive Director**

1. Step It Up Challenge Winners: Mr. Brown said the staff once again won the Lorain County Step It Up Challenge for the third year. We upped our step average and broke our record.
2. Phragmite Study by US Army Corps of Engineers: Mr. Brown said we pay a land lease to US Army Corps of Engineers for the pier. In the past, we've offset the cost of the lease by cutting trees, moving dirt and mowing the berm at the site. Before when you walked the berm, you could see the lake and feel the breeze. The phragmite, an invasive weed, has overtaken the site. When you walk the berm now, you can't see the lake in all areas. You're almost in a tunnel. It's a safety and tourism issue. We engaged Hull Environmental to get the price for a study to attack the phragmite through a five-year compressive plan. Phragmite are not easy to remove and can't simply be cut. We got the price and Mr. Brown and Mrs. Smith walked the site with our Corps representative. We asked the Corps to approve the study as an offset to the lease and had it approved within a week. We're going to start in phases to remove the weeds. Removal could be a number of different methods. Lots of rules to follow when removing due to waterways and environment. It's good news. He is happy to report back to the Black River AOC with the news of the study. This year, we have a little bit of money and will likely go after the trees.
3. 2019 Ohio Economic Development Association Annual Summit: Mr. Brown said this was the reason our board meeting was moved. Two great outcomes from the trip. At the beginning of the day, Ms. McClelland was voted as Vice Chair of the Ohio Council of Port Authorities. It's a great achievement. The Port is very proud of her. Mr. Brown and Ms. McClelland then attended the summit. He thought the segments were very

good this year. He and Ms. Radhika Reddy presented the Ariel on Broadway project and the financial programs utilized. Overall, a really productive time in Columbus. Board members congratulated Ms. McClelland on her accomplishment.

4. Navigational Aids Grant Request Application: Ms. Leyva said in the past Ms. McClelland has applied for this grant. The application is due at the end of October. We in turn get six free buoys to help designate the different areas, such as the “no wake” zones, within our harbor. Ms. Leyva works with South Shore Dredge and Dock to schedule the placing and removal of the docks and buoys each year. We actually received the 2018 grant late in the season, so we currently have six brand new buoys to start 2020. If we receive the grant, we’ll have 12 to start the next season. Mr. Zellers asked about the total number of buoys we maintain. Mr. Brown said about 24 get placed each year.

Mr. Mullins presented:

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO FILE A NAVIGATIONAL AIDS GRANT REQUEST APPLICATION.**

Mr. Zellers moved to accept Resolution No. 2019-31. Second by Mrs. Cook. Roll call vote as follows:

**Ayes: 8                      Nays: 0                      Abstain: 0                      Resolution Passed**

5. King Fishery Lease Agreement: Mr. Brown said this is an annual October agreement. He sees no reason to change it. King Fishery is located at the south end of Black River Landing. Their very last dock encroaches about 4 feet of our property and is underwater. They pay us \$400 a year.

Mr. Mullins presented:

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO RENEW AN AGREEMENT WITH KING FISHERY TO LEASE A PORTION OF THE GROVE SITE FOR TEMPORARY STORAGE COMMERCIAL FISHING VESSELS.**

Mr. Zgonc moved to accept Resolution No. 2019-32. Second by Mr. Sommers. Roll call vote as follows:

**Ayes: 8**

**Nays: 0**

**Abstain: 0**

**Resolution Passed**

### **C. Economic Development Director**

1. Strategic Plan Update: Ms. McClelland said she would highlight specific areas on the timeline that we focused on this quarter. The items in purple will be discussed tonight. The couple of new items we're working on is marketing and rebranding. We need to start talking more about economic development and market ourselves as Lorain Port and Finance Authority. We are working with the marketing firm who updated our logo to update it again. We're not changing the logo entirely, however, we do want it to go from the Lorain Port Authority to the Lorain Port and Finance Authority. Once we receive a design, we'll bring it to the board and then get it on all of our materials. We want everyone to have a good understanding of who we are and what we do. We've done a lot with our website this summer to focus more on economic development and the programs we offer. Also, under action item 6, is strengthen partnerships. Ms. McClelland said she thinks this was met by her attaining the new role as Vice Chair with the Ohio Council of Port Authorities. Stepping into a leadership role was the right move for our organization and strategic plan. Vision number two has received a lot of focus. This section talks about the TIFF program and Brownfield program. The TIFF program was set up with the city. We also built out a TIFF webpage to cover what we've done and what we have to offer. Secondly, we've been running our Brownfield Assessment Program since 2011. We hadn't really done a lot of outreach and engagement on all the projects we're been involved in, but we have a webpage highlighting that now. Projects from this year need to be added. It's invaluable to make sure we're talking about it. We're closing out our grant with Hull and the EPA. We wanted to have an inventory done before the grant closed out. We have a map listing over 900 brownfields in the city of Lorain currently.

Ranging from hazardous substances to asbestos to former gas stations. They're categorized by contaminant level. It tells us the \$600,000 in Brownfield funding we received over the last 8 years was good, but we still have a lot of work to do. Our strategic plan outlines the importance of doing Brownfield work. Our grant expired at the end of September, so we can no longer do assessments on properties. This puts us in a position where we need more funding. A grant cycle just came up through the EPA and we are looking to apply. Last year we applied for assessment funding and were not successful, but we believe a number of factors played into it. One mainly being the US EPA only awarded 50% of past recipients. They wanted the funding to go to new recipients. Secondly, we had local competition that we think put us at a disadvantage because there was confusion as to why so many Lorain and Lorain County entities were applying for the same funding. The US EPA focuses on and values partnerships. She and Mr. Brown are trying to determine the best path forward in order to obtain funding. It could be us applying again, it could be us partnering with Lorain County and letting them apply as the lead. They are calling a meeting with Hull and the county to strategize on the appropriate path forward. The goal is to make sure we get some money instead of no money. We will be applying, we just aren't sure exactly how that will look. At some point we will come back to the board with what we believe the best path forward is. Mr. Zellers asked if the County received funding. Ms. McClelland said neither the County nor the Land Bank received funding. The US EPA said in their feedback that it looked like the County and the Port weren't working together. Mr. Brown said a goal of the strategic plan is to build the relationship with the county. He believes we've done that in some preliminary ways. They want us to be a partner with them and are willing to negotiate a proper agreement. There is a chance we could achieve more funding with the county than if we applied alone. Mr. Zgonc asked how many more sites are out there, other than the identified 900 Brownfields. Ms. McClelland said this is pretty accurate as

far as a comprehensive number. Mr. Brown said it could be as simple as a cleanup for a fuel spill. Sites like the Steel Mill and Stoveworks are the worst of the worst. If someone mixed chemicals in a parking lot, created a vapor cloud and called the fire department, it could be considered a Brownfield. We're trying to identify corridors and the areas needing the funding most. The grant is due December 3, and it takes a lot of time and energy to write. Ms. McClelland then switched topics to talk about our progress with PACE financing. We focused on PACE a little early due to the need in the city. It is becoming our most-used program. She and Mr. Brown are working on a way to better report the number of projects and potential projects. The annual report will be more intriguing with numbers. Developing a bond finance web page ties into focusing on who we want to be and not who we were. She encouraged everyone to visit the website when they have a chance.

2. Lunch & Learn: Cold is on the Way: Ms. McClelland said the folder is what was passed out at our cold storage event today. We partnered with a company looking to add a cold storage facility to the commerce park on the East Side. About 45 people registered to attend. It was a nice variety of people in attendance. They want to know the incentives and the property information. We want to show people what we have to offer. Team NEO is a regional partner we work with on projects. We've been trying to advertise and get developers in the Riverbend Commerce Park. The property is in the Team NEO database. Unfortunately, it is not in the JobsOhio database. Mr. Brown said he thought the event went really well. We catered and set up a tent. Good talking points and good questions answered. Three members from Team NEO and one JobsOhio representative attended. It's not typical for them to attend. To get them on the site is a win for us. Mr. Mullins said the team did a great job. Ms. McClelland had the idea of having the event at the end of the site to get people to drive through it. Temperature control is a big factor. Great presentation today.

3. Brownfields Grant Application: Ms. McClelland said Brownfields cycle just started. We were not successful last year. Only 50% of recipients who received before could receive it again. We also had local competition that put us at a disadvantage. EPA values partnerships. We are looking at the value of having this money and the best path forward. We will be applying for funding again. We may partner with Lorain County, but we have had a meeting to discuss this and have agreed to bring in Hull to strategize the appropriate path forward. Strong story here in the city of Lorain. The county also has a need, but we need some money instead of no money this year. We will apply, we just aren't sure what that looks like at this time. Looking for best path forward. Mr. Zellers asked if anyone else got the funding. Ms. McClelland said no. EPA thought it looked like we weren't working together or partnering with other entities. The county and the Land Bank applied last year and neither received funding. Mr. Brown wants to negotiate a proper agreement to get working on the many Brownfields. Mr. Zgonc asked if there were more than the 900. Ms. McClelland said the list includes every property, so it's pretty accurate. Mr. Zellers asked how a Brownfield is defined as such. Mr. Brown said some are simple gas spilled and others are asbestos assessments. Stoveworks is an extreme example. Ms. McClelland said you can also add in the vacant lots and dilapidated houses around Lorain. The grant is due December 3. It takes a lot of time and energy to write.

## **V. Report of Committees**

### **A. Contract Management Committee**

1. CenturyLink Phone and Internet Agreement: Mrs. Smith said as you know we pay way too much for phone and internet. Over the last few years we've tried to get the price down. Someone named Ben Harmouth from ATT contacted the Port and offered fiber plus. The challenges we've had in the past is CenturyLink owns the fiber lines coming to the building. Mr. Harmouth said there is a cooperative agreement between ATT and CenturyLink where they share fiber lines. We went over every site and the



necessities at each. With the exception of 14<sup>th</sup> street internet, we're going to get better service and additional features. It would be difficult and costly to run fiber to the boat launch. The phones will be leased, and we'll have business communicator with collaboration. Mr. Brown and Ms. McClelland will now have the ability to check their office phone remotely. Estimated monthly savings \$459. Annual savings of a little over \$5,500. Initially it was a three-year term, but they bumped it to five years to recoup their costs. Board members commended Mrs. Smith for her efforts to improve the billing for phone and internet. The contract will be within Mr. Brown's threshold.

#### **B. Strategic Development Plan Committee**

1. Property Listings: Mr. Kuszniir said there was a lengthy discussion prior to tonight's board meeting regarding property disposition. Mr. Brown has received multiple requests from people interested in the residential lots on the East Side. The Committee decided to bring to the full board, the recommendation to investigate the cost of appraisal and the potential cost to sell the property. Once the appraisals come back, the committee can then decide the best path forward. Mr. Zellers moved to accept the recommendation. Second by Mr. Zgonc. Motion carried.
2. Property Easement for Lorain County Metro Parks Bikeway: Mr. Kuszniir said Mr. Brown is going to request a more detailed drawing from the Metro Parks prior to making a decision.

#### **C. Marketing and Public Affairs Committee**

1. Mr. Bansek said he had nothing to report.
2. Mr. Brown said logo renderings would be sent to Mr. Bansek for further discussion once available.

#### **D. Grounds Maintenance and Capital Improvements Committee**

1. Victory Park Update: Mr. Mr. Brown said we now have ownership of Victory Park. The property wasn't exactly well maintained. He has opened a few purchase orders to start work at the site. He's also working to get the information out to the public because big changes will happen rapidly.

We're going to remove trees and add a v-shaped landscape/flower bed. The Disabled American Veterans (DAV) group asked for three flag poles instead of one. They promised to maintain the flags on our behalf. They also explored adding benches. The group initially asked for the property, but Mr. Brown said the Port intends to control the property. The DAV is looking into upgrading their facility as well. We have a utility pole on the site that is in disrepair. We have a few options, but the best one isn't cheap. Up to this point we haven't invested much monetarily into the site outside of mowing it. Mr. Brown believes we're going to end up putting about \$25,000 capital investment into that site. He thinks it's needed and will be worth it. Mr. Brown is open to partnerships and will continue to engage veterans' organizations. With the electrical, the plan is to take the pole out and put everything underground. This would include three LED lights to illuminate the flag pole, which has never been illuminated. Up lighting will also be added to three of the trees. Some trees will be removed and stumped out. Flag poles will be installed. The last piece is re-turfing everything. He plans to work with MTC Horticultural Services for the additional quote and wants to have it done by Memorial Day 2020. Mr. Zellers asked if the \$25,000 was accurate. Mr. Brown said the only item without a quote is the reseeding. The electrical is the expensive part. The electrical pole looks really bad currently. Mr. Zgonc asked why they need three flag poles. Mr. Brown said we could add a state flag and a Port Authority flag. Mr. Zgonc asked if the two additional poles were necessary. Mr. Brown said that is an area where we could tap into a little bit of savings, and we could always add additional poles later like we do at Black River Landing. Mr. Zellers sees a Port Flag as a good marketing/branding piece. Mr. Brown said it's about \$2,000 for the additional to 30-foot poles. Mr. Mullins thinks it's worth it to have three poles. Mr. Zgonc is concerned about others wanting a flag pole and doesn't want to detract from or clutter the site. Mr. Brown said he thinks we can do three flag poles appropriately.

**E. Financial Planning and Audit Committee**

1. August 2019 Financial Statement: Mr. Kuszniir said he and Mrs. Smith looked at August and September 2019 financials. He recommended the full board approve the August financial statement. Mr. Bansek moved to approve. Mr. Kuszniir seconded. Motion carried.
2. September 2019 Financial Statement: Mr. Sommers moved to approve the September 2019 Financial Statement. Seconded by Mr. Zellers. Motion carried.
3. Accepting Amounts and Rates for Calendar Year 2020: Mrs. Smith said we do this every year. The County Auditor asks us to approve the rates and amounts they propose. On page two, ours is \$814,877 for our new levy for five years. It's a 1-mil levy.

Mr. Mullins presented:

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES FOR CALENDAR YEAR 2020 AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

Mr. Davila moved to accept Resolution No. 2019-33. Mrs. Cook seconded. Roll call vote as follows:

**Ayes: 8                      Nays: 0                      Abstain: 0                      Resolution Passed**

4. Marine Patrol Grant: Mr. Brown said we apply for this grant every year and haven't had pay increases in quite some time. Prior to us submitting the application we have to establish the pay rate. Marine Patrol Supervisor Mr. Ed Favre said there have been staffing difficulties the last two seasons. They are somewhat understaffed with roughly six officers. A combination of factors plays into this and wages is one of them. There has been a significant reduction in the other services on Lake Erie. The state and Coast Guard has cut back significantly, and expectations of the Marine Patrol have risen. They are part of the NEORAMS, the Northeast Ohio maritime safety and security group, and they set the standard for the

coordination of marine patrols in the area. At the same time, getting people to do the work is becoming a challenge. Most of the demand is during weekends and nice weather. Ideal candidates are retirees who want to work part time and have a State of Ohio Peace officer license/up to date training. They're also competing with a lot of other part-time jobs these folks could have. For example, one Marine Patrol Officer is an Avon Lake Police Officer. He worked a wedding the other night for four hours and he made \$250. Compared to what peace officers get paid elsewhere, they're taking a pay cut to work as a marine patrol officer. The standard wage in this area for police and sheriff's officers is around \$30 per hour. Construction jobs pay \$45-50 for an officer to sit in a cruiser and watch traffic. It's not all about money, but it is an underlying factor. Fewer officers to do the job, too. The scrutiny law enforcement has come under as of late has led to fewer applicants for police departments. Our Marine Patrol tried to hire two people this year and their certifications/qualifications prevented that from happening. We gained one new person this year, but we're losing someone next year. There is one guy lined up to join in 2020, and they're hoping to get a second, but they're having a hard time balancing man power and time on the boat. Many manhours left unattended due to no one being available. Mr. Favre doesn't see one single silver bullet to solve the staffing issues, but he knows the Marine Patrol officers make considerably less than other officers in the area and he would like to address that. Mr. Zellers asked the rate. Mr. Favre said \$23-20, depending on the officer. Mrs. Smith said ODNR pays 75% and we pay a 25% match. In addition to that, the Lorain Police Dept. donates an officer and the slip is donated. That is viewed as additional in-kind. She ran the numbers, and we can pay the officers \$30 per hour without putting anything additional into the grant. Mr. Mullins asked if they needed more than 6 officers. Mr. Favre said ideally, they would take as many as they could get. They want a minimum of three on the boat. Coast Guard runs with four people. We often times run with two, but it's minimally doable. The hope is to attract

more people with the training and criteria to do it. This year, the Marine Patrol didn't have enough people to use all wages. They're instead spending it on equipment, but they would rather spend it on staffing than tools. Mrs. Smith said LPD gave about 300 hours at \$30.82 (base rate) for Mr. Mark Tomlin to serve as a Marine Patrol Officer. Mr. Favre said that's the base rate for LPD and Lorain County Sheriff's Officers. He is anticipating 5 officers next year. Ideally, he would like to have 8 officers. Mr. Brown said the grant is \$34,000 and that's the budget. We received approval to count the hours donated by the LPD for Mr. Tomlin as the match. If Mr. Tomlin is moved back to the road, we would be responsible for the match. Marine Patrol staffs according to when the boats are going in and out. ODNR likes for the Marine Patrol to work weekends, Memorial Day, July Fourth and Labor Day. This year they gave out a ton of warnings and two citations. The grant and ODNR prefer when warnings are given, and contact is made. Mr. Zellers asked the about the grant cap. Mrs. Smith said \$35,000. If it doesn't work out with Mr. Tomlin and the LPD, we'd owe \$12,000. Mr. Mullins moved to increase the rate of pay to \$30 per hour. Second by Mr. Zgonc. Motion carried.

5. Budget Amendment: Mrs. Smith said we're increasing revenues. The revenues increasing is miscellaneous by \$1,675, BRL rentals for \$6,000, and miscellaneous operating for \$10,000. Two light poles went down so we had insurance checks come in for those. We had an insurance premium rebate. The other item doesn't change value up or down, but it is a personnel line item. It's an even match of about \$22,000. We've separated out the Economic Development from the rest of the budget.

Mr. Mullins presented:

**A RESOLUTION RATIFYING EXPENDITURES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO REVISE THE 2019 OPERATING BUDGET, TRANSFER AND APPROPRIATE FUNDS AND REQUEST AN AMENDED CERTIFICATE OF ESTIMATED RESOURCES FROM THE COUNTY AUDITOR.**

Mr. Kuzsnir moved to accept Resolution No. 2019-34. Mrs. Cook seconded. Roll call vote as follows:

**Ayes: 8                      Nays: 0                      Abstain: 0                      Resolution Passed**

6. Then and Now Certificate: Mrs. Smith said there were no then and now's requiring board approval.

**F. Bylaws and Personnel Committee**

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

**VI. Other Business**

A. None.

**VII. Public Comment**

A. None.

**VIII. Executive Session: Purpose of Property Disposition**


A. Mr. Bansek moved to enter executive session. Mr. Davila seconded. Roll call vote as follows:

Ayes: 8                      Nays: 0                      Abstain: 0                      Motion carried

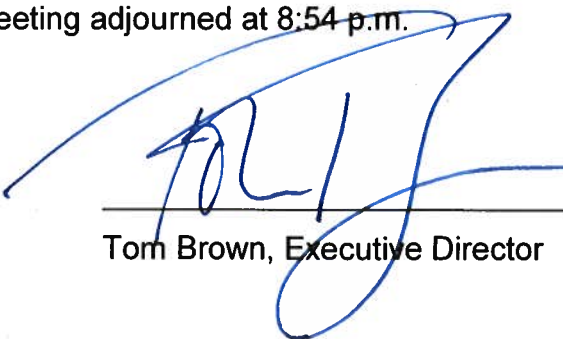
Mr. Bansek moved to exit executive session. Mr. Sommers seconded. Motion carried.

**IX. Adjournment**

A. There being no further business to come before the board, Mr. Davila moved to adjourn. Mr. Kuzsnir seconded. Meeting adjourned at 8:54 p.m.



Brad Mullins, Chairman



Tom Brown, Executive Director