

**LORAIN PORT AUTHORITY**  
**Board of Directors**  
**Regular Board Meeting**  
**Tuesday, November 13, 2018**

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

**Staff:** Tom Brown, Executive Director

Yvonne Smith, Accountant

Tiffany McClelland, Economic Development Specialist

Kelsey Leyva, Office Manager

Michael Brosky, Esq., Legal Advisor

**Guests:** Rick Payerchin, Morning Journal

**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. Pledge of Allegiance**

**III. Educational Session: PACE Financing** – Ms. McClelland said PACE stands for property assessed clean energy. You're financing energy improvements to a building or property. There are certain costs associated with PACE financing. The project has to be related to energy improvement costs. An example is our LED lighting upgrade. Anything that can relate back to energy savings can qualify. An energy audit can determine what you can save and determines what you can include in PACE financing. Renovations and new build qualify. It's a specific program but can cover a wide variety of items. Last month we agreed to petition for the Broadway Building to have a PACE assessment for Ms. Radhika Reddy. After the energy audit, the owner requests special assessment from the city of Lorain, through that the city joins an ESID. The first project is when you have to create the ESID. Now it's established. No other project will have that step. Any project touching Lorain or inside Lorain will have the ability to qualify for and obtain PACE financing. With Private Placement PACE, the PACE bonds

are in-house. This is for large projects \$1 million or larger. NOPEC's program provides smaller PACE loans. Ms. McClelland said projects that are half a million or smaller. We're working with NOPEC to fill a gap in Lorain. The goal is for the energy improvements to cover the cost of what you invest. 20 years is basically the longest you'll go on a PACE loan. NOPEC's are shorter, more like 5-10 years. If the payment term is in line with useful life, it comes out to a wash. Lorain ESID was just created in October. Its first board of directors meeting was October 23. Ms. McClelland said we needed a sponsoring project and luckily the Broadway Building counts. As long as our boarder touches, those neighboring cities can join our ESID. The board has an annual meeting and discusses current projects as well as the possible addition of others. Mr. Bansek asked if the type of business restricted the financing. Ms. McClelland said anything qualifies except residential. Mr. Zgonc asked if any businesses on Broadway were reaching out. Ms. McClelland said yes, a few. She hopes the local business owners take advantage of it. Mr. Kuznir asked about the tax assessment. Ms. McClelland said for the length of the financing term, the fee would appear on your tax bill for that length of time. We were the first ESID in Lorain County. We're trying to encourage people. Mr. Zgonc asked about the territory expanding. Ms. McClelland said the area expands as more take advantage of the program.

#### **IV. Disposition of Meeting Minutes**

**A. July 10, 2018, Regular Board Meeting:** Mr. Bansek moved to accept the minutes as presented. Second by Mr. Sommers. Motion passed.

#### **V. Report of Officers**

##### **A. Chairman**

1. Correspondence received: Mr. Brown said nothing that needed board attention.

##### **B. Executive Director**

1. Victory Park: Mr. Brown said this Veterans Day is the 100<sup>th</sup> anniversary of the end of WWI. There were meetings last week

about Victory Park. The City was trying to work with the Disabled Veterans group, but an agreement couldn't be reached. Instead of allowing the city to sell the park and move the monument, Mr. Brown suggested the Port take over and maintain Victory Park, much like we maintain Riverside Park. The city is on board. Mr. Brown opened the floor to questions. Mr. Mullins said he and Mr. Nielsen attended the veterans' event and the gentlemen were so appreciative and thought it was a great idea. Mr. Brown said it's the right thing to do. The monument means a lot. Sidewalks will be replaced by the city. Major thoroughfares should look presentable. We can do that. The Elks have pledged ongoing commitment to help maintain the property via volunteers. Long-term, Mr. Brown sees a fund being created to help support the park. Mrs. Cook asked if people would need to pay to use the space. Mr. Brown said it's so small, and he's not sure if people have ever had an event there, but we could handle that. We likely wouldn't charge fees. It was a major monument for World War I. It should never be moved. This needs to go through Lorain City Council. Mr. Bansek said Veterans Services has a group that goes through the statues for repair and reconditioning. That's also an option. Mr. Nielsen said several people visited his business and praised the Port. The idea is a home run. Mr. Brown said Mr. Rick Novak was so excited and congratulated the Port. Mr. Brown sees this as an opportunity to lead. Mr. Zellers clarified that the building isn't included with the land. Mr. Brown said it's only the green space. The City will be fixing the curbs and sidewalks. Mr. Sommers asked about future improvements to the sidewalk. Mr. Brown said he would imagine a similar situation where we work with the City. Mr. Zgonc said this makes him proud to be a member of this board. Mr. Bansek moved

to support the Port Authority taking ownership of Victory Park.  
Seconded by Mr. Nielsen. Motion carried.

2. Ariel on Broadway: Mr. Brown said because bank financing is involved, certain legal ties need to be attached to the property. Our last resolution wasn't vague enough to allow these mechanisms. We have to sign off on this agreement, so the bank can finalize the financing.

Mr. Mullins presented:

**A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE NON-DISTURBANCE, ATTORNMENT AND ESTOPPEL AGREEMENT IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF A HOTEL IN LORAIN, OHIO AND AUTHORIZING AND APPROVING RELATED MATTERS.**

Mrs. Cook to accept Resolution No. 2018-33. Seconded by Mr. Nielsen. Roll call vote as follows:

**Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution Passed**

3. LoCo 'Yaks Lease Extension: Mr. Brown said he's working with Mr. Rob Koscho and Mrs. Stephanie Moore-Koscho of LoC 'Yaks and Mr. Bob "Grumpy" Fowler. LoCo 'Yaks would manage the East Side launch and set hours for restroom facility. We wouldn't have to pay an attendant or make a new agreement. Mr. Brown wants it to go to Contract Committee but it's up to the chair. Mr. Nielsen said it sounds like a fair deal. Mr. Zgonc made a motion to accept as presented. Mr. Sommers seconded. Motion Carried. Mr. Brown will report update at December meeting.
4. Waterfront Winterfest: Mr. Brown said he was approached last month and learned all electric at Veterans Park is shot. It was a long shot if that could be repaired before Waterfront Winterfest and the City has deemed it impossible until next year. Waterfront Winterfest tossed around a lot of ideas but it's impossible to have the event at Veterans Park. The city asked if it could be at Black

River Landing. There are no other options. Trees and Trains is already here. Reindeer will be here on Saturday, Nov. 24. Mr. Bansek and Mr. Brown will be the disk jockeys. City workers will hang lights all over our pavilions instead of at Veterans Park. There will be a fire pit and fireworks on the south end. We're working with the Coast Guard to get approval in breakneck time. Palace will have Santa. Santa will be on site until he goes to the Palace for photos with children. The City will be helping with the electric. Mr. Nielsen suggested closing one entrance to the parking lot so pedestrian traffic is uninterrupted. Mr. Brown said that's a great idea and he could coordinate with Lorain Police Auxiliary. The size of the firework shell determines the perimeter.

5. Levy Renewal: Mr. Brown said there was a technicality and turned it over to Mrs. Yvonne Smith. She explained the language was fixed in two places to more accurately define the territory. The county is being very specific with the format.

Mr. Mullins presented:

**A RESOLUTION REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO THE LORAIN PORT AUTHORITY THE TOTAL CURRENT TAX VALUATION OF THE CITY OF LORAIN THAT HAS TERRITORY LOCATED IN LORAIN COUNTY/COUNTIES, AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY ONE (1) MILL(S) FOR THE PURPOSE OF PORT AUTHORITY OPERATING UNDER 4582.40. THIS TAX IS TO BE LEVIED UPON THE ENTIRE TERRITORY OF THE SUBDIVISION. SUCH LEVY WILL BE A RENEWAL, AND BE PLACED UPON BALLOT AT THE MAY 7, 2019, ELECTION. SAID BALLOT MEASURE SHALL BE SUBMITTED TO THE ENTIRE TERRITORY OF THE SUBDIVISION. SUCH LEVY WILL BE PLACED UPON THE TAX LIST AND DUPLICATE FOR THE CURRENT TAX YEAR, BEGINNING IN 2019 FIRST DUE IN CALENDAR YEAR 2020, IF A**

**MAJORITY OF THE ELECTORS VOTING THEREON VOTE IN FAVOR THEREOF FOR FIVE (5) YEARS.**

Mr. Nielsen moved to accept Resolution No. 34-2018. Seconded by Mr. Kuszniir. Roll call vote as follows:

**Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution Passed**

6. Navigational Aids Grant Request Application: Ms. Leyva said we go out for a navigational aid grant every year to replace some of our older buoys. The application was sent out Oct. 31, 2018, and we should hopefully hear back soon. Mr. Mullins asked about the dollar amount. Ms. McClelland explained the grant is for six (6) buoys, which is about one third of the buoys we place. If we receive the grant, they'll send us the buoys. There is no match.

Mr. Mullins presented:

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

Mr. Sommers moved to accept Resolution No. 2018-35. Seconded by Mrs. Cook. Roll call vote as follows:

**Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution Passed**

**VI. Report of Committees**

**A. Contract Management Committee**

1. Mr. Zgonc said he had nothing to report.

**B. Strategic Development Plan Committee**

1. Mr. Mullins said there is no report at this time.

**C. Marketing and Public Affairs Committee**

1. Mr. Bansek said he had nothing to report at this time.  
2. Mr. Zgonc asked about the recycling cans proposal and where we stand with that. Mr. Brown said we will not be working with the county on recycling bins. They will be factored into next year's budget. He said he's also looking into grant opportunities.

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

1. Mr. Nielsen said he had nothing to report but anticipates a meeting if we acquire Victory Park.

2. Mr. Brown said he would put together a list of what was accomplished in 2018 and a list of what is on the horizon for 2019.

#### **E. Financial Planning and Audit Committee**

1. September 2018 Financial Statement: Mrs. Smith said she reviewed the financials with Mr. Kuznir. He said everything was in order. October isn't quite ready. That will be ready for next month. Mr. Bansek moved to approve the September 2018 financial statement. Second by Mr. Kuznir. Motion carried.
2. 2019 Marine Patrol Grant: Mrs. Smith said she needs board approval to file the grant application. This year the program is at the full level of \$35,000. Mr. Jeremy Tavenner is stepping up for Mr. Ed Favre, our typical supervisor, as Mr. Favre will be out of the country for six (6) weeks. Mr. Mark Tomlin and Mr. Tavenner are very good marine patrol officers. No doubt they'll be capable.

Mr. Mullins presented:

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND WATERCRAFT FOR FUNDING THE 2019 MARINE PATROL ASSISTANCE GRANT PROGRAM.**

Mr. Davila moved to accept Resolution No. 2018-36. Mr. Nielsen seconded the motion. Roll call vote as follows:

**Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution Passed**

3. Advancement of Funds to Ariel on Broadway: Mrs. Smith explained the tax bill was mistakenly mailed to the wrong address. In order to get it paid promptly, we advanced money into the fund. The approval is retroactive. Ms. Reddy will repay before end of the year.

Mr. Mullins presented:

**A RESOLUTION TO APPROVE A RETROACTIVE ADVANCEMENT OF FUNDS FROM THE GENERAL FUND TO AN AGENCY (ARIEL ON BROADWAY) FUND.**

Mr. Kuszniir moved to accept Resolution No. 2018-37. Second by Mr. Bansek. Roll call vote as follows:

**Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution Passed**

4. Then and Now Certificate: Mrs. Smith said the Port Authority had no then and now certificates requiring board approval.
5. Budget Amendment: Mrs. Smith said she had one additional item with the Marina Patrol grant. We needed to ask for a funds transfer request from ODNR. It came through and needs to go before the board because it does affect the personnel line item.

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.**

Mr. Davila moved to approve Resolution No. 2018-38. Seconded by Mr. Nielsen. 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.

**VII. Other Business**

- A. The Strategic Plan rollout is set for Tuesday, Nov. 27, 2018. The time is 5:30 p.m. The Bylaws Committee will likely meet after that to discuss any necessary changes before the December regular board meeting. We talked about it being at the Palace, but Mr. Brown said he likes the idea of having it here with the conference room doors open. He wants to capture the energy of what we have here with an open house setting.
- B. Mr. Brown said we won the Lorain County Step Challenge again. We won by about 1,000 steps on average.
- C. Ms. McClelland said the Chamber annual Christmas function is Thursday, Dec. 6, 2018, from 5-8 p.m. We typically open it to board members. We plan to order this wee Ticket prices go up next week.



**VIII. Public Comment**

A. None.

**IX. Executive Session: Purposes of Discussing Property Disposition**

A. Mr. Davila moved to enter executive session. Seconded by Mr. Nielsen.

Motion carried.

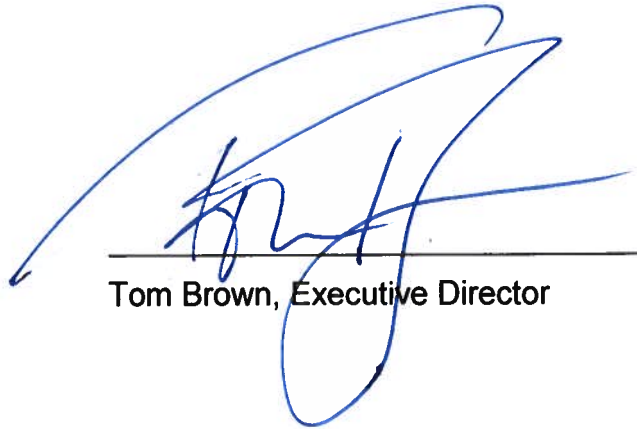
Mr. Bansek moved to exit executive session. Seconded by Barb. Motion carried

**X. Adjournment**

A. With no further business to come before the board, Mr. Davila moved to adjourn. Mr. Kuszniir seconded. The motion carried, and the meeting adjourned at 8:39 p.m.



Brad Mullins, Chairman



Tom Brown, Executive Director