

**Lorain Port Authority
Board of Directors
Regular Meeting
Zoom (online)
Tuesday, May 12, 2020, at 7:00 p.m.**

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

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

Guests: Mayor Jack Bradley (Watched via YouTube)

- I. **Roll Call**
 - A. The meeting was called to order at 7:10 p.m. by Chairman Brad Mullins with roll call indicating a quorum present.
- II. **Pledge of Allegiance (skipped)**
- III. **Disposition of Meeting Minutes**
 - A. **March 10, 2020, Regular Board Meeting:** Mr. Mullins asked if there were any questions, changes or corrections. Mrs. Cook moved to approve the minutes. Second by Mr. Zellers. Motion carried.
- IV. **Report of Officers**
 - A. **Chairman**
 1. Election of Officers: Mr. Brown said this should have happened in April but due to the coronavirus and the meeting cancellation, elections will take place now. The term will be the remainder of 2020 through April 2021. He then opened the floor to nominations for chairperson. Mrs. Cook nominated Mr. Mullins as chairman. Mr. Zellers seconded. No other nominations were made. Seeing no other nominations, Mr. Mullins maintained his seat as chairman. Mr. Brown then opened the floor for nominations for vice chair. Mr. Sommers nominated Mr. Nielsen to

continue as vice chair. Second by Mr. Mullins. No other nominations for vice chair were made. Mr. Nielsen maintained his seat as vice chair without contest. Mr. Brown then moved on to the nominations for secretary and said that the executive director historically holds this position and he's happy to continue that. Mr. Mullins nominated Mr. Brown for the position of secretary. Second by Mr. Bansek. With no other nomination, Mr. Brown maintained his position as secretary without contest.

2. Correspondence received:

- a. Mr. Brown said mail and email is slow right now. The flow of everything business-wise has come to a crawl. Everything was handled in-house this month and there is no correspondence to report on at this time. The staff continued with the business model of working from the office and at home. The office is not currently open to the public. We're waiting for the ordered personal protective equipment (PPE) to arrive to follow state guidelines and will continue the current business model at least this week. Maybe next week staff will be back in the office, but it may not be open to public. Mr. Brown wants to ensure appropriate measures are in place, such as masks and social distancing. The mission has continued to be accomplished with four staff members, three salary and one hourly, and they are looking forward to getting back to something closer to normal.

B. Executive Director

1. 2020 Shuttle Boat Captain Agreement Updated: Mr. Brown said Ms. Leyva updated the agreement with the captains. The staff is asking for support in changing it. We're awaiting further recommendations from the state governor's office since people would be in close proximity on the boats. We aren't sure what the season will look like, but we wanted to be prepared either way. Boat maintenance is moving forward, and Ms. Leyva met with one potential new captain before the office closed. Ms. Leyva said Mr. Brown provided a good synopsis. The only changes from the agreement originally passed in February 2020 are the hourly rate increase

to \$25 per hour and the cleaning up of the language regarding inclement weather. Moved by Mr. Zellers. Second by Mr. Bansek.

Mr. Mullins presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN INDEPENDENT CONTRACTOR AGREEMENT WITH SHIP CAPTAINS RELATIVE TO THE OPERATION OF THE SHUTTLE BOAT VESSELS IN 2020.

Mr. Zellers moved to approve Resolution No. 2020-11. Second by Mr. Bansek. Roll call vote as follows:

Ayes: 8 Nays: 0 Abstain: 0 Resolution Passed

2. State Auditor's Office Agreed Upon Procedures: Mr. Brown said the Port is audited by the state every other year and historically it costs anywhere between \$10,000 and \$12,000. Due to the pandemic, the audit will be completed remotely where Mrs. Smith will digitally send them the files and it will only cost about \$3,800. Mr. Brown explained the amount is well below his threshold, but he requested a motion to accept the agreed upon procedures. Mr. Zgonc moved to approve. Second by Mr. Sommers. Motion carried.
3. Oasis Marinas at Port Lorain Infrastructure: Mr. Brown said there was an update from Oasis in the packet. Lots of improvements at the site. The transition has brought up some hot button issues. According to the lease we are required to provide certain items, and some of the items we thought would stay were either taken out or in disrepair from the previous lease holder. Mr. Brown has worked with Oasis Marinas to create a list of needed items. Those include a pump-out station, jet ski docks, intercom security system for each dock and the gates. He worked with Regional Manager Nate Moyer to work out a plan where we reimburse them for the security system and 10 jet ski docks, not to exceed \$35,000. This would then wrap up the transition items. Oasis is already spending in excess of \$70,000 in repairs as required by their lease. Mr. Brown thinks it was a good negotiation. We invest the money, have new equipment and get it

started right. Mr. Mullins said he was involved regarding the missing equipment and it was basically a “he said, she said” conversation. He didn’t see the value in wasting time and money with a legal battle. If you’ve been down there, it looks great. We want to keep that good momentum going. Mr. Brown said we would likely end up spending more on legal than the jet ski docks are worth. Other floating docks are coming back to Oasis from Riverside Marina. He said it’s not perfect, but negotiations worked out better than expected. And we did get some docks back. Mr. Zellers asked about the \$35,000 and what it covered. Mr. Brown said it would be the security and key fob system. That was about \$15,500. There were 20 jet ski docks when Oasis visited, but their proposal would be to buy 10 new jet ski docks. If we do this, they’ll do the rest. And they’ve spent more than \$70,000 in year one. Mr. Zellers clarified it’s both items. Mr. Brown said yes. Mr. Zellers asked about asphalt. Mr. Brown said no one pouring yet. He will talk with Mr. Moyer as he may change the setup. Mr. Brown plans to go out for proposals and request two separate quotes. Oasis wants the part going out to the pier done first and they would be happy if one lot was done this year. They’re not as worried about the front parking lot. Mr. Brown is hoping for a better price doing both at once. The parking lots were not budgeted in capital, but the money is available.

Mr. Mullins presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO FUND IMPROVEMENTS AT OASIS MARINAS AT PORT LORAIN IN ACCORDANCE WITH THE CURRENT LEASE.

Mrs. Cook moved to approve Resolution No. 2020-12. Second by Mr. Zgonc. Roll call vote as follows:

Ayes: 8 Nays: 0 Abstain: 0 Resolution Passed

Mr. Bansek asked if the docks we’re getting back are usable. Mr. Brown said the docks are pretty whooped as they were the parts that broke off, but they have usable parts. Gangplanks will be replaced in July. They will

be aluminum. Mr. Mullins confirmed the docks would only provide parts. Mr. Brown said in year three Oasis plans to replace a lot. Mr. Mullins asked about dockage. Mr. Brown said they're around 180. The pandemic is affecting the turnout. Social media presence is good. Mr. Mullins asked about the Freedom Boat Club. Mr. Brown said they purchased a building on Colorado Avenue but he's not sure if they'll be operating out of the marina this year. Negotiations are ongoing. Mr. Mullins explained the club allows people to pay a monthly or annual fee to rent and use vessels. Mr. Brown said a lot is on pause with the virus still present.

4. Ariel on Broadway Put-Option: Mr. Brown said we have had the Ariel on Broadway lease for two years and Ms. Reddy has informed him that she will exercise her put-option. This means they pay \$1,000 plus closing costs and become owners of the building. In the lease we passed in December 2017, the language doesn't require any further action. We're waiting for news on Monday from Lorain City Council about the transfer of a small sliver of property near the hotel. Once it's transferred to the Port, Ms. Reddy can exercise her put option. Council will be doing a quit-claim deed. We wait for her title company; she pays \$1,000 and we hand off building. This is positive progress. Ms. Reddy was open less than a week and had to close due to the pandemic. And she missed the payroll protection act by two days. We're going to assist in any way we can and are still very happy with the project. It's somewhat surreal we're about to transfer it over. That was our goal and here we are. Mr. Mullins said he talked with Mr. Bob Early today about his plans to make the concert series work. They're honorable people and want to work through it. They may reschedule some concerts and/or extent the season. Mrs. Erin Stack with The Summer Market is hopeful, too, for her July event.

C. Economic Development Director

1. Ms. McClelland said she has a few updates. The good news is Kelley's Island Ferry Boat Line (KIFBL) is moving. We have signed the contract to build the vessel. They are doing additional engineering work right now.

There were a couple of hiccups along the way. At the last board meeting we talked about making sure we were covered on our end. We wanted to be sure the local match money was appropriately allocated into the escrow account and accessible to only us when needed. The federal money is encumbered with ODOT. We are now working with the district office instead of the federal office. We're able to draw down money as we need it to pay bills. TAI is the engineer on this. We're in a good place. A bit of not so exciting news: We applied in December for the area-wide Brownfield Assessment funding. We got notice last week that we didn't receive any funding. Ms. McClelland said no one in Northeast Ohio received funding. There were about 455 applicants and about 150 received funding. It was extremely competitive. Also, with everything going on, businesses aren't as interested in investment right now. Ms. McClelland said a potential project was sidelined for now and we completely understand. We're trying to help businesses find programs and take advantage of programs coming out. We're exploring a lot of options right now. Nothing is guaranteed, but we are well-positioned to help. We're listening to the community, hearing the needs and trying to react. Funding is tight and limited, so we're doing the best we can. Mr. Mullins said on Thursday someone from the Cold Storage Luncheon back in fall 2019 will be coming in to talk with Mr. Brown and Ms. McClelland. They have interest in the whole industrial park. He is excited. They hired a site-planning office out of New York. If everything goes well Thursday, he'll be flying in again to visit the site and the city. Ms. McClelland said as terrible as the crisis is, it has highlighted a few areas needing help. We're ready to see how it works out. Mr. Brown said we've been at the KIFBL project for three-in-a-half plus years. He congratulated Ms. McClelland and said she should be shooting confetti. A year from now the boat will be delivered to Marblehead. On June 5, 2021, the vessel should be delivered. Mr. Mullins congratulated Ms. McClelland on a job well done.

V. Report of Committees

A. Contract Management Committee

1. Mr. Zellers said he had no report.

B. Strategic Development Plan Committee

1. Mr. Kuszniir said he had no report.

C. Marketing and Public Affairs Committee

1. Mr. Bansek said he had no report.

D. Grounds Maintenance and Capital Improvements Committee

1. Stage Concrete Extension: Mr. Nielsen said there is a proposal to extend the concrete pad in front of the stage. Mr. Brown said as the Port is catching up on maintenance items, the stage was identified as an area needing attention. We want to extend the concrete 20 feet. Year after year we have mud from the concerts. We always reseed but it doesn't always take or stay. Extending the concrete will clean up the site. He received two quotes that are comparable. One is Falbo at \$10,750 and the other firm was Concrete and More at \$10,900. His recommendation is Falbo. They've worked on our sites, they're a good partner and a Lorain business. A third quote was attempted but he didn't receive any others back. Mr. Nielsen moved to approve moving forward with Falbo Construction. Second by Mr. Zgonc. Motion carried.
2. Pavilion Painting: Mr. Brown said Reardon's is doing a good job. All tan steel will be redone. It will look great once complete.
3. Victory Park: Mr. Brown said we're waiting on the lawn to be dragged out and reseeded. The lights and flag poles were installed. Trees were trimmed. Flowerbed to come. Mr. Brown is happy with the progress. His hope is to have it ready by Memorial Day.

E. Financial Planning and Audit Committee

1. March 2020 Financial Statement: Without question, Mrs. Cook moved to approve. Mr. Zellers seconded. Motion carried.
2. April 2020 Financial Statement: Mr. Davila said there were a lot of returns due to COVID-19. Limited transactions to view, too. Everything else looks

good. Mr. Sommers moved to approve. Mr. Davila seconded. Motion carried.

3. 2020 Marine Patrol Grant: Mrs. Smith said we received the maximum amount of \$35,000. Funding doesn't come until June 30, which is when the state's new budget starts. A related resolution is next on the agenda.

Mr. Mullins presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND WATERCRAFT FOR THE 2020 MARINE PATROL PROGRAM.

Mr. Nielsen moved to approve Resolution No. 2020-13. Second by Mr. Zgonc. Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

4. Advancement of Funds for Marine Patrol Grant: Mrs. Smith said our match amount for the grant is \$11,666.67. We need to advance this amount for the Marine Patrol Program.

Mr. Mullins presented:

A RESOLUTION TO APPROVE AN ADVANCEMENT OF FUNDS FROM THE GENERAL FUND TO A SPECIAL REVENUE MARINE PATROL FUND.

Mr. Sommers moved to approve Resolution No. 14-2020. Second by Mr. Davila.

5. Budget Amendment: Mrs. Smith said the only change is that the Marine Patrol grant was added.

Mr. Mullins presented:

A RESOLUTION RATIFYING EXPENDITURES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO REVISE THE 2020 OPERATING BUDGET, TRANSFER AND APPROPRIATE FUNDS AND REQUEST AN AMENDED CERTIFICATE OF ESTIMATED RESOURCES FROM THE COUNTY AUDITOR.

Mr. Bansek moved to approve Resolution No. 2020-15. Second by Mr. Davila. 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.

VI. Other Business

A. None.

VII. Public Comment

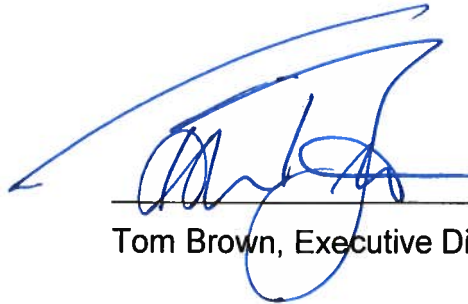
A. None.

VIII. Adjournment

A. There being no further business to come before the board, Mrs. Cook moved to adjourn. Mr. Nielsen seconded. Meeting adjourned at 7:53 p.m.



Brad Mullins, Chairman



Tom Brown, Executive Director