

**LORAIN PORT AUTHORITY
Board of Directors
Regular Board Meeting
February 10, 2015**

Board of Directors: Ms. Carr; Messrs. Bansek, Brown, Mullins, Nielsen, Sommers and Zgonc

Staff: Richard M. Novak, Executive Director
Yvonne Smith, Accountant
Mike Brosky, Esq.

Guests: Rick Payerchin, Morning Journal

- I. **Roll Call.** The meeting was called to order at 7:53 p.m. by Chairman Carl Nielsen with roll call indicating a quorum present.
- II. **Disposition of Meeting Minutes:** Disposition of January 13, 2015 Regular Board Meeting Minutes were presented for approval. Motion to accept the minutes by Mr. Bansek. Support by Mr. Mullins. Motion carried.
- III. **Report of Officers.**

A. Chairman

1. Correspondence received. Letter from Mayor Ritenauer reappointing Neil Sommers. Motion to receive and file the letter from Mayor Ritenauer by Mr. Zgonc. Seconded by Mr. Mullins. Motion carried.
2. Mr. Nielsen stated Light-Up Lorain has been handled by a variety of individuals to varying amounts of success. Mr. Jim Long, Chairman of Lorain Growth Corporation and Mr. Nielsen suggested a joint venture between Lorain Growth Corporation and the Lorain Port Authority to co-sponsor this event. At this point, there is no financial obligation to the Port Authority. Mr. Mullins made a motion to support and co-sponsor with Lorain Growth Corporation the Light-Up Lorain/Winterfest. Seconded by Mr. Sommers. Motion carried.

B. Executive Director

1. Commendation for Harry Williamson, Jr. Mr. Novak stated Mr. Williamson, Jr. was not reappointed but a plaque is prepared for his service.

Mr. Nielsen presented:

A RESOLUTION COMMENDING HARRY WILLIAMSON, JR. FOR HIS OUTSTANDING SERVICE, DEDICATION AND COMMITMENT TO THE LORAIN PORT AUTHORITY.

Mr. Zgonc made a motion to accept Resolution No. 2015-5. Seconded by Mr. Sommers. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

2. Accept Transfer of Real Estate from City of Lorain for the Health and Family Dentistry Sign Site. Mr. Novak stated Health and Family Dentistry wanted to erect a sign as you enter their entrance way. However, a fuel tank was in the area, which raised red flags. The tank was removed properly, however, there was no documentation. Ultimately, there was an error in an address and everything has been resolved. The Agency is in receipt of a letter that the project may move forward.

Mr. Nielsen presented:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LORAIN PORT AUTHORITY AUTHORIZING THE DIRECTOR TO ACCEPT THE TRANSFER OF REAL ESTATE FROM THE CITY OF LORAIN FOR THE HEALTH AND FAMILY DENTISTRY SIGN SITE - BROADWAY AVENUE, LORAIN, OHIO DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, SUBJECT TO LEGAL COUNSEL FINAL REVIEW.

Mr. Brown made a motion to accept Resolution No. 2015-6. Seconded by Ms. Carr. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

3. Transfer Real Estate from Lorain Port Authority (Health & Dentistry Sign Site) to Health and Family Dentistry. Mr. Novak stated this is part of the same project as above.

Mr. Nielsen presented:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LORAIN PORT AUTHORITY AUTHORIZING THE DIRECTOR TO TRANSFER REAL ESTATE FROM THE LORAIN PORT AUTHORITY LOCATED AT BROADWAY AVENUE, LORAIN, OHIO (HEALTH AND FAMILY DENTISTRY SIGN SITE) TO HEALTH AND FAMILY DENTISTRY DESCRIBED IN EXHIBIT "A" AND THE AGREEMENT ATTACHED HERETO, SUBJECT TO LEGAL COUNSEL FINAL REVIEW.

Mr. Brown made a motion to accept Resolution No. 2015-7. Seconded by Mr. Mullins. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

4. ODOT Vertical Building Program Update. Mr. Novak stated that the Board of Directors authorized the staff to move forward with the Project. The proposal was submitted to the Ohio Port Council. We were one of the five (5) Port Authorities that was approved to take on Projects of this nature. We also entered into an Agreement with the County Port Authority that they would receive a portion of the fee for this Project. At the State level, there has been some delay. Some additional answers from ODOT were needed and from the Ohio Facilities Commission.

5. Maritime Port Committee Update. Mr. Novak stated three (3) meetings have been held. The first was in nature procedural. The second meeting involved grant information on Ports and economic impact studies. Private sector individuals were invited to the last Committee meeting and John Falbo of Falbo Construction was our presenter. John Falbo did a very good job presenting and the Committee was very impressed.

IV. Report of Committees.

A. Contract Management Committee – Independent Contractor Agreement with Naturalists. Mr. Novak stated we have not used a Naturalist for several years as our Captains are very knowledgeable concerning the Black River. However, we are asking that the Resolution be approved in case a Naturalist is required.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN INDEPENDENT CONTRACTOR AGREEMENT WITH INDEPENDANT NATURALISTS RELATIVE TO THE CONDUCT OF NATURE TOURS UTILIZING THE SHUTTLE BOATS.

Mr. Brown made a Motion to accept Resolution No. 2015-08. Seconded by Mr. Mullins. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

Mr. Nielsen presented:

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

Mr. Sommers made a Motion to accept Resolution No. 2015-09. Seconded by Mr. Mullins. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE PORT OF LORAIN FOUNDATION, INC. REGARDING THE PROVISION OF THE 2015 SHUTTLE BOAT SERVICE TO THE LORAIN LIGHTHOUSE.

Mr. Mullins made a Motion to accept Resolution No. 2015-10. Seconded by Ms. Carr. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

4. Black River Landing Picnic Pavilion Project Contract. Mr. Mullins made a Motion to take the Black River Landing Picnic Pavilion Project back out to bid. Seconded by Ms. Carr. Motion carried.

5. Fireworks Contract. Mr. Mullins made a recommendation to award, subject to approval of Mr. Mullins, to American Fireworks for \$20,000.00. Seconded by Mr. Bansek. Roll call vote as follows:

Ayes: 6 Nays: 0 Abstain: 1 Motion carried.
(Tom Brown – Due to
Appearance of Conflict
of Interest)

B. Strategic Development Plan Committee – Mr. Novak stated we are accepting proposals for the Black River Landing site. We asked for proposals and did not receive any formal proposals, however, what was received was a letter from Jim Louthen who is the gentleman building the Hotel Project indicating they are very interested.

C. Marketing & Public Affairs Committee – Mr. Bansek made a Motion to recommend to the Board up to \$28,750.00 to Maximum Velocity in North Ridgeville for development and maintenance of the website. Mr. Sommers seconded the Motion. Motion carried.

D. Financial Planning and Audit Committee –

1. Permanent Budget Appropriations 2015. Mrs. Smith reviewed the Permanent Budget with a handout to the Board.

Mr. Nielsen presented:

A RESOLUTION MAKING PERMANENT APPROPRIATIONS OF THE LORAIN PORT AUTHORITY FOR CALENDAR YEAR 2015.

Mr. Bansek made a Motion to accept Resolution No. 2015-11. Seconded by Mr. Brown. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

2. Bank Reconciliation Report for October 2014.

Mrs. Smith stated Mr. Davila was able to review the October Bank Reconciliation and found it to be satisfactory.

3. Bank Reconciliation Report for November 2014 and December 2014. Mr. Nielsen reviewed both Bank Reconciliation Reports and found them to be satisfactory.

Mr. Brown made a Motion to accept October, November and December 2014 Bank Reconciliation Reports. Seconded by Mr. Mullins. Motion carried.

4. Financial Statement for December 2014 and January 2015. Mr. Nielsen made a Motion to accept the Financial Statements for December 2014 and January 2015. Seconded by Ms. Carr. Motion carried.

5. Then and Now Certificate. None that require Board approval.

V. Public Comments – None.

VI. Other Business –

Executive Session. Mr. Mullins made a Motion to enter Executive Session for the purpose of discussing economic development. Seconded by Mr. Bansek. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Motion passed

Mr. Mullins made a Motion to return to regular session. Seconded by Ms. Carr. Motion carried.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR AND LEGAL COUNSEL TO EXPLORE OPTIONS FOR THE LORAIN PORT AUTHORITY TO ENTER INTO A MANAGEMENT AGREEMENT WITH THE APPROPRIATE AGENCIES REGARDING THE FORMER ST. JOSEPH HOSPITAL FACILITY AND TO REVIEW OPPORTUNITIES TO ATTRACT DEVELOPERS TO THE FACILITY.

Ms. Carr made a Motion to accept Resolution No. 2015-12. Seconded by Mr. Mullins. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

VII. Adjournment.

There being no further business to come before the Board, Mr. Bansek made a motion to adjourn. Seconded by Ms. Carr. Motion carried. The meeting was adjourned at 8:59 p.m.

Carl Nielsen, Chairman

Richard M. Novak, Executive Director