

**LORAIN PORT AUTHORITY  
Board of Directors  
Regular Board Meeting  
August 9, 2016**

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

**Staff:** Rick Novak, Executive Director  
Yvonne Smith, Accountant  
Tiffany McClelland, Economic Development Specialist

**Guests:** Ms. Trudy Salim  
Rick Payerchin, Morning Journal

- I. **Roll Call.** The meeting was called to order at 7:04 p.m. by Chairman Carl Nielsen with roll call indicating a quorum present.
  
- II. **Report of Officers.**
  - A. **Chairman**
    1. Correspondence received. Letter from Lorain Lighthouse Foundation. Mr. Nielsen stated the Lorain Lighthouse Foundation will be turning over to the Lorain Port Authority the building at 138 Alabama Avenue, Lorain, Ohio that we had leased to them. Mr. Novak added the Lighthouse Group, several years ago, approached the Lorain Port Authority about utilizing that building putting a museum in the building. They made significant improvements to the building as far as electrical service, air conditioning units, painting windows, etc. but they were not able to take on the goals and tasks they had proposed. Motion to receive and file made by Mr. Brown. Seconded by Mr. Zellers. Motion carried.
  
  - B. **Executive Director.**
    1. King Fisheries. Mr. Novak informed the Board that this is the annual renewal of the contract with Kenny King, which ties a boat up to a post at the far southern end of Black River Landing. Mr. Novak stated that the cost to Mr. King is \$400.00.

Mr. Nielsen 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. Davila made a Motion to accept Resolution No. 2016-40. Seconded by Mr. Mullins. Roll call vote as follows:

Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution passed

2. Authorizing Transfer of Property back to City of Lorain (Ohio Edison Project).  
Mr. Novak explained this was the Project that was worked on a couple of years ago regarding the elimination of the transmission lines on Black River Landing throughout the waterfront area. It also involved the take down of the Plant over on the west side at the foot of Oberlin Avenue. Mr. Novak further explained that a new substation was constructed at Repko Park, which is the old Subway Field in Lorain just south of E. 28<sup>th</sup> Street. This was passed through the Port Authority because the City could not work directly with Ohio Edison due to bidding requirements. Whatever property was not used was transferred to the Port Authority and the Port Authority would in turn transfer it back to the City. Mr. Novak provided a diagram and photos for review.

Mr. Nielsen presented:

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LORAIN PORT AUTHORITY AUTHORIZING THE DIRECTOR TO RECONVEY REAL ESTATE BACK TO THE CITY OF LORAIN AS PER THE REDEVELOPMENT AGREEMENT WITH THE FIRST ENERGY CORPORATION/OHIO EDISON FOR THE OHIO EDISON PROJECT (ATTACHED HERETO), SUBJECT TO LEGAL COUNSEL FINAL REVIEW OF ANY CHANGES MADE TO THE REDEVELOPMENT AGREEMENT.**

Mr. Brown made a Motion to accept Resolution No. 2016-41. Seconded by Mr. Mullins. Roll call vote as follows:

Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution passed

### **III. Report of Committees.**

**A. Contract Management Committee – No Report.**

**B. Strategic Development Plan Committee – No Report.**

**C. Marketing & Public Affairs Committee – No Report.**

**D. Financial Planning and Audit Committee –**

1. June Financial Report. Mr. Mullins made a Motion to accept the June Financial Report. Seconded by Mr. Bansek. Motion carried.
2. July Financial Report. Mrs. Cook made a Motion to accept the July Financial Report. Seconded by Mr. Zellers. Motion carried.

3. 2016 Budget Amendment. Mrs. Smith explained the changes that are being proposed are increasing the revenue portion for Rockin' on the River by \$10,000.00 and increasing Country Jam by \$2,500.00 and increasing the River Tours by \$4,000.00 and the Jet Express Tours by \$4,600.00. Also we are increasing Black River Landing rentals by \$4,000.00 and charges for services. In all, we are increasing revenues by \$27,320.00 in the General Fund and under appropriations we are increasing the appropriations for Rockin' on the River by \$10,000.00 that matches the receipts coming in. We are also increasing appropriations by \$12,000.00.

Mr. Nielsen presented:

**A RESOLUTION RATIFYING EXPENDITURES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO REVISE THE 2016 OPERATING BUDGET, TRANSFER AND APPROPRIATE FUNDS AND REQUEST AN AMENDED CERTIFICATE OF ESTIMATED RESOURCES FROM THE COUNTY AUDITOR.**

Ms. Carr made a Motion to accept Resolution No. 2016-42. Seconded by Mr. Davila. Roll call vote as follows:

Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution passed

3. USEPA Brownfield Assessment Grant (Hazardous Substance) Fund.

Mr. Nielsen presented:

**A RESOLUTION TO APPROVE A RETROACTIVE ADVANCEMENT OF FUNDS FROM THE GENERAL FUND TO A SPECIAL REVENUE USEPA BROWNFIELD ASSESSMENT GRANT (HAZARDOUS SUBSTANCE) FUND**

Mr. Zgonc made a Motion to accept Resolution No. 2016-43. Seconded by Mrs. Cook. Roll call vote as follows:

Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution passed

Mr. Nielsen presented:

**A RESOLUTION TO APPROVE A RETROACTIVE ADVANCEMENT OF FUNDS FROM THE GENERAL FUND TO A SPECIAL REVENUE USEPA BROWNFIELD ASSESSMENT GRANT (PETROLEUM) FUND.**

Mr. Zgonc made a Motion to accept Resolution No. 2016-44. Seconded by Mr. Davila. Roll call vote as follows:

Ayes: 9

Nays: 0

Abstain: 0

Resolution passed

4. Then and Now Certificate. Mrs. Smith stated there was one (1) Then and Now to Traveller's Insurance Partners for \$18,344.00. Mr. Mullins asked if this was an annual invoice and Mrs. Smith replied yes but we do not know what the final cost is. She further stated that she has asked them to call before sending the invoice but Traveller's doesn't always call.

Mr. Nielsen presented:

**A RESOLUTION TO APPROVE APPROPRIATIONS (THEN AND NOW CERTIFICATE) FOR THE LORAIN PORT AUTHORITY.**

Mr. Mullins made a Motion to accept Resolution No. 2016-45. Seconded by Ms. Mullins. Roll call vote as follows:

Ayes: 9

Nays: 0

Abstain: 0

Resolution passed

**E. ByLaws and Personnel Committee – No report.**

- IV. **Public Comments** – Trudy Salim at 128 Lakeside Avenue, Lorain, Ohio. She was asking to volunteer as a way to get involved with the Port Authority. She is very happy to have moved from Avon Lake to Lorain.

**V. Other Business.**

Ms. McClelland stated there is an Agreement pending between Tallship Pride of Baltimore, Inc. for the Labor Day Weekend. She also stated there is no financial obligation for the Lorain Port Authority other than possibly putting up some fencing and someone from the Port staff monitoring their visit. Mr. Novak stated rides to the hospital if a crew member is injured, rides to the grocery store or airport would be the responsibility of the Port Authority as host community.

Mr. Nielsen presented:

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE PENDING LEGAL COUNSEL APPROVAL TO ENTER INTO AN AGREEMENT WITH THE PRIDE OF BALTIMORE, INC. FOR THE APPEARANCE OF PRIDE OF BALITMORE II FOR THE DATES OF SEPTEMBER 2-5, 2016.**

Ms. Carr made a Motion to accept Resolution No. 2016-46. Seconded by Mr. Bansek. Roll call vote as follows:

Ayes: 9                      Nays: 0                      Abstain: 0                      Resolution passed

Mr. Mullins queried the attendance number for Roverfest and Country Jam. Mr. Novak stated 20,000 for Roverfest and 15,000 for Country Jam. Mr. Mullins stated Country Jam was not well received.

Mr. Mullins made a Motion to go into Executive Session for the purpose of discussing property disposition and personnel. Seconded by Ms. Carr. Roll call vote as follows:

Ayes: 9                      Nays: 0                      Abstain: 0                      Motion carried.

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

Personnel. Mr. Brown made a Motion to authorize the Executive Director to be awarded temporary high position pay during Mrs. Smith's absence. Seconded by Mrs. Cook. Motion carried.

Property Disposition. Ms. Carr made a Motion to authorize the Executive Director to proceed with a Lease Agreement and to also proceed with a Purchase Agreement and Donation Agreement and Exhibit for the Hotel Project. Seconded by Mr. Bansek. Mr. Nielsen asked for a vote. Eight were in favor, one (1) was opposed. Motion carried.

**VIII. Adjournment.**

There being no further business to come before the Board, Ms. Carr made a motion to adjourn. Seconded by Mr. Bansek. Motion carried. The meeting was adjourned at 8:13 p.m.

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Carl Nielsen, Chairman

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Rick Novak, Executive Director