

Lorain Port and Finance Authority
Board of Directors
Regular Meeting
Zoom
Tuesday, February 9, 2021, at 7:00 p.m.

Board of Directors: Messrs. Bansek, Kuszniir, Mullins, Nielsen, Scott, Sommers, Veard, Zellers and Zgonc (9)

Staff: Tom Brown, Executive Director
Tiffany McClelland, Assistant Director
Yvonne Smith, Accountant
Kelsey Leyva-Smith, Office Manager
Michael Brosky, Esq., Attorney

Guests: Judge Mark Mihok

I. Roll Call

A. The meeting was called to order at 7:06 p.m. by Chairman Brad Mullins with roll call indicating a quorum present. Mr. Vassie Scott was sworn in as a board member by Judge Mr. Mark Mihok prior to the start of the meeting.

II. Report of Officers

A. Chairman

1. Correspondence received:

a. Mr. Brown said the St. Lawrence Seaway's new administrator reached out and they will be having a phone meeting tomorrow. Mrs. Leyva-Smith will be putting together a newsletter to announce our 2020 tonnage. We will be applying for the Pacesetter Award again and Mr. Brown thinks we have a good shot at receiving it again. In the year of COVID-19, 1,670,000 cubic tons of materials went through the Port of Lorain. This is the first time in quite some time the tonnage was over 1 million. Mrs. Smith put together the tonnage report for the agency.

B. Executive Director

1. ODOT Letter of Acceptance: Mr. Brown said in the board packet is a letter from ODOT. They sent it at the end of the year and needed it back quickly. The letter says that while ODOT was working on the Bascule Bridge, they

drove through Black River Lane and used our shared driveway to go underneath the bridge. They needed permanent approval to do the work. The Bascule Bridge also straddles our property line. Signing the letter ensured that area would be shared and ODOT had the right to work on the bridge. Mr. Brown is requesting a motion to ratify the signing of the letter. He said we have a great relationship with ODOT. On Friday, there will be remote operation testing, but the work is completed. Mr. Zellers moved to approve signing. Mr. Zgonc seconded. Motion carried.

C. Assistant Director

1. Kelley's Island Change Orders: Ms. McClelland said we spoke about this in contract committee prior to tonight's regular meeting. She summarized by saying the Kelley's Island Project has had a few change orders so far, and we expect it could happen again. Based on the contract we get an additional 5 percent fee when this happens. The first change order we charged our fee. The second change order has come, and Ms. McClelland is asking to not charge our 5 percent fee in this one instance. Mr. Zellers said for the second change order, it is Kelley's Island's position, and our position, that our engineer had some culpability for not catching this sooner, and therefore we would like to recommend waving our 5 percent fee on this particular change order. Mr. Mullins asked if it would be on a case-by-case basis? Mr. Zellers said yes, he wants it to be that way. Ms. McClelland said she agreed that is a fair approach moving forward. Mr. Sommers moved to approve waiving our 5 percent fee. Second by Mr. Veard. Motion carried.

III. Report of Committees

A. Contract Management Committee

1. AAble Rents Stage Top Proposals: Mr. Zellers said AAble Rents have prepared a cleaning contract, an installation contract, a removal contract, and a storage contract for 2021. There is a \$465 increase from 2020 and it seems reasonable. Mrs. Leyva-Smith is going to double check prices between 2020 and 2021, but the committee recommended full board approval of all four contracts. Mr. Mullins asked for clarification on the increase. Mrs. Leyva-

Smith explained the \$465 increase is due to a new storage rate of .15 cents per square foot of the canvas. Mr. Bansek moved to approve. Second by Mr. Sommers. Motion carried.

2. LoCo 'Yaks Sublease Agreement 2021-2023: Mr. Zellers said there are two issues here. First is a resolution on a new sublease agreement. But before that, he explained the LoCo 'Yaks want a storage container at the Riverside Park property to store the kayaks. The committee recommended to the full board the approval of the storage container, so long as the city and state approve it. LoCo 'Yaks would be responsible for any variances needed. Mr. Zgonc moved to approve the storage container, providing it is approved by city and state entities. Second by Mr. Nielsen. Motion carried. As for the sublease, the rent will be negotiated. LoCo 'Yaks suggested \$60-80 per month, and Mr. Brown would have the authority to negotiate further. Mr. Nielsen moved to continue the current sublease to the end of March, and to give the executive director authority to negotiate rent on the Port's behalf. Second by Mr. Zgonc. Motion carried.
3. Financial Advisor Agreement: Mr. Zellers said this is a resolution for a professional service agreement with Baker Tilly. Ms. McClelland said Baker Tilly is our financial advisor. We work with Brian and they are a part of all of our transactions. Anytime we do a bond issuance, construction finance, etc., they're involved to ensure the correct agreements are in place and that we are compensated adequately. Ms. McClelland said we have a few projects in the works this year and Baker Tilly will need to be involved in those. They are our financial experts. Mr. Zellers said the committee recommended full board approval of the three-year contract, renewable yearly, for the same \$15,000 a year, paid monthly.

Mr. Mullins presented:

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BAKER TILLY MUNICIPAL ADVISORS, LLC.

Mr. Sommers moved to approve Resolution No. 2021-03. Second by Mr. Bansek. Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

B. Strategic Development Plan Committee

1. Mr. Kuszniir said he had no report. Mr. Brown asked that the strategic and marketing committee chairs get together to find a date to talk about stage top proposals.

C. Marketing and Public Affairs Committee

1. Mr. Bansek said he had no report.

D. Grounds Maintenance and Capital Improvements Committee

1. Mr. Nielsen said he had no report at this time.

E. Financial Planning and Audit Committee

1. January 2021 Financial Statement: Mr. Kuszniir said he met with Mrs. Smith to review the financials. Everything looks good. The year-end documentation was completed, too. He said he would be meeting with Mrs. Smith to review the financials until the committees are reconfigured. Mr. Kuszniir moved to approve the January 2021 Financial Statement. Second by Mr. Zellers. Motion carried.
2. Budget Amendment: Mrs. Smith said the only amendment is to the Kelley's Island fund. It was the revenues coming in from Kelley's Island and the expenditures going out for the capital assets. Both were an increase \$43,038.

Mr. Mullins presented:

A RESOLUTION RATIFYING EXPENDITURES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO REVISE THE 2021 OPERATING BUDGET, TRANSFER AND APPROPRIATE FUNDS AND REQUEST AN AMENDED CERTIFICATE OF ESTIMATED RESOURCES FROM THE COUNTY AUDITOR.

Mr. Zellers moved to approve Resolution No. 2021-04. Second by Mr. Nielsen. Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

F. Bylaws and Personnel Committee

1. Mr. Sommers said he had no report.

IV. Other Business

- A. Mr. Mullins said Mr. Scott would be added to some of the committees and an updated list will be distributed.
- B. Mr. Brown said Erie Shore Wave Runners has really gone to work on the old marina office building. The car and boat detailing opens in March and rentals start in the summer. Freedom Boat Club will also be open in 2021. They're located in the old gift shop. We did a lot of landscaping over there. He and Nate were talking about bike racks that create a shadow. They need to do some testing to what the best locations will be.
- C. Mr. Mullins asked about the swings? Mr. Brown said the first two are in transit. We plan to get those installed and do a marketing push for that, too. Two sponsorships so far, so we'll have four swings to start. First is at Black River Landing looking at the River. Second will be on the pier. He anticipates a \$2,500 sponsorship fee.
- D. Mr. Sommers asked how Oasis is doing with slip rentals? Mr. Brown said it's early, but Oasis encouraged by what they experienced in 2020 and have expedited some projects. People typically don't want to book until it gets warmer. Mr. Brown said the marina bathrooms are being completely rebuilt, too. It's going to make a huge difference. There will also be a small retail shop in the marina office building. Mr. Brown said they're doing good work and we're happy with the progress.

V. Public Comment

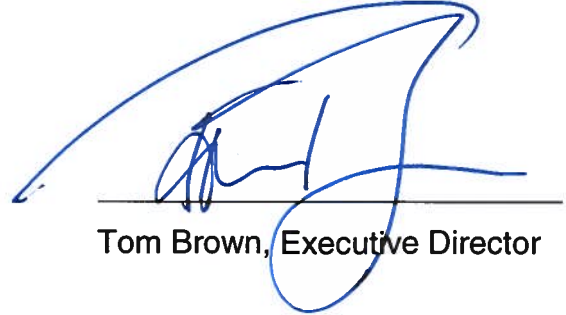
- A. None.

VI. Adjournment

A. There being no further business to come before the board, Mr. Bansek moved to adjourn. Mr. Veard seconded. Meeting adjourned at 7:35 p.m.



Brad Mullins, Chairman



Tom Brown, Executive Director