

Lorain Port and Finance Authority
Board of Directors
Regular Meeting
Zoom

Tuesday, April 13, 2021, at 7:00 p.m.

Board of Directors: Messrs. Bansek, Kusznir, Mullins, Nielsen, Scott, Veard, Zellers and Zgonc (8)

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

Guests: None

I. Roll Call

A. The meeting was called to order at 7:01 p.m. by Chairman Brad Mullins with roll call indicating a quorum present.

II. Pledge of Allegiance

III. Disposition of Meeting Minutes

A. February 9, 2021, Regular Board Meeting: Mrs. Leyva-Smith said she corrected the date in the bottom left corner from 2020 to 2021 prior to tonight's meeting. Mr. Zgonc moved to approve the meeting minutes as corrected. Second by Mr. Zellers. Motion carried.

IV. Report of Officers

A. Chairman

1. Election of Officers: Mr. Brown said he sent an email out about this in March. It is now time to set officer positions, including secretary, chair and vice chair. He opened the floor to nominations for secretary, which is typically held by the executive director. Mr. Mullins nominated Mr. Brown. Mr. Kusznir seconded. With no other nominations, a voice vote was taken. The motion carried unanimously. Mr. Brown then opened the floor to chair nominations. Mr. Zellers nominated Mr. Mullins. Mr. Nielsen seconded. With no other nominations, a voice vote was taken. The nomination passed unanimously.

Mr. Brown then opened the floor for vice chairman. Mr. Zellers asked if Mr. Nielsen was interested. Mr. Nielsen said yes. Mr. Zellers nominated Mr. Nielsen as vice chair. Mr. Mullins seconded. With no other nominations, a voice vote was taken. The nomination passed unanimously.

2. Correspondence received:

a. U.S. Army Engineer District Detroit Letter: Mr. Brown said he included a letter from USACE District Detroit. The synopsis is in the past we've done Jet Express trips to Cleveland. In order to do that, we had to have an agreement in place to use that dock. USACE is asking for a compensation package. Mr. Brown recommended notifying USACE we are not interested in the dock this year. We haven't been to Cleveland in a while due to COVID-19. If something comes up, we can reengage then. We do not know if we can do anything with the Jet this year. Mr. Mullins asked for clarification. Mr. Brown said the issue is it's not an essential service and the threshold of passengers is too low. We're keeping conversations open and hoping to get it back this year. Mr. Brown said we're also keeping a pulse on COVID-19 restrictions and hope to have maybe a BrewFest Cruise or something else on the Jet. Mr. Mullins asked about the length of the contract. Mr. Brown said it would be a \$3,600 yearly fee. Mr. Zellers suggested maybe reaching out for a per dock fee. Mr. Brown said he would keep dialogue going.

b. BrewFest Sponsorship Request Letter: Mr. Brown said the BrewFest Committee sent a sponsorship request letter. He said he has explained to the group before that the board sees this as a partnership, but they wanted to ask again. The group had to cancel last year and are looking forward to bringing it back. Mr. Nielsen moved to approve the sponsorship. Second by Mr. Bansek. Motion carried.

B. Executive Director

1. Marine Patrol Update: Mr. Brown said there was a very simple, long-standing Memorandum of Understanding between us and the LPD. We are not a law enforcement agency, so when we accept the Marine Patrol Grant, we need to

be able to deputize our Marine Patrol Officers. Chief Cel Rivera and Sherriff Phil Stammitti had an ongoing relationship and that changed when Chief Rivera retired. The Sheriff's Office didn't feel protected enough and they sent us over a very simple MOU for the deputizing. But before that document could be sent to LPD, they insisted on writing the MOU, which turned into a multiple-page document that involves security on our site, jurisdiction, chain of command issues. We've been working on that new MOU now for about three months. Mr. Brown said he reached out to the Sherriff's Office and showed them the draft of the new MOU, and they will not sign it. The Sherriff's Office is going to be reaching out to work with us directly for the deputizing. Long story short, we'll likely have to have a special call if this gets done. If no MOU is reached, we can't accept the grant. As much as we like to provide the service, Mr. Brown said we are not interested in becoming a full-fledged police authority. Ideally, he said he would like to see the city take the grant back or the Sheriff's Office take it over. The Sherriff's Office in theory could be the grant holder but we are the agency applying for the grant this year. Mr. Brown said he spoke to the city, and they were not interested in taking over the grant. Some of the items in the MOU have to do with security on our site. Mr. Brown said he's had great dialogue with the new police chief. Everything we do here at Black River Landing has police approval. All liquor permit requests, and security plans go through the police department. Event planners talk to LPD to determine the number and type of officers needed. Mr. Brown said he's happy to talk to the city about a separate MOU, but he believes the city is convoluting a very simple MOU meant to be about deputizing officers. Mr. Mullins asked if it would be possible for the Sheriff's Office to deputize our Marine Patrol officers without involving LPD? Mr. Brown said no, the Sherriff's Office won't execute the simple deputizing MOU unless the city signs off on it because they want to avoid jurisdictional issues. He said we can't have a ROTR or Roverfest without the police department involved. We can have a special call if we get the grant and MOU completed. Mr. Brown said he has made it clear to both agencies that we can't accept the

grant without the ability to deputize the officers. This shows it's a lot easier for a law enforcement agency to handle a grant like this. He has faith we will get it done. We should know if we received the grant any day now. Mrs. Smith said we're very likely to receive it again.

2. Mr. Brown said during the stage top installation, it was noted that one concrete pillar had degraded some. It is structurally sound, but we don't want to take any chances. He reached out to Gary Fischer. Mr. Fischer met with Ruhlin Company and came up with a plan for the repair. One pillar and an electrical issue will be addressed. He is requesting an increase in his threshold from \$10,000 to \$15,000, this one time, and give him the authority to correct the issues before Memorial Day. It's a comprehensive plan that will be well-worth the peace of mind and will be about a week of work. He doesn't want to put it off until May with the JVS Graduation and Rockin' on the River quickly approaching. Mr. Nielsen moved to increase Mr. Brown's threshold to complete the stage projects before Memorial Day. Second by Mr. Veard.
Motion carried.

C. Assistant Director

1. JobsOhio Inclusive Project Planning Program: Ms. McClelland said this was not in the board packet. This was very last minute. Last year we worked with JobsOhio and Team NEO to get the priority properties in Lorain more attention at the state level. Rep. Joe Miller was working with us specifically on the former Pellet Terminal site. There is an emphasis on the need to get dollars into the city of Lorain to see why our properties aren't getting any attention. Along with the City of Lorain, we applied for a grant last year based on the guidance of Team NEO and JobsOhio. One of the main holdback issues we have is we've done requests for proposals (RFPs) and get no proposals back. What are we missing? One of the fundamental things identified was we need to have a market analysis for the city, so developers know what to expect if they invest here and what's feasible. JobsOhio has awarded us funding through their Inclusive Project Planning Grant Program. There are three target properties in Lorain: The Pellet Terminal site (finger

piers), the south acreage of Black River Landing and our 24-acre parcel near the boat launch facility. Ms. McClelland said these are publicly held properties that haven't gotten much attention in the last 10+ years. The cost of the study is \$42,800 and we were awarded 50% of that (\$21,400). The city has agreed to go half with us on the remaining dollars. This means we would be responsible for \$10,450. It is a 6-month process. It will show us what is feasible and what the market dictates here in Lorain. We want to know commerce, what kind of industries we should be targeting and to have solid answers with data behind them. Rep. Joe Miller has been pushing this at the JobsOhio level. The goal is, after we have all this data, they want us to take the next step and go back to the market to get proposals. The city can then have a realistic expectation of what type of economic development to anticipate on these properties. Ms. McClelland said before you are the Memorandum of Understanding with JobsOhio and the resolution in conjunction with that. The MOU has been reviewed by Mr. Brosky. When the contract with the company itself comes along, we will contribute a matching amount of \$10,450, which is stated in the resolution. Ms. McClelland said she's looking for support from the board to enter into the MOU with JobsOhio and eventually hire the company doing the analysis. Mr. Mullins said he thinks Ms. McClelland is spot on. Every developer who comes to Lorain always asks for a feasibility study. Ms. McClelland said it will show us how much housing, retail, dining is feasible and at what rate. The study will get down to the nitty gritty. Mr. Brown said we budgeted for this as we knew we were applying for the grant, and this will help developers immensely. Ms. Radhika Reddy spent \$37,000 on a hotel feasibility study. If someone comes here, we can hand them what we have, and it will save time and money. To have JobsOhio focusing on Lorain is huge.

Mr. Mullins presented:

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR THEIR
DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) BY
AND BETWEEN THE CITY OF LORAIN, LORAIN PORT AUTHORITY AND**

JOB SOHIO FOR THE PURPOSE OF CONTRACTING WITH PROFESSIONAL SERVICES, PENDING MINOR NONSUBSTANTIVE CHANGES AND LEGAL COUNSEL APPROVAL.

Mr. Bansek moved to approve Resolution No. 2021-08. Second by Mr. Scott. Roll call vote as follows:

Ayes: 8 Nays: 0 Abstain: 0 Resolution Passed

V. Report of Committees

A. Contract Management Committee

1. 2021 History Tours Agreement: Mr. Zellers said he had no report and turned the floor over to Mrs. Leyva-Smith. She explained the port authority and Lorain Historical Society partner to offer History Excursions, which usually sell out each year. We are awaiting approval from Lorain County Public Health, and for COVID-19 restrictions to soften, but want to pre prepared when that time comes. This is the same agreement we passed in 2019.

Mr. Mullins presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE LORAIN HISTORICAL SOCIETY REGARDING THE 2021 HISTORY BOAT TOURS.

Mr. Kuszniir moved to approve Resolution No. 2021-09. Second by Mr. Zgonc. Roll call vote as follows:

Ayes: 8 Nays: 0 Abstain: 0 Resolution Passed

B. Strategic Development Plan Committee

1. Mr. Kuszniir said he had no report.
2. Mr. Brown said he would work to schedule a day where the three architecture firms can make presentations. This will be done as a joint committee meeting or Committee of the Whole.

C. Marketing and Public Affairs Committee

1. Mr. Bansek turned the floor over to Mr. Brown.

2. Mr. Brown thanked Mr. Bansek for his time on the board and said he has been a pleasure to work with. It sounds like Mr. Bansek likely won't be reappointed. Mr. Brown mentioned a marketing project between Mr. Bansek and Mr. Nielsen. We programmed dollars into it and created T-shirts and koozies advertising Black River Landing as BRL. Mr. Nielsen said the original thought was a T-shirt cannon. Mr. Bansek said the first year would be giveaways and the next year would be raffles to raise money for the stage. Mr. Mullins asked if they have printers and things ready. Mr. Brown passed out design examples and said to give feedback and mark which one(s) you like. Mr. Kuszniir confirmed there would be no copyright issues.

D. Grounds Maintenance and Capital Improvements Committee

1. Mr. Nielsen said Mr. Brown touched on a few issues that will be addressed. The festival site is looking good but needs minor tune-ups. There was minor graffiti, but the pavilions look good. Steel components on Train Station will be painted. The wood components on picnic pavilion will be power washed and re-stained. Two bench swings have been installed. Mr. Nielsen ordered a swing, and a total of three are on order. The swing sponsorship packet is coming together. So far people love them. Mr. Mullins asked about the timetable? Mr. Brown said it's about 6-8 weeks for shipping and MTC Horticultural Services does the installation. It takes about one day, plus 24 hours to set. It's \$2,500 for the sponsorship. We have a map for colors and locations.

E. Financial Planning and Audit Committee

1. March 2021 Financial Statement: Mr. Kuszniir said Mrs. Smith sent him the financial documents to review digitally. Everything looks good. Mr. Zellers moved to approve the March 2021 Financial Statement. Second by Mr. Veard. Motion carried.
2. Paddling Enhancement Grant Advancement of Funds: Mrs. Smith said this is needed in relation to the Paddling Enhancement Grant we were awarded. This is a reimbursable grant, meaning we pay for the expenses upfront and are paid back after the project is complete.

Mr. Mullins presented:

A RESOLUTION TO APPROVE AN ADVANCEMENT OF FUNDS FROM THE GENERAL FUND TO A SPECIAL REVENUE ODNR PADDLING ENHANCEMENT GRANT FUND.

Mr. Zellers moved to approve Resolution No. 2021-10. Second by Mr. Kuszniir. Roll call vote as follows:

Ayes: 8 Nays: 0 Abstain: 0 Resolution Passed

F. Bylaws and Personnel Committee

1. No report.

VI. Other Business

- A. Mr. Zellers said he would like to have something for Mrs. Barb Cook, Mr. Roberto Davila and Mr. Bansek. He also suggested pictures be taken of the new board members.

VII. Public Comment

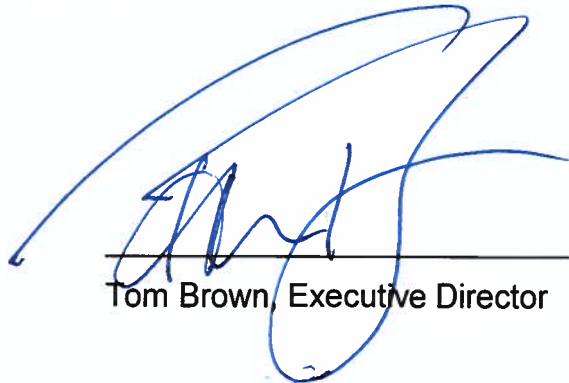
- A. None.

VIII. Adjournment

- A. There being no further business to come before the board, Mr. Bansek moved to adjourn. Mr. Zellers seconded. Meeting adjourned at 8:01 p.m.



Brad Mullins, Chairman



Tom Brown, Executive Director