

LORAIN PORT AUTHORITY
Board of Directors
Regular Board Meeting
July 18, 2017

Board of Directors: Ms. Carr, Mrs. Cook; Messrs. Bansek, Davila, Kuszniir, Mullins,
Nielsen, Zellers and Zgonc (7:17 p.m.)

Staff: Tom Brown, Executive Director
Yvonne Smith, Accountant
Tiffany McClelland, Economic Development Specialist
Kelsey Leyva, Office Manager
Mary Patton, Lorain Port Authority Intern

Guests: Kelly Driscol
Carole Haines
Rick Novak
Rick Payerchin, Morning Journal

I. Roll Call

The meeting was called to order at 7:03 p.m. by Chairman Brad Mullins with roll call indicating a quorum present.

II. Disposition of Meeting Minutes

Disposition of the May 9, 2017, Regular Board Meeting Minutes were presented for approval. Mr. Davila moved to accept the minutes. Mr. Bansek seconded the motion. Motion carried with 8 votes as Mr. Zgonc didn't arrive until 7:17 p.m.

Disposition of the June 13, 2017, Regular Board Meeting Minutes were presented for approval. The minutes were corrected before approval. Mrs. Cook

moved to accept the minutes. Mr. Zellers seconded the motion. Motion passed with 8 votes as Mr. Zgonc didn't arrive until 7:17 p.m.

III. Report of Officers

A. Chairman

1. Correspondence received: None.
2. Committee Assignment Report: Mr. Mullins mentioned he sent out a document containing the committee assignments. He said the Grounds, Maintenance and Capital Improvements Committee will be temporary for now. He further explained that each committee is to have a chair and vice chair to set objectives and goals to accomplish for the remainder of 2017 and what you'd like to see done in 2018. The goal is to be more proactive instead of reactive. Mr. Mullins encouraged the board members to familiarize themselves with the committee assignments and start brainstorming ideas to be proactive. He said he tried to divvy it up so not one person is on too many committees, and he would be happy to help anyone start formulating ideas. Mr. Brown said he would like if the maintenance committee could pick a time and do a walkthrough of all facilities to identify the pain points, see what the staff has been working on, prioritize projects and decide what to put on the agenda for the top of next season for budgeting.

B. Executive Director

1. Kayak Rentals Report: Mr. Brown said many might have seen the newspaper articles about two missing kayakers. He explained the incident led to a huge search effort involving the Coast Guard and cost about \$225,000 in resources when it turned out the kayakers were ditched in the woods. Mr. Brown said how our vendor, Bob Fowler, rents kayaks was assessed rapidly and it was then realized

there is a problem everywhere. In order to fix the issue, Mrs. Smith and Ed Favre with the Marine Patrol called a meeting of all agencies, including the Lorain Port Authority, Marine Patrol, ODNR, U.S. Coast Guard, Lorain police and the city's safety service director. During the meeting, the representatives talked from an enforcement or government entity standpoint to decide what procedures would work. A call list was created and will be instituted at all sites. All Lorain County licensed Liveries (Grumpy's, LoCo 'Yaks and one in Vermillion.), which is kayak and canoe rentals, also attended. Mr. Brown said it was discovered that across the board most liveries aren't getting enough information. He said the Port Authority was lucky to discover who ditched the kayaks at the Black River Wharf Boat Launch because while the person left a real name, he did not provide a working number. The new procedure that was implemented immediately requires a driver's license be scanned and kept on record. A new form was also created as a template. Grumpy's (Bob Fowler) and the LoCo 'Yaks are buying driver's license scanners and software that does reports. If a kayaker doesn't show up, we know exactly who they are, when they left, where they live and how to reach them. Mr. Brown explained the police told the kayakers if they paid they wouldn't be charged, but the Coast Guard not happy with that and may be pursuing charges. He said there were issues with our vendors but we're working to address that. Mrs. Cook asked if it was considered theft. Mr. Brown said he believed it was theft, but the kayakers claimed they were sick and planned to come pay the next day. Mrs. Cook asked if a deposit was put down. Mr. Brown said no local place pre-charges. He said he may institute at least a 2-hour down payment upfront.

2. American Great Lake Port Association Summer Meeting Report:

Mr. Brown said the meeting was very informative and well-attended. He said he felt it is important to attend these types of events. The meeting included discussions about strategic plan review of the entire agency, economic impact reports, State Capital Days that Rick Novak and Mr. Brown attended in December, Asian carp reports, U.S. customs and how it's becoming a detriment to getting people through the Great Lakes, water regulations and how to avoid getting an invasive species. Mr. Brown said that although he and Ms. McClelland got stuck in Duluth due to cancelled flights, it was one of the better things to happen because they got to do research. Duluth is the largest fresh water port in the Great Lakes. They have iron ore mines and every kind of bulk shipping you can think of. The City of Duluth is 880 feet above the port, offering a great view to visitors. Mr. Brown said the city has industry everywhere but they've embraced tourism, which led to changing traffic patterns and other projects. They have a lot of moving bridges and are most known for their gondola bridge. Everything they push is about Lake Superior, up north and lake life. They have lake tours, ship tours, rail tour, small convention center, local breweries, fitness classes – everything they do revolves around Lake Superior. Duluth moves the most grain in the great lakes, though it's not as much grain as it used to be. They're also moving coal, but the number is coming down. In Duluth, everything is walkable and bike-able, and he and Ms. McClelland signed out free bikes at their hotel. Mr. Brown said Lorain is looking that way with the Lorain County walk-ability study and Live Healthy Lorain. There are about 85,000 people in Duluth and no less than 6 microbreweries in a walkable area. Everything reminds you that you're at Lake Superior. Mr. Brown said what he took from the trip is that Duluth has a lot of industry, but they embraced tourism and

it's working. He said the meeting was great and recommended going out of the way to visit Duluth.

3. Kodman Submerged Land Lease Report: Mr. Brown said the Kodman's live on East Erie and need a submerged land lease from the Lorain Port authority starting the property will not be used for public purposes. He said the port has no need for the property and described the lease as a mechanical issue. Mr. Brown recommended passing a resolution so he can send it to the engineers and they can then finish their application.

Mr. Mullins presented:

A RESOLUTION FINDING THAT CERTAIN DESCRIBED SUBMERGED LAND ABUTTING THE CITY IS NOT NECESSARY FOR THE CONSTRUCTION OR MAINTENANCE OF VARIOUS IMPROVEMENTS.

Ms. Carr moved to accept Resolution No. 2017-35. Mr. Nielsen seconded the motion.

Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

4. RC-2 Records Disposal Report: Mr. Brown said one challenge with bringing Ms. Leyva aboard is the port authority has a lot of paperwork that is ready for disposal. He said the staff did a varsity job of preparing records for disposal. Mrs. Smith made a few corrections to the list of records after noticing some weren't quite ready for disposal. Mr. Brown said the hope is to shred all the unneeded paperwork during the county's shred event, which the Lorain Port Authority has offered to host, but a date has yet to be determined. If not, the port with contract with a shredding company. Kuszniir asked about coordinating with the City of Lorain because he is working on a project to shred documents for them. Mr. Brown said he wasn't sure if it was possible because it's the county's

shredding truck and the event would be meant for the public, so event the port authority would have to wait and see if the trucks have the capacity. Mrs. Smith explained three items were removed from the list of documents to be disposed. Ms. Carr moved to approve the shredding of the unneeded documents as corrected. Mr. Davila seconded the motion. Motion passed unanimously. Mr. Davila asked about needing to keep a hard copy. Mrs. Smith explained you don't necessarily have to keep a hard copy, but you do have to ask for permission to dispose of it. She further explained that Ms. McClelland will be attending a seminar to determine what digital storage system would be the best to use for the documents the port authority wants to keep. The plan is to move more toward digital and condense the amount of hard copies in storage.

5. Rick Novak Way: Mr. Brown said a retirement party was hosted for former executive director Rick Novak and a sign was dedicated in his honor. To make the sign official, Mr. Brown crafted a resolution regarding "Rick Novak Way."

Mr. Mullins presented:

A RESOLUTION COMMEMORATING RICK NOVAK'S MANY YEARS OF EXTRAORDINARY SERVICE WITH THE LORAIN PORT AUTHORITY BY DESIGNATING THE MAIN CAUSEWAY AT BLACK RIVER LANDING WITH THE HONORARY NAME OF: "RICK NOVAK WAY."

Mr. Nielsen moved to accept Resolution No. 2017-36. Mr. Bansek seconded the motion.

Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

6. ODOT Right of Entry Agreement Report: Mr. Brown explained the Ohio Department of Transportation reached out on July 17 and

asked the Right of Entry be added to the agenda so they can begin work on the Bascule Bridge. The county and the city have already exercised these options. Mr. Brown said the agreement is basically a land lease where the port will receive \$300 and the workers will be granted access to Lorain Port Authority property that borders the bridge. All they need is land access. ODOT wants to go out for bids in September and start the project in December or January. Mr. Brown said the bridge was left open and the road was closed in the past, but ODOT is anticipating about 2 weeks of strict closures. He said ODOT is very cognizant of what happened last time they closed the bridge for an extended period of time, but they consider this project a major renovation.

Mr. Mullins presented:

A RESOLUTION TO APPROVE A RIGHT OF ENTRY AGREEMENT WITH ODOT TO ENABLE THE MAJOR RENOVATION OF THE LORAIN US 6 BASCULE BRIDGE.

Ms. Carr moved to accept Resolution No. 2017-37. Mr. Zgonc seconded the motion.

Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

IV. Report of Committees

Mr. Mullins said he would like the chair and the vice chair of all of the committees to meet and start talking about objectives. He said he hopes there will be some type of update from each committee at the August meeting.

A. Contract Management Committee

1. Mr. Mullins asked Mr. Brown if there were any outstanding contracts that needed to be addressed and Mr. Brown said no. When asked about the landscaping contract, Mr. Brown said he and the staff are not happy and believe the site could look better.

The company is catching up, but that's not what we ordered. Mr. Brown said by the end of the season the company may have the site to where it should be, but that is not how the Lorain Port Authority wants to operate. He believes the company lacks the capacity to do the work and said he would not recommend signing a contract for a second year. He would rather go out for proposals. Mr. Brown asked that the contract committee meet to discuss this and consider staff input. He said the goal is to contract with a company for several years, instead of on a year-by-year basis, so the workers can familiarize themselves with the site. Mr. Mullins talked about taking time to talk about the scope of the work, especially with timing of the concerts and other events, and then leave it up to the committee to decide.

B. Strategic Development Plan Committee

1. Mary Patton, the Lorain Port Authority intern, compiled tonnage reports dating back to 1968. Ms. Patton said she used Lorain Port Authority unofficial tonnage reports from 1968 through 1998 and U.S. Waterway Data provided by the U.S. Army Corps of Engineers from 1999 through 2016 to create the graphs. She explained the historical data only dated back to 1996, which is why two sources were used and would explain any potential errors. Ms. Patton said the blue line on the graph measures total tonnage (inbound and outbound) for each year in tons, the red line represents the unofficial 1,00,000-ton requirement set by the U.S. Army Corps of Engineers and the black line is a trend line. She said she has additional reports of the tonnage per commodity and per company and would be happy to share additional information or answer questions. Mr. Bansek asked about the Army Corps being kind to the Lorain Port Authority. Mr. Mullins said yes, considering how

much the tonnage has dropped off. Mr. Brown said the port authority met with the Cleveland representative from the Corps and there is a 5 year window, so as long as we keep them in the loop as far as potential end user because they could help us with the dredging process. The channel has been dredged regularly but the turning basin has not been dredged regularly. Mr. Bansek asked about the threat of the Lorain Harbor not being dredged. Mr. Brown said 1,000,000 tons is the unofficial number, but the corps want to see our tonnage numbers rise. He said federal funding will always be a problem across the board but the corps want to keep Lorain a deep port. Mr. Brown explained the same number always pop up. Ms. McClelland said the five-year schedule has already been set and we should be okay until 2022. Mr. Brown said Ms. Patton has been a very helpful and efficient intern. Mr. Zgonc moved to accept the tonnage report. Mr. Zellers seconded the motion. Motion passed unanimously.

C. Marketing and Public Affairs Committee

1. Ms. McClelland said the prices and schedule for the Jet Express is usually set early in the year so we can advertise early, but that didn't work out this year. She said there were a lot of conversations about when trips would take place and negotiating prices. Two trips were planned for July 20 and July 21, but the response and feedback was minimal so both trips were cancelled. Six more trips are lined up for the rest of the season and are pretty typical as far as what we usually offer. Next year the plan is to finalize everything a lot earlier for a better outcome for the next season. This year's line-up includes a craft beer tasting cruise, an island cruise to Put-in-Bay and trips to Browns games. Ms. McClelland said the trips are typically popular and she expects tickets to sell. She said there

was also the possibility of adding one additional trip, which would be a port appreciation trip. The idea would be to invite partners, community leaders and individuals we work with as a way to say thank you. Ms. McClelland said she and other staff members are working to compile a list of people to invite. She said board members can submit suggestions so no one is left out. Mr. Brown took the blame for the late schedule finalization for the Jet Express. He said they sent off what they thought would be an effective schedule and then received a delayed reply with a schedule that didn't work with the Lorain Port Authority's schedule. It was somewhat difficult to coordinate. For 2018, the plan is to meet in January or February. Mr. Brown said it is somewhat difficult to gauge interest. Social media indicated trips had more ridership than the actual numbers. Presale is tougher with the advent of technology and smart phones. Mr. Brown said he believes people wait to watch weather forecasts before purchasing tickets, and sometimes wait until the day of to commit. Mr. Brown said the port authority will likely have to go back to the drawing board as far as a business model because he doesn't want to gamble with government money and have empty boats. Mr. Mullins said we need to revisit the Jet Express plan and ensure financially we're not getting taken advantage of. Mr. Brown said current model is tight and calls for good attendance. It's time to reinvent the wheel and find ways to get people on the boat. Mr. Zgonc asked when the port authority will meet with the Jet Express representatives. Mr. Brown said the port will likely reach out at the end of the Jet Express's season. Ideally, the port will set a schedule for the Jet Express by March at the latest.

D. Financial Planning and Audit Committee

1. Mrs. Smith mentioned the 2018 temporary budget, which was distributed for the board to review. A public hearing regarding the 2018 temporary budget was held at 6:15 p.m. Mrs. Smith said the 2018 budget will be revisited in December so it can be fine-tuned to be closer to what the actual budget will be.

Mr. Mullins presented:

A RESOLUTION AMENDING THE TEMPORARY BUDGET APPROPRIATIONS FOR THE LORAIN PORT AUTHORITY FOR CALENDAR YEAR 2018.

Mr. Davila moved to accept Resolution No. 2017-38. Mrs. Cook seconded the motion. Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

E. ByLaws and Personnel Committee

1. Mrs. Cook said she had nothing to report.

V. Public Comment

- A.** Kelly Driscol, of Lorain, told the board she believed a box that contains dog waste bags is needed at the end of the East Pier. Ms. Driscol also said the garbage can at the end of the pier was stolen or thrown in the lake. She requested an additional garbage can for her to paint. Mr. Mullins said a dispenser needs to be ordered and he can't guarantee the timing, but said we will be able to accommodate the need for a dog waste bag dispenser. Mr. Brown said it's on the punch list, but every week something new is happening and he isn't trying to minimize the request. Mr. Mullins said we appreciate the support.
- B.** Carole Haines, of Lorain, said she believed the Lorain Port Authority is doing a wonderful job. Ms. Haines said she has been a Lorain resident for

about 6 years and moved to the city from Avon. She said she lives on the lake and has enjoyed being a part of the development. The issue she has is with the dock at Black River Landing. Ms. Haines said she has attended Rockin' on the River concerts since moving to Lorain and believes they are a great way to draw boaters from Vermilion and other cities to Lorain. She said the use of the Black River Landing dock is important to boaters and those who dock at Spitzer Lakeside Marina, and she considers it to be a parking spot. Ms. Haines said she understands there was an issue with people trying to sneak in to the concerts. On Friday, July 14, Ms. Haines and a group of people on her boat tied onto a boat that was docked at Black River Landing. She admitted she had no plans of going into the event and said this same situation has happened a couple of times. Ms. Haines suggested this might be a topic of discussion for consistency. Initially the concert workers were taking money at the gate when the boaters disembarked, but now the attendant is now going onto boats and approaching boaters while they're on their boat. She said she believed boaters should be able to stop if they need a safe place to pull over. On July 14, Ms. Haines said she was asked to leave and then explained she had no intention of staying and only wanted to stay 30 minutes. The concert worker allegedly told Ms. Haines and her group they would untie the boat, push it boat out and call the Marine Patrol. She thinks it showed a lack of professionalism and that she was embarrassed in front of her Vermilion friends. She asked if she wanted to pull over and not go inside, what is the rule? She claimed to not be using any resources. Mr. Mullins, who is a boater, said a dock master typically approaches him within five minutes of docking asking if he plans to stay. He also explained Black River Landing is a private venue during concerts. He disagreed and said Ms. Haines or any other boater are using resources because they are filling space that could serve actual concert goers. Mr. Mullins said it's not a public park, it's a private venue. Ms. Haines said a person coming onto her boat is disruptive, and said other boaters agree with her. She also

mentioned safe harbor and said people who aren't familiar with boating regulations shouldn't be manning the dock. Mr. Nielsen then asked Ms. Haines if she knew what safe harbor was. Ms. Haines said yes, so Mr. Nielsen asked what type of duress she was in on July 14 to need to dock. Ms. Haines said she wasn't in duress on July 14, but was just using safe harbor as an example. She said her issue was with the man who wanted to untie her boat if she didn't pay \$5. She is proposing standards be set. Mr. Brown said the Lorain Port Authority highly value the boating community. He said he equates a boat to a car, and if someone wants to park close on site they have to have a handicap sticker. Everyone in the car is paying to enter. Mr. Brown said he sees that as no different than docking. He said he is willing to work on a solution, but has to stand by his promoter, Bob Early. To bring in the high-dollar acts and keep the price at \$5, everyone has to pitch in. Mr. Brown said he told the man collecting ticket money at the dock that he can't get on anyone's boat unless he's invited. Ms. Haines said she believes there's a lot of confusion and thinks there's a lack of consistency. Ms. Haines said the signage isn't large enough. Mr. Mullins said a dock master watches the dock to collect payment, but he doesn't necessarily agree with the tactics used by Mr. Earley's workers. Mr. Brown said he watched the dock this past week and noticed no issues. He said he would create a sign that provided an accurate description for dock payments related to events. Mr. Brown said he would also talk with Mr. Earley and his workers again to identify solutions and ensure no further issues occur. Mr. Bansek said a season pass would solve the woman's issue, but Ms. Haines claims her issue isn't with paying \$5.

- C. Rick Novak, former Lorain Port Authority executive director, said thank you to the board members for dedicating and naming an area in Black River Landing after him. He said it feels great to walk down and look at it.

He also said it was an honor working for the port authority and feels humbled. Mr. Mullins said the sign was well deserved.

VI. Executive Session

Mr. Nielsen moved to enter executive session for the purpose of discussing property disposition. Mrs. Carr seconded the motion. Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Motion Passed

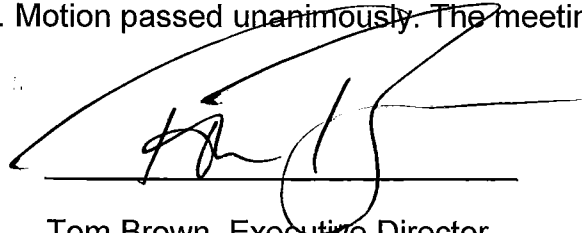
Mrs. Carr moved to exit executive session. Mr. Davila seconded the motion. Motion passed unanimously.

VII. Adjournment

There being no further business to come before the Board, Mr. Davila moved to adjourn. Mrs. Carr second the motion. Motion passed unanimously. The meeting adjourned at 9:09 p.m.



Brad Mullins, Chairman



Tom Brown, Executive Director