

**Lorain Port and Finance Authority**  
**Board of Directors**  
**Regular Meeting**  
**Port Office**  
**Tuesday, August 13, 2024, at 6:00 p.m.**

**Board of Directors:** Mrs. Silva Arredondo; Messrs. Mullins, Scott, Simmons  
(6:01p), Veard and Zgonc (5)

**Staff:** Tiffany McClelland, Assistant Director  
Yvonne Smith, Accountant  
Kelsey Leyva Smith, Office Manager  
Mike Brosky, Esq., Port Attorney

**Guests:** Victoria Kempton, Lorain Second Ward Councilwoman  
Beth Henley, Lorain First Ward Councilwoman  
Joanne Zelina, Lorain resident  
Eileen Torres, Hispanic Fund/Lorain County Community Foundation  
Rey Carrion, Lorain Safety Service Director  
Mary Springowski, Lorain City Councilwoman at Large

**I. Roll Call**

**A.** The meeting was called to order at 6:00 p.m. by Chairman Brad Mullins with roll call indicating a quorum present.

**II. Pledge of Allegiance**

**III. Disposition of Meeting Minutes**

**A.** June 11, 2024, Regular Board Meeting Minutes corrected: Mrs. Leyva Smith explained she forgot to include the guests of the meeting, so this is correcting previously approved minutes. Mrs. Silva Arrendondo moved to approve the corrected minutes. Second by Mr. Zgonc. Motion carried.

**B.** July 9, 2024, Regular Board Meeting Minutes: Mr. Veard moved to approve the meeting minutes. Second by Mr. Simmons. Motion carried.

**IV. Report of Officers**

**A. Chairman**

**1.** Correspondence received:

**a.** Lorain County Community College thank you letter: Mr. Brown said we received a thank you letter from Lorain County Community College for our

donation to the Kel Fligner Scholarship fund.

- b. Lorain City Schools fee waiver request:** Mr. Brown said he also received a fee waiver request from Lorain City Schools for their back to school event. In addition to this, they're also asking us to waive the deposit too. Mr. Brown said the deposit is our one small mechanism to cover any damages. We actually had something damaged during The Summer Market this year. We get the refunds back to the groups very quickly if no damages occur. Mr. Mullins asked if the group has paid a deposit in the past? Mr. Brown said yes. He wants to support them but he also wants a safeguard. Mr. Zgonc asked what the rental fee is? Mrs. Leyva Smith said \$1,400. Mr. Scott said he understands waiving the rental fee for the schools but thinks we should continue having a deposit. Mr. Brown said it is a slippery slope. Mr. Zgonc moved to waive the rental fee but require the deposit. Second by Mr. Veard. Motion carried.
- c. FireFish Festival fee waiver request:** Mr. Brown said we received a request today from FireFish to waive the deposit for the burning of the fish in our south parking lot at Black River Landing. Mr. Mullins asked if they charged entry? Mrs. Leyva Smith said the event is primarily on Broadway Avenue and at the end a parade walks down to our south parking lot to burn the fish. Mrs. Silva Arredondo said if what they're doing involves fire we should require a deposit. Mrs. Leyva Smith said the group has paid the deposit in the past but was struggling with sponsorships this year. Mr. Mullins said the fire makes him nervous, too. The board decided to require the deposit.
- d.** Mr. Brown said last week during the storm on August 6 the Underground Railroad monument blew over and is in three pieces. We're working with Ms. Sylvia Duvall, from the committee who sponsored it, and she found a stone mason. The granite can't be saved. The stone mason is going to send people out to lift and remove it and see if we can save the bronze relief plaque on the one side. We think it may be covered by insurance. We're going to help the group that did the fundraising to see if they can

redo it. The original company is no longer in business. Mr. Brown will provide an update when it's available.

## **B. Executive Director**

1. Stage Project Report: Mr. Brown said Mr. Zgonc has an email from Mr. Zellers. He asked Mr. Zgonc to report on his behalf. Mr. Zgonc said the committee and staff received the email. Unfortunately, we are behind on fundraising and need to delay groundbreaking. Thinking about January 2025 groundbreaking instead. Will have updated schedule next month. We need to have the money in hand before we can sign contracts. Currently we have \$995,000 from Lorain County. The \$995,000 from the city is supposed to happen in the 4<sup>th</sup> quarter of this year. We'll get the grant in October and our bond at the end of 2024. So far, the philanthropic effort has raised \$3 million. This will get us roughly \$10,500,000. This will allow us to sign contracts and move forward. Mr. Brown said we've had a lot of work sessions. The delay is due to credit enhancement. The county port is very interested but it doesn't get us to the September groundbreaking. We're three weeks over due to get things mobilized. We love everything about the design, but he doesn't think we can break ground in January and not end up missing a summer season. He thinks the task is to get the \$10 million lined up and ready to go. Mr. Mullins said if we start next fall, how does that work? Mr. Brown said they don't want to fence off half the site and then have a mud hole for the next season of concerts. He said he sees it as a failure on his part and he doesn't like to fail. Mr. Mullins said he had a meeting with the mayor and he said we would get the money in a timely manner. Mr. Carrion said the discussion of placing the money at the end of the project will not happen. They will release those funds soon. Mr. Brown asked what if we already sent the information in April? Mr. Zgonc asked if there will be a new construction schedule at the next meeting? Mr. Brown said he believed so. For philanthropic, we're 1/3 of the way there. He said there have been a lot of great meeting and a lot of the foundations that have made verbal commitments are waiting on grant cycles. It has been a positive, well-received campaign. Mr. Bob Campana and Mr.

Ben Norton have been phenomenal. Mr. Scott asked for the schedule of the bond approval with the county, or a timeline. Mr. Brown said he's supposed to get a term sheet sometime this week. Mrs. McClelland said we get the funds when they sell the bonds, which is basically closing. It'll take about three months. Mr. Brown said we should have the funds secured by end of 2024. He doesn't think a temporary stage at the south end is a good solution for anyone and he hates to say it, but we just ran out of time. Mr. Scott said he thinks we can continue to fundraiser and proceed with the bond. Mr. Mullins said the bond will get us where we need to be, and he thinks people will be more interested in donating once we break ground. He doesn't think we're that far off and is optimistic. Mr. Brown said not a lot of projects of this magnitude are happening in the area, so if it takes a few extra months then so be it. Mr. Veard said it has been buildable in the winter for the last four years but you never know. Mr. Brown said if things change and we can have a special call if needed, but his recommendation is to break ground next year. Mr. Zgonc said he thinks it's sad for the community that the racetrack can get the amount of money it has for an unproven group whereas this board has been here 60 years and has provided a real benefit to the city and we get trashed. He said we couldn't even get a round \$1 million, and he thinks it's sad for Lorain and the community at large. Mr. Mullins said we're a proven entity, we're going to grow and our focus has to be on getting the project across the finish line. Mr. Scott said he feels good vibes between the port and the city now. He sees a working relationship and things going in the right direction with more dialogue. Mr. Mullins said he agrees and it is important to remain focused on the objective. There are always going to be hurdles. He thinks we've done a great job. Mr. Brown added that our site is a brownfield and was formerly the 1924 tornado dumping ground. When we did our new borings, we found out the design had to change, so we had to go back to the engineers. We now need to go down to bedrock to support the structure. That means where we were saying cut to save \$500,000, we're now spending that in the new foundation.

2. The Summer Market and Lorain Brewfest Report: Mr. Brown said The Summer Market was well attended and had great weather. We had one Story Walk sign damaged and it has been repaired. We always get compliments for that event. Brewfest was back with a new promoter. They had about 50 days to plan. They had perfect weather and a new layout. Live music was on the stage. The event was also well received. Some people missed the vendors being in the pavilions, but several others liked it being in the grass. It looked great from the bridge. He thinks for year one we did well. We plan to have a meeting with promoters to plan for next year. The promoters were very happy. They struggled a little at first as the last promoter refused to share any prior ticketing information to reach out to past customers, so this year was from scratch. We're looking forward to next year. Mr. Simmons said he heard some customers were upset because they didn't want to pay digitally and Brewfest wasn't accepting cash at the gate. He said he also heard from people that the ticket prices were a little high. Mr. Brown said day-of tickets are always a lot higher, and even more so in Cleveland, Columbus and Cincinnati. For this type of event, you have to order the beer, the cups, merchandise, etc. based on ticket sales. We had a ton of last minute sales the night before. Mr. Brown said he did hear a couple of complaints about pricing, but presale tickets were \$30 and they had 6 or 7 promotions listing them for \$20. Day-of tickets were \$45. Mr. Brown thanked Mr. Simmons for his input and said he wasn't aware they weren't taking cash at the gate. Mr. Simmons said Broadway business owners also complained about people were too drunk and sleeping in their businesses. He said when he rode the Water Taxi earlier this season, two men who were pretty drunk got on board and one fell out. Mr. Simmons suggested possibly a sign-in sheet to keep track of passengers. Mr. Mullins said we may have done that initially but it would be cumbersome on the captain. Mrs. Leyva Smith said she was immediately informed by Captain Roy DeVore about the incident. The man was inebriated, boisterous and decided to stand with one foot on the boat and one on Oasis Marinas A Dock while Captain DeVore was untying to head back to The Shipyards. The man lost

balance, fell in and then skinned his knees trying to climb the concrete dock. Mrs. Leyva Smith said she gets a text every time the captain leaves the dock with the number of passengers aboard. Mr. Mullins said the captain has to be in control, but in that situation, who does he go to. Mrs. Leyva Smith said unfortunately the Marine Patrol hasn't been around much this season. Mr. Simmons said the captains may need to decide if people are in the right condition to ride the boat because it could be a liability. Mr. Mullins asked if passengers are given safety instructions? Mrs. Leyva Smith said yes, before the boat leaves the dock, the captain tells everyone to remain seated and to keep arms and hands inside at all times. Mr. Mullins said he doesn't want the captains to be confrontational. Mr. Brown said he trusts the captain's training and they have every right to refuse boarding. We'll revisit that with our captains. Mr. Veard asked about how many people attended? Mr. Brown said about 1,000.

- 3. Riverside Building funding request:** Mr. Brown said as you're aware, we're in a sublease with JATT for the Riverside Park building. The Port signed a lease in 1991 with the city to run Riverside Park. In our sublease with JATT, we are responsible for certain infrastructure. Mr. Jeff Neal and his group have put a lot of work and money into the building. They hope to open mid-September. He and Mr. Mullins have toured it. The boardwalk over there is done. It's been repaired 50 different times. We are responsible for the boardwalk and we don't feel comfortable with them opening until at least the portion in front of the business has been repaired. They have contractors on-site that can do the repairs to the boardwalk from the bridge to the end of the building. He has a quote for \$14,243.88. Mr. Mullins said regardless, it's a public place and the boards are snapping. Boats docking are going to put pressure on that, too. Mr. Veard asked who's doing the work? Mr. Brown said Banco Construction. He said he could get other quotes, but they are already onsite installing the new deck for the business. His recommendation is going with Banco. Their price is reasonable. He's hopeful their might be grant or partnership opportunities to do the other side of the boardwalk. We're getting \$1,000 a

month as part of the lease at this point. Mr. Scott moved to approve the proposal from Banco for the Riverside Boardwalk repair. Second by Mr. Veard. Motion carried.

**C. Assistant Director**

**1. One Time Strategic Community Investments Grant Agreement: Mrs.**

McClelland said we received \$500,000 from the State of Ohio and we have to finalize a grant agreement and pass a resolution to accept those dollars. We have to submit an application with the grant agreement and then we get the dollars. It's a little backwards, but we've already been awarded. This has gone before Mr. Brosky. He has a few items he would like amended. Mrs. McClelland said there isn't much room for negotiating with these grant agreements. We've put in a request asking if any changes are possible. They are very small items and the requests are to put us in a better position but would not prohibit us from signing if they say no. Mr. Scott asked about the timeline? Mrs. McClelland said yes, the dollars have to be spent by June 30, 2026. Mr. Mullins said asked if there was any risk involved? Mrs. McClelland said this funding is the one-time strategic dollars coming through the house and senate specifically for Black River Landing improvements. These are the least restrictive grant dollars one could receive as a government agency.

Mr. Mullins presented:

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE TO ENTER INTO A GRANT AGREEMENT BY AND BETWEEN THE STATE OF OHIO THROUGH THE OHIO OFFICE OF BUDGET AND MANAGEMENT AND THE LORAIN PORT AUTHORITY FOR THE PURPOSE OF ACCEPTING GRANT DOLLARS AWARDED THROUGH THE ONE TIME STRATEGIC COMMUNITY, PENDING MINOR NONSUBSTANTIVE CHANGES AND LEGAL COUNSEL APPROVAL.**

Mr. Scott moved to approve Resolution 2024-18. Second by Mrs. Silva Arredondo. Roll call vote as follows:

**Ayes: 6                      Nays: 0                      Abstain: 0                      Resolution Passed**

## V. Report of Committees

### A. Contract Management Committee

1. Mr. Zgonc said he had no report.
2. Brightspeed Phone and Internet Proposal: Mr. Zgonc said we need to discuss phone and internet services. Mrs. Smith said we were with Lumen and they were bought out by Brightspeed. Our current contract was for five years and ends October 2024. We've been approached by Brightspeed and had a couple meetings. If we don't do anything, our costs will go up because Lumen will have to purchase rights from Brightspeed. We're looking at their cloud-based phone system and increasing from 50mbps to 100mbps internet. The current proposal is for three years for a monthly fee of \$765. There is a one-time fee of \$168.61 for shipping the phones and onboarding. We currently pay Lumen \$728 monthly, so Brightspeed is an increase of about \$37. But with new system, we won't need Zoom anymore, which is about \$16 per month. This makes the actual increase \$21 a month. The contract would be \$27,540 for three years. Mrs. Smith said in the past we looked at different companies to potentially bring phone and internet down here, but Spectrum wanted \$250,000 to run lines. We're limited in our options for service providers due to our location. We could hold off, but they want to get started with backend configuration. If we do sign, we will not be billed by Brightspeed until we are done with Lumen. Mr. Brown said due to recent discoveries and the city's ordinance, this would put us over the \$25,000 threshold. We'll reach out to city council for them to review and offer a nonbinding recommendation, and to Lumen again to see if they want to quote. Mr. Carrion said in regard to the ordinance passed in 1990, our board was given the same \$25,000 threshold as the city's board of control. Since then, the board of control has raised its threshold to \$75,000. Mr. Carrion wants to bring this to a city committee to do the same for the Port board. Mrs. Springowski said she didn't think a committee meeting was necessary as there is a consensus on it. Mr. Zgonc wants to take it to committee next month and have Mr. Zellers review it before deciding. Mr. Brown said he asked our legal counsel and they don't

believe we can amend an ordinance. You only get one bite at the apple, so you appeal it or leave it alone. Mrs. McClelland said that's the law.

**B. Strategic Development Plan Committee**

1. Mr. Zgonc said he had no report.

**C. Marketing and Public Affairs Committee**

1. Mr. Scott said he had no report.

**D. Financial Planning and Audit Committee**

1. July 2024 Financial Statement: Mrs. Smith said the financials were ready but Ms. Bonilla was unable to meet before today's meeting. We'll hold these until next month.
2. Then and Now Certificate: Mrs. Smith said she had one then and now certificate. This is related to the flock camera. Mr. Brown is hopeful to get this on the police department's network.

Mr. Mullins presented:

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

Mr. Veard moved to approve Resolution 2024-19. Second by Mr. Zgonc. Roll call vote as follows:

**Ayes: 6                      Nays: 0                      Abstain: 0                      Resolution Passed**

**E. Bylaws and Personnel Committee**

1. Addition of new bylaw regarding public comment: Mrs. Silva Arredondo said the committee met prior to this meeting. The committee has made a recommendation that this new bylaw regarding public comment be adopted by the board. Mr. Scott moved to approve. Second by Mr. Zgonc. Motion carried.

**VI. Other Business**

- A. Next Port Tent Date: September 6**: Mr. Brown said he hoped to see you all there.

**VII. Public Comment**

- A.** Mr. Carrion said the city wanted an update on the marina restaurant site. He already spoke with Mr. Brown before today's meeting and heard a complete summary of the situation. He said he will take that information to the city and

keep hoping we can find one for the space. With the stage, Mr. Carrion asked if there would be any cost increases due to the delay? Mr. Brown said it could be. Mr. Mullins said we hope the interest rates come down. We'll have to wait and see. Mr. Brown said regarding the former Jackalope, he spoke with Mr. Carrion about how Oasis gave Mr. Jim Andrews sufficient time to clear out. Since then, Oasis has been working with a commercial real estate broker. There have been multiple tours and people interested in starting a restaurant but no one with the capital. There's a downturn right now. Oasis has gone so far as to say they would amortize improvements into the rent for the right renter.

- B.** Ms. Victoria Kempton said she is Lorain's second ward councilwoman. She thought it was an interesting meeting with good information to take back to the residents. She said everyone wants to know if Rockin' on the River is going away? Mr. Brown said we've been in active negotiations. We as a port authority are guaranteeing that Friday nights will look the same. We're going to make sure there is affordable entertainment from Memorial Day through Labor Day and beyond. Ms. Kempton said that's what people want to know. Mr. Brown said we'll get it done one way or another. Ms. Kempton also thanked the port for working with Ms. Sylvia Duvall on the Underground Railroad Monument. Mr. Brown said we're optimistic insurance will cover some of it. We just have to find the right stonemason to replicate that granite piece. We're hoping the bronze relief is intact.
- C.** Ms. Joanne Zelina said she is upset but will keep it to herself. She thinks last month was handled wrong by the person who represents this city. She doesn't like the way it was handled and said the port authority board was blindsided.
- D.** Mrs. Beth Henley said she Lorain's first ward councilwoman. The port meetings are very informative for her. She is pleased to see there has been a meeting of the minds with the city. The better we work together the better it is for the city. She has nothing but respect for the port authority board and staff.
- E.** Mrs. Mary Springowski said great job as always. She is looking forward to and is excited for the future of the port. She's a big advocate of ours and applauds the

port's efforts. She said there are quite a few members of city council who are also supportive and whatever we can do to work together is great.

- F. Ms. Eileen Torres asked about the Tall Ships that used to come here. Mr. Brown we're in conversation with them almost every year. There are times when we could grab a Tall Ship as it's going from one port to another, but it's pricy and large sponsorships are needed. We have ongoing dialogue and keep a pulse on it. It's been a little quiet in our region but we'd love to have them again.

**VIII. Adjournment**

- A. There being no further business to come before the board, Mr. Veard moved to adjourn. Mr. Scott seconded. The meeting adjourned at 7:13 p.m.

---

Brad Mullins, Chairman

---

Tom Brown, Executive Director