

VERMILION PORT AUTHORITY MEETING MINUTES

March 18, 2021 – 6:30 p.m. via ZOOM

Roll Call: D. Miklos; H. Riddle, T. Sommer, P. Corogin, J. Hauck
Present: B. Yancar, PORT OPERATIONS MGR; Frank Loucka,
Council Rep.
Guests: Mayor Forthofer

Gwen Fisher called the meeting of March 18, 2021 to order.

G. Fisher entertained a motion for the nomination of a Chairman for 2021.

D. Miklos MOVED; H. Riddle seconded to nominate Todd Sommer as Chairman for 2021. Vote 5 YEAS. **MOTION CARRIED.**

T. Sommer MOVED; D. Miklos seconded to nominate Peter Corogin as Vice Chairman for 2021. Vote 4 YEAS, 1 ABSTENTION (Corogin). **MOTION CARRIED.**

APPROVAL OF MINUTES:

D. Miklos MOVED; P. Corogin seconded to approve the meeting minutes of November 12, 2020. Vote 5 YEAS. **MOTION CARRIED.**

T. Sommer made mention that the water is down compared to last year.

CRITICAL TIMING ISSUES:

B. Yancar addressed the roof at Water Works as the board previously approved \$3,000 in 2020, but R. Strauss had asked him to obtain a new quote pertaining to specifics of what would be covered. He received new quotes and ADT submitted a quote of \$2,500, which meets all the criteria that R. Strauss said they should have, so he will proceed with ADT.

P. Corogin provided background on the lease at McGarvey's Landing by indicating that over a month ago they found out that the owners of Quaker Steak & Lube entered into a sale agreement to sell the company. He forwarded the lease assignment and assumption documents to the Port members along with information on the new owner and Ed Thomas was present to discuss and answer any questions on the transaction. However, they are basically looking for an assignment of the lease that would include Sandusky Bay, the Port Authority, and the two parties. The old party – Quaker Steak who is selling and to the new party. E. Thomas explained they have had a great last few years of being a tenant at Quaker Steak & Lube, but his company which is part of Travel Centers of America has decided to sell the entire QS&L business to JDK Management Co out of

Bloomsburg, Pennsylvania, which would include all of the sites they own around the country and the sites they also lease from third parties like the Vermilion Port Authority as the master landlord. They are asking for consent from the Port Authority to transfer the lease from Travel Centers of America and Quaker Steak & Lube over to JDK Management Co who is a large restaurant operator around the country. P. Corogin reminded the board that Vermilion Port Authority is called the master landlord in the document and the Sandusky Bay Company (Larry Bettcher) is the landlord, so the Port's lease is with them, and Sandusky Bay has a lease with Travel Centers of America. They are asking that the Sandusky Bay lease with the Port Authority will give the consent for Travel Centers to allow the new company to take over. He said any issues in the lease would really be between the Port Authority and Sandusky Bay, not with the other party. He asked B. Yancar to check to make sure all the payments were up to date for the last four years. B. Yancar said from 2016 to 2021 he received a detail of all receipts and they have accurate amounts and proof of deposits into the account.

Ed Thomas said the effective date of the lease will be decided on by the Port Authority, but the closing date on their corporate deal with JDK Management will be sometime in April, so the assignment with Sandusky Bay will not happen until that closing, but they will give the Port Authority prompt notice when the transfer happens. P. Corogin suggested the document be reviewed by the city's legal counsel. T. Sommer agreed as Attorney Stumphauzer for the city should be sent the documents for review. P. Corogin said he would address this with Attorney Stumphauzer. Jackie of JDK thanked the board members for their time and consideration as they are looking forward to stepping their foot into this location as it is a unique one for QS&L as a concept.

D. Miklos MOVED; T. Sommer seconded to approve the lease submitted contingent upon review by legal counsel. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

B. Yancar said they need to approve the lease that Sandusky Bay has for the Ferry Street end, since Sandusky Bay has transferred ownership over to Chez Francois restaurant and as part of the purchase agreement, Chez would like to take over the lease of the Ferry Street end. He said they made amendments to the lease on what has occurred from the original lease to the existing time. The price for the lease year is the same as it was for Sandusky Bay, so the price for 2021 is \$760.00. P. Corogin said there were questions to make sure they always control the bulkhead and the riverfront, which was adjusted in the lease as shown. He asked if this was reviewed with Matt or John of Chez. B. Yancar said he has not talked with them directly about this lease. P. Corogin said the board received a copy of the lease and the amendments were highlighted in yellow. He felt as though all the concerns were addressed, and he did not see where Matt or John would have a problem with the amendments.

P. Corogin MOVED; D. Miklos seconded to authorize the lease as amended and to allow the transfer to take place from Sandusky Bay Co. to Chez Francois. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

Bill Yancar addressed the ODNR grant and mentioned it was presented to the Vermilion City Council which was favorably approved. He said the Port Authority will be using \$25,000 from the 'reserve fund', which was run by the Mayor and Finance Director. The selection of potential projects was submitted to the port members for review. He asked the board to provide additional suggestions as they need to get everything in order before the deadline of March 31.

P. Corogin thanked B. Yancar for his professional presentation of the grant requirements to City Council and for answering all their questions very clearly. He said Council approved allowing them to use their reserve. P. Corogin asked B. Yancar what his top project priority would be. B. Yancar said he thinks they need to install the new water line for the South Street Ramp because there is no potable water source currently. This will assure the new restroom functions properly, as it is a health issue, and it will provide potable water for customers. D. Miklos said if they want to maximize the funding, he would like to look at the 25/75 projects as opposed to the 50/50 projects. B. Yancar said it will be more palatable to ODNR especially since the projects are at the South Street Ramp, where the greatest needs are. He thought this would be a better opportunity rather than spreading out to McGarvey's or Water Works. T. Sommer asked if there were restrictions on the money from ODNR where they will strap the Port on not having any rental increases, pullouts, etc. B. Yancar said if they don't charge something in that particular facility it is 100 percent funding. If the money you collect is greater than the funding amount, then they may want some return on that money, but he wants to make sure they aren't charging anymore as a result of this and keeping the same fees, but he will clarify this with their grant contact. As long as they are inspected at the point of completion and at the satisfaction of ODNR, then they will get a 75 % reimbursement of whatever that fee is. The ports obligation would be for 25 years if they accept the grant.

P. Corogin asked B. Yancar what his next recommendation would be for another project. B. Yancar said his number two choice is the deterioration of the parking lot itself. They know the approach to the ramp (entryway) is severely deteriorated, but the area where they launch boats is severely granular, so it is an issue of safety for footing as people load and unload their boats and the surface is full of potholes. He is not looking at resurfacing the whole parking lot. T. Sommer asked what he estimated the cost to be and B. Yancar said \$14,250, basically \$57,000 in resurfacing. He said the city's out of pocket would be \$14,250 and \$2,000 for the water line. Another project he identified is the deterioration of the bank, so if they want to protect their capital investment of the parking lot and want to continue to have shore fishing then he estimates \$8,750 for riverbank stabilization. He said at a minimum since he has been working for the Port, they have lost six feet. J. Hauck asked if there was a possibility in repurposing some of the cement from the

museum to be used as a temporary fix or solution. B. Yancar said there is an issue of natural materials versus concrete. D. Miklos said cement from reclaimed construction has rebar in it and ODNR is against this because of the safety issues, but he was not certain how ODNR would look at this. B. Yancar said they should look at the sandstone company, which has natural stone. He thought if there was some stone available as they are shutting down, then maybe they could use it. P. Corogin thought this was a good idea and he said they could talk with the manager who is very generous in donating. B. Yancar said these projects add up to \$25,000, which is the Ports contribution. D. Miklos said the total cost of the project would be approximately \$100,000. B. Collingwood said they are looking to package the best square footage of the parking lot as they can - \$14,250 is the Port's portion but 75 percent more is the area they are going to have done. P. Corogin had no problem with the recommendations as presented. H. Riddle said she is comfortable with Bill's recommendations because he is there all the time.

T. Sommer said once they get McGarvey's Landing up and running they need to address the electrical issue since it has been inoperable for the last two years. He noted that B. Yancar has it listed at a cost of \$750 to activate this. B. Yancar said last year an electrical company inspected the system relating to the pedestals and they gave them a clean bill, but the last two pedestals towards McGarvey's which is on a separate line would need replacement before the balance of the circuits. They are all right with the electrical. They will check the water lines to check on some of the deteriorated components, which may need to be replaced.

D. Miklos MOVED; P. Corogin seconded to accept the top three projects as outlined by B. Yancar to approve moving ahead with using the \$25,000 for the grant out the Port Authority's reserve fund, which will be a 75 percent match. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

B. Yancar addressed the Port Event Schedule and said he came up with a potential date of events, so they do not conflict with other major events around the city. The proposed dates for the following events include the Fish Festival/Poker Run, the Port Appreciation Day – this did not meet its target audience, so they decided to permanently cancel it. Also, he talked with Terry Kitchen who is receptive to starting up Dancing at the Docks and Saturday's work better for him, so they are looking at either July 10, 17, or the 24th. Upon no preference stated by the members, the decision was to choose July 17. Also, the Duck Race dates could be on September 5, 12, or the 19th. D. Miklos said in the past it has always been the Sunday after Labor Day. Therefore, the decision was made to hold the Duck Race on September 12.

D. Miklos readdressed the ODNR grant as the only contingency would be to identify some issues from ODNR that would put a restraint on them that they wouldn't be comfortable with. He said at Water Works they had the grant with a contingency that they couldn't park any commercial boats there, so if there is some small print

they identify that would make them think twice of taking the money, they should know this before putting in the application. B. Yancar said they have a conversation with the agent that is responsible in assisting with these applications, so they will make sure before submitting the grant they ask these questions.

D. Miklos MOVED; P. Corogin seconded to amend the previous motion that if terms and conditions deemed by ODNR are not acceptable, the grant will not be pursued. Vote 5 YEAS. **MOTION CARRIED**.

P. Corogin said pursuant to the shoreline stabilization do they have any responsibility with the Army Corp. B. Yancar said this is all pending getting permits from any agencies that may be involved, so this would be covered before proceeding.

T. Sommer asked if ODNR is coming into the harbor this year to do dredging. P. Corogin said they are doing dredging and they will also be doing some east break wall work. T. Sommer said there is a lot of riprap that could be used at the shoreline at the ramp. P. Corogin said there was talk about them going with something like the outer break wall and if they do that, they could have a lot of stone, but they have not seen the final design.

FINACIAL REPORTING:

T. Sommer MOVED; H. Riddle seconded to approve Bill Yancar's expenses in the amount of \$711.51. Vote 5 YEAS. **MOTION CARRIED**.

B. Yancar addressed the financials and noted the finance department closed February. He reported that Fund 214 'Operating Account' closed last year, and they brought forward \$50,403.71. This year according to the city, the revenue is \$15,803.96 and expenses are \$17,207 and the unexpended balance is \$48,999.80. There is only \$1,600 encumbered at this point. He developed a new system for establishing budgets, accounts, and how to monitor all things he encumbers, so he will enter all purchase orders next week. He noted there is no activity in the 411 account, and they are still sitting on \$9,685. He said they have \$50,000 plus in the carryover and they are going into the \$32,000 reserve portion to pull \$25,000 for the grant, so they have \$18,000 in the operating account that they will still have access to from last year, plus they have the \$9,685 in the 411-capital account they have access to. Out of this money, they will be paying for the roof at Water Works, but there are some projects that have come up such as dock repairs.

He referred to the leases and noted that all letters have gone out and they have collected all 2021 fees that were due in 2020, so now they are in process of collecting the remaining fees in 2021. The total lease and rent potential revenues are about \$27,000 and of this amount they have collected a total of \$12,000. This will all be collected before May 1. T. Sommer asked if Clarion is rented out and B. Yancar said it is along with Exchange. He said the police boat moved to Power

Boats, so this slot is open, but he needs to make sure according to the grant they can rent it out, but he does have two people interested in this spot. He said instead of collecting \$1,500 they would collect more revenue from what they would collect from the police boat. P. Corogin said there was a question whether the first dock the police boat was in is bound by the no seasonal dockage. B. Yancar will double check on this, but he recollects this argument was made with ODNR years ago and this was additional bulkhead, and they satisfied the grant.

T. Sommer said on the finance director's cash position statement it addresses Fund 463 entitled 'dredge grant' with a balance of \$16,404.99. He asked B. Yancar to find out what these funds are for.

B. Yancar said the current up to date financials show revenue of \$19,644.00, so he is ahead of what the city is showing at the close of February.

T. Sommer commended B. Yancar as he has had a lot on his plate.

T. Sommer addressed the payroll activity report. D. Miklos suggested adjourning into executive session.

D. Miklos MOVED; P. Corogin seconded to adjourn into executive session to discuss personnel matters regarding compensation. Vote 5 YEAS. **MOTION CARRIED.**

T. Sommer called the meeting back to order and adjourned the regular meeting upon no further business coming before the board.

Next meeting: The Port Authority scheduled their next meeting on April 15, 2021 at 6:30 p.m. at the Vermilion Municipal Complex, 687 Decatur Street, Vermilion, Ohio.

Transcribed by Gwen Fisher, Certified Municipal Clerk