

**NOTE: This was originally written in regard to the Cathedral Parish alone, as the liturgical combination of the three area parishes had not yet happened. However, the history is still very applicable to the current situation.**

=====

**Byzantine Catholic Cathedral of St. John the Baptist. Parma, OH**

**Background:** The Pastoral Council at the Cathedral of St. John the Baptist had been working for many years on both the spiritual growth of the parish as well as maintenance of the building in which they worship. The entire complex is not owned by the parish, but is an eparchial property. Most of the large expenses, namely the utilities, were paid for by the eparchy. In 2003, a verbal agreement between Bishop John Kudrick and Fr. Mike Hayduk (Cathedral rector) was made to have the expense of the complex be shared 50/50 between the Cathedral Parish and the Chancery. For more than a dozen years, this agreement was kept by both parties.

**Changes made after Bishop Milan was made Administrator, (with supporting Exhibit Documentation)**

**February 2018, Letter from Deacon Gregory to Bishop Milan:** A detailed letter with history and possibilities at the Cathedral Complex was given to Bishop Milan in February of 2018. It is believed that there has never been a response to this letter, other than the acknowledgement by the bishop that it was received.

**April 13, 2018, Exhibit A.** Lawyer James Niehaus sends an e-mail to our then Building Manager Michael Cathaml, telling him that if he continues to honor previously reserved rentals at the Cathedral Complex, that the Cathedral parish would assume the full cost of operating the Cathedral complex, including salaries, utilities, insurance, etc. If we did not agree with this, then we would have to notify any Lessee with rentals after July 31, 2018 that their event would have to be canceled.

**May 1, 2018, Exhibit B.** Bishop Milan Meets with Pastoral Council: This meeting discussed the current situation at the Cathedral complex. The Council was also advised of the retirement of Fr. Mike Hayduk in the Fall.

**June 16, 2018, Exhibit C:** The Cathedral Pastoral Council wrote a personal letter to Bishop Milan, asking him if we could discuss the future of the parish and the plan the Council had with his lawyer and CFO. To our knowledge, this letter was never answered.

**June 21, 2018, Exhibit D:** The Cathedral Pastoral Council sends a letter to lawyer James Niehaus. This letter was a plan for the property. We were told by the lawyer that our bishop disregarded this letter because it was not signed.

**August 2018, Exhibit E:** Revised letter of Exhibit D edited and signed by all members of the Pastoral Council, including the deacon and rector.

**September, 2018, Exhibit F:** Response of letter to the bishop by his lawyer. The bishop himself never responded to our letter, instead rejecting any and all plans we had for the future of the parish and the generation of necessary revenue. The letter indicated the new sharing of the expenses at the Cathedral complex.

**Fall of 2018. Exhibit G:** Two potential buyers, Roman Dutka and Gary Miller, contacted Deacon Gregory Loya concerning the sale of the property. In no way was the deacon trying to sell the property (or is authorized to do so). They had suggested they would buy the property, renovate it and still allow the Cathedral parish to operate there as usual. This information was sent to the bishop and his lawyer. Finally, the details of this was sent to the Syncellus for Outreach and Missions.

**January 24, 2019:** At a Pastoral Council meeting, the new rector, Fr. Marek, stated that the bishop said the Cathedral was to now start paying 100% of the operating costs of the Cathedral complex. The parish was given permission to continue with rentals until the end of 2019. Fr. Marek also told Deacon Gregory to stop all communication between Roman Dutka and Gary Miller.

**January 28/29, 2019 Exhibit H:** Action item for Deacon Gregory was to check with the lawyer on the agreed upon expense sharing. The e-mail from the lawyer indicated that the September 2019 sharing percentages were still in place.

**April 1, 2019.** Mike Caithaml, Building Manager whom the Cathedral parish hired in 2004 and were paying his salary at 100% in 2019, was fired, along with his son Ryan. Since then, a company named KPM has four of its employees working at the Cathedral Complex to carry on what Mike and Ryan were doing. No one in particular is interested in working the current rentals of securing new ones. Cathedral parishioners were asked if they would volunteer to help with the rentals.

**April 30, 2019.** An emergency pastoral/finance council meeting was held since the \$25,000 moved from savings to checking two months previous was nearly gone.

**May 2019, Exhibit I:** Further communication from lawyer James Niehaus to Deacon Gregory indicated that since the Cathedral parish was taking on some 2019 rentals that the bishop believes it is fair to bear the costs for the property, other than the taxes.

**September, 2020:** A live meeting with parishioners from the three parishes (Cathedral, St. Mary, Holy Spirit) took place. Announced was the idea that the three pastoral councils would be combined. The announcement of names would be forthcoming after approval by the bishop.

**Fall, 2020:** We were informed that some members of the combined pastoral councils were “instructed” by the bishop that the combined church would have to: 1. Be big enough for a cathedral, 2. Have a school, and 3. Be located in Cleveland. This left only one choice of the 3 possible existing parishes. Were other proposals considered, such as building a new complex on the property in Parma?

**December 2020. Exhibit J:** 12/13/2020 bulletin had the names of the combined parish. Note the date of this announcement in reference to the letter of Exhibit K.

**January 30, 2021. Exhibit K:** Letter from Fr. Marek to the parishioners of the three parishes.

## Exhibit A – Letter from Deacon Gregory to Bishop Milan, Feb 2018

Bishop Milan,

Glory to Jesus Christ! It has come to my attention that there is talk of selling the Cathedral complex, at least the majority of it. As an involved parishioner of St. John's for 50 years and a deacon for the last seven, I am one of the few people that completely understand the situation there and can honestly and knowingly provide my input on it. I am humbly submitting my thoughts on the subject, in part because I do not think they are being presented to you. My goal is not to cause trouble or arguments, but to offer ideas of what might be done with the Cathedral Center as I am not sure all sides have been considered.

### History

Fr. Stephen Gulyassy, the pastor of St. John's Church on 22<sup>nd</sup> and Scollvill Avenue in Cleveland, had a vision of expansion that included purchasing property in Parma, OH. The old "St. John's Grove" was present at the time and you can still see the end of its driveway off of Broadview Road. A new church and grade school were built as our old church on Scovill was standing in the way of Cleveland's expansion of the freeway system in that area. Soon the school was expanded into a high school and included additions such as the gym and library. Unfortunately, for many reasons that no one person really knows, it was decided to close Byzantine High School. At that time, those in charge told the people at St. John's that they would work to utilize the building. Except for the vision of the late Bishop Emil Mihalik creating the chancery in the old east wing, utilizing the building to its fullest potential has never happened.



### Current State

The building is not new anymore, but in many ways is in better shape than it was many years ago. Before Fr. Mike arrived, there was about two years after our custodian Paul left that we had no one doing maintenance on the building. Mike Caithaml was hired and has done quite a bit to improve the building. It is, however, more than a one man job. Mike has been doing the work of two men (Paul the former custodian and Charlie Lizanich who did misc building maintenance for Bishop Pataki) plus handling rentals that Charlie and Paul never did.

Ever since the high school and church occupied the same complex, there has always been a misunderstanding of who owns what and who is responsible for what. When the high school was there, the school cafeteria had a sign in it – "St. John's Hall." A cute name in honor of the attached church, but not indicative of ownership as it was not the church's hall. It was "Byzantine High" not "St. John's High School." The parish was a separate entity even though it shared the building. (btw, that sign is in the back room across from the St. Nicholas room). Since the high school closed in 1975, the confusion continued, with the agreement that the gas and electric utilities would be paid for by the Chancery. This changed with Bishop Kudrick who said the Cathedral parish had to share the expenses 50/50. This of course put a new financial burden on the parish and we had to focus much more on raising revenue – something we never had to do in the past. The Cathedral parish had always enjoyed a healthy bank account, spending \$1.5 million on a church renovation in 1982. Overall, while the bulk of the complex was not St. John's, it was the efforts of their Parish Council and parishioners that has done the most in the way of improvements. While the complex is often used for Eparchial events, the bulk of the cost for hosting those events and repairing the associated damage has always fallen on the parish, not the Eparchy. Never has the Eparchy made any effort to utilize the building to raise revenue.

### Loss of Acreage

Sadly, back in the days of the sexual abuse scandal of the late 80's early 90's, acres of the Cathedral land were sold to compensate for lawsuits due to the failure and sins of others. It is ironic that we are once again the first one on the list when the idea of selling our land comes up. While suffering for the sins of others is exactly what Jesus Christ did for us, we have to wonder about the potential that the Cathedral Complex has to raise revenue as opposed to other Parma Eparchy churches that do not. With the price per acre that the city of Parma estimated (example 2 below) and the asbestos concern below, I am curious as to just how much we might even make on the sale of this property. While the land could be developed, there are recent developments right across the street that are still vacant for years after being built.

## Asbestos Concern

Asbestos in the 50s and 60s was quite common and while we have contained it and have lived with it in its current state since the 1980's, I am not so sure new buyers would be as comfortable knowing how much is present. My conservative estimate of the amount of asbestos in the building is 30,000 square feet and might cost about half a million to abate. This is never a selling point for a building with how people fear this substance and for the fact that it would cost hundreds of thousands to have it properly removed, not to mention re-insulating the scalloped ceiling after it is removed.

## Revenue and Complex Potential – 2005 Presentation to Bishop John

Back in 2005, I put on a presentation (I have this in electronic form) to Bishop John showing him the potential that the building had to create revenue. Our complex was and remains unique in its ability to do so. Our complex lies in the heart of a city that is still vibrant. Contrast that to a parish such as St. Eugene's. They have a great facility and beautiful grounds that is probably worth a good amount of money. However, they are surrounded by neighborhoods to which we do not minister (although we could). No one that attends our churches lives there anymore and they are doing very poorly financially. In contrast, the Cathedral parish is paying its bills, its 10% to the Chancery and blowing away its Stewardship pledge.

## Mineral Rights

At the same time we were trying to get the complex alive again, we had Bass energy speak with us about the possibility of having a gas/oil well on our property. This company had drilled and found natural gas on the property where I work. Not only do you get your own gas, but are paid a royalty. We were very close to signing a deal during the time when gas was quite high, only to have the deal mysteriously fall through all of the sudden. The man whom I spoke with from Bass Energy would not tell me why, but someone with authority had backed out at the last minute. St. Joseph's in Brecksville, however, does have a gas well and Deacon William worked with Gonz Oil and our Parish Council to get this project going again. We were successful in getting a signing bonus and drilling was about to start, but just at that time, gas prices plummeted and Gonz Oil did not think it was worth their up-front costs and never drilled. Please note – had we continued our efforts with Bass Energy when gas was high, we would have had our own gas and royalties, but instead we chose to live by fear and backed out and by the time we did it again it was too late. We do however, have an agreement with surrounding properties should gas go up again. We needed to involve them in order to get the required 20 acres of land needed to drill.

## Caterer and New Bathrooms

In the same time period as my presentation to the bishop, Joe Verba, a Byzantine High grad, long time member of St. Gregory Byzantine Catholic Church in Lakewood, was working with us on the possibility to become our resident caterer, especially since his son the chef had graduated and was looking for work. Joe was (and still is) running Woodside Catering (in St. Michael's Russian Orthodox Church) as well as other businesses and doing very well. I took him on a tour of the place and he recommended what needed to be done in the upstairs hall to get it up to date. He offered to help pay for some of these renovations with his own money. Our Parish Council agreed that we wanted to first fix up the upstairs and downstairs bathrooms, which still looked like they did when the high school was here. We then had Nick Loya and Eikona Studios put together such a proposal. Everyone was in agreement except Bishop John, who did not agree with the investment and it was decided to go with "Plan B" of bathroom renovation, specifically Mick Caithaml doing the work at a reduced cost, but of course ending up not looking like what Eikona would have done. Resistance to a potential 7 figure-making caterer came in the way of questions like "What about the competition?" and pointing out that the upstairs hall had large AC units that did not look nice. Note that the "competition" (Pokrova) came to our place, posing as a potential customer, trying to see what competition we were for them! They realize that we have the location, the larger halls and the property. Unfortunately, we did capitalize on this opportunity and Joe was sent away and has found work elsewhere. Had we followed the Joe Verba/Eikona plan back in 2005 timeframe, we would have millions in the bank now. Of course, someone else has those millions because we once again chose to live by fear and not by faith.

## Maintenance and Improvement of the Cathedral Center

The Cathedral Center is often used as an Eparchial site for ordinations, the great 40<sup>th</sup> celebration, pre-Cana, St. Nicholas banquets, clergy meetings, etc. Many come there with high expectations of how the building should look at what is provided, both in the building and in the church for services. However, no person, no group other than the St. John's parish (via the Parish Council) help with the upkeep of the facility. Over the years, the upstairs hall was

renovated by Msgr Yarnovitz, along with installation of the elevator, the covered entrance, parking lot expansion and associated fencing. The dance floor and upstairs hall lighting improvements, nearby carpeting were all done by Cathedral parishioners. The new boiler installed was done via the St. John's parish council as well as the new sign out by Snow Rd and the partial roof repairs. The Lounge and nearby bathrooms were renovated along with the nearby kitchenette. The two roofs were created over the leaking flat roofed porches off the church and the Fellowship room was improved and a home theater was added. Recently the "bride room" ladies bathroom was renovated and the Snow Road patio fountain was created by a Cathedral parishioner. While the Eparchy essentially owns the bulk of the building, they have done almost nothing when it comes to the maintenance and improvements of it. While everyone in the Eparchy uses and expects the complex to be just so, they are absent when it comes to providing any resources for its upkeep and improvement.

### Other Potential Tenants and Revenue

Raising revenue was only part of the drive from the Parish Council. We saw the potential in this building to house a school, get the gym back up and running and let the community know that the church had not closed along with the high school back in 1975. We currently house an English as a Second Language school upstairs as well as Gemini Productions Studio in the old library/museum. We house North Coast Promotions and sponsor the largest Craft Fair in NE Ohio in December. Our two halls and St. Nicholas rooms are used almost every weekend for various rentals, all overseen by Mike Caithaml. MANY other people have come to our place wanting to have events here or to run part of their business here. Some examples include:

1. The gym restoration project by local CYO (Catholic Youth Organization)
2. City of Parma Tour and Proposal (including buying some of our land)
3. Letter from West Mill Creek on Using Our Gym and paying us for rental and renovation
4. Organizations Like the Cleveland Polka Association Making Us Their New Home
5. Notre Dame College considering us for a West Side Campus
6. Flex City setting up possible daytime classes
7. Cell tower royalty for location at Snow Road side

The full details of these 6 examples can be seen in the following pages. There have been many more – these are just the ones I happened to have saved over the years.

All of them, with their interest in our so called "White Elephant" of a building (all but #5) have been sent away after our not pursuing or simply declining the opportunities.

It is interesting to note, only our own Byzantine Catholics use the term "White Elephant" to describe the Cathedral Center. Outsiders that have vision, that see it's potential, that realize we have the best located and much acreage in the center of town, that are willing to spend their own money to get a piece of what we have, never use that term.

I come from a long, long line of married clergy and some who suffered at the hands of the atheistic communists for the sake of their faith. I would be happy to simply have a place to worship and serve in our Byzantine Catholic Church. I don't think the complex has ever been given a fair assessment to its potential of being a vibrant and revenue-generating complex. I also believe that it can eventually generate more revenue that it is worth on paper. Like the old car that gets me to work each day, if I sold the car, I might have a little immediate money, but no way to get to work and make real revenue. It is worth far more to me than what someone might offer me. Glory to Jesus Christ!

Most humbly submitted,

Deacon Gregory Loya  
Cathedral of St. John the Baptist

February, 2018

## Example 1 - St. John Byzantine Gym Restoration Project (CYO)

### Phase or Step 1 - Infrastructure

In reviewing the gym infrastructure at St. John's for possible renovation to accommodate recreational and organized sports play the following was found.

The Gym floor has been maintained extremely well and only requires minimal surface repair that can be performed with little cost. The floor would then need to be cleaned and polished. Lining will need to be reviewed for Basketball and Volley Ball.

The lowered ceiling as well as smoke eaters as well as the octopus duct work associated with the HVAC units need to be removed and or relocated. The kitchen area found in the northeast corner of the gym will need to be removed as well as all piping will need to be capped creating a flat surface. The room dividers as well as divider tracking needs to be removed. The cost of doing this can be offset by having local resources or volunteers aiding the process as well as reselling the aluminum from the lowered ceiling and duct work. In a quick assessment there seems to be at least 600 pounds of scrap that can be converted or resold at approximately 90 cents per pound.

The stage area can and should remain so it can be used as a scorer's area and also serve for future events going forward.

### Phase or Step 2 – Equipment for Play

The gym presently has no equipment that can be re-used for play. The following equipment will be required to conduct recreational play for basketball and volleyball.

#### Basketball Hoops, Backboards, and Support Systems

Ceiling Mounted System with Mechanical Winching (2)	6000.00
Install	1400.00
Freestanding System (2)	10000.00
Install	700.00

Bleachers, Stands, and Benches - Starting day one of playing no bleachers would be required as the existing chairs can provide seating for spectators. At the minimum benches will need to be provided for our players and coaches

21 Foot Players Bench (2 required)	330.00
Tip and Roll Bleachers – 4 row 40 seat capacity	1500.00
Install	200.00

#### Scoreboard and Controls

6' x 3' Score Board - New	2500.00
10' x 5' Score Board – New	3800.00
8' x 4' Score Board – Used	1200.00
Install	300.00

#### Volley Ball Equipment

Aluminum Volleyball System Complete with Referee Chair	4300.00
Install	1000.00

### Phase or Step 3 – Operations and Return on Investment

After the above requirements are met for either or both sports. CYO will need to be contacted to submit an application to become a host gym site. The process is simple and they are presently in need of these facilities. It is

also known that local recreation departments as well as local schools are in need to these facilities. Tournaments as well as nightly rentals can provide a great revenue stream.

With CYO play St. John's will be offered either a day/hourly rental fee and have to forward any and all gate fees to CYO or accept the gate fees as payment for the use of the facility for that day. Presently at St. Mary's we accept that gate fee and our realizing a weekly profit with concessions of approximately 500.00 per day.

## Example 2 – City of Parma Tour and Proposals

July 26, 2007

Mr. Michael Caithaml

Building Manager, Byzantine Cathedral

Dear Mr. Caithaml:

Thank you for the tour of the education wing of the Byzantine Cathedral. I was extremely impressed with the facility and I think offers a wealth of opportunity for the Church.

As I indicated, my Department is in constant contact with area schools, Colleges and Universities who are looking to lease, construct or purchase facilities. Your facility, due to its impeccable condition and quality of maintenance, should be highly desirable. This space could also be used for research and development, sales offices or medical offices.

As for the 2<sup>nd</sup> floor conference area and party room, I can certainly see the Church leasing that space to a company or caterer to manage. Parma has a shortage of facilities like that which can handle large crowds and provide on site meals. I think with the right amount of marketing, your space could be a popular destination for weddings, political fundraisers, etc. Your property is secluded, well maintained and has the parking – on top of being well maintained and attractive.

I'm sure the Church also realizes the potential of the vacant land fronting Snow Road at the corner of Broadview. It appears to be in the 10 acre range, give or take a few. I would have to estimate a value in the neighborhood of \$150,000 to \$200,000 an acre for that site, at a minimum. I would be very interested in assisting the church in making that parcel available for development.

The City is prepared to assist the Byzantine Cathedral in any way to help them fill this vacant space and create a mutually beneficial situation. To start, I would need to get an idea of the total square footage available, total classroom and office square footage, etc. If an original blue print or drawing of the space could be provided, that would help too. We would also need to get an idea of what price per sq. ft. the Church would ask for a lease. The City could even advertise this space free of charge on our website to help attract a business or school use.

I am available at the Church's leisure to sit and discuss further the opportunities on the property. Thank you again.

Sincerely,

Erik C. Tollerup

Director, Community Services & Economic Development

City of Parma

(216) 661-7412

### Example 3 – Letter from West Mill Creek on Using Our Gym



Dear Father Mike and Bishop John,

My name is Don Sewell. I am a Parma resident, married, and have two sons. My sons (Justin 13) and (Jared 8) attend St. Anthony of Padua School, where my wife and I have been parishioners for the last 13 years. I am writing to you on behalf of West Creek Youth Athletic Org. and its volunteers. Over the last 11 months we have been in the process of starting a youth athletic training and sports group trying to improve athletics and training in the Parma area. We have been fortunate to have volunteers that are passionate about working with and training area children in specific sports, and more importantly developing children to be proud, productive members of the Parma Community.

The sports that we affiliate with and include are: baseball, and softball, expanding into soccer, and hopefully basketball this winter. We are most proud of our summer rec. youth softball league open to all children in the area, which in its first year had over 200 boys and girls participate.. We also work as volunteers with Padua High School softball, preparing the girls with off season training and conditioning for their upcoming seasons, soon we hope to be working with their baseball program as well. We have established a solid relationship with the Parma City Schools and the city of Parma with our recreational and organized sports programs utilizing their outside facilities throughout the summer.

We met with Mike Caithaml and discussed utilizing your gymnasium for our off season athletic training, Mike had mentioned removing the drop ceiling from the gym, and adding lighting, returning the space back to a full gym. Our organization, with Mike's direction, would be willing to remove the existing ceiling, add new lighting and absorb the cost to make these changes. Our Organization and each of our volunteers are insured, and would have waivers signed releasing you of any and all liabilities. We would also keep clean and maintain the interior of the gym for our use and for Wednesday, and Friday Bingo, doing all set up and take down of their equipment.

We would like to use the gym when it is not being used for bingo, from Mid October thru Mid May. At this time we are able to pay \$10,000 for those months. and remove the ceiling and change the lighting, for use of the gymnasium for our winter programs. We are not a make money organization, but rather a break even organization, constantly looking for ways to improve athletics while keeping cost as low as possible for area families.

West Creek Youth Athletic Org. is looking to use your gymnasium, not just to build our NEW athletic programs, but more importantly for a place to be our home. Your consideration of our proposal would be greatly appreciated.

Sincerely,  
Donald Sewell  
West Creek Youth Athletic Org  
.440-884-2770  
[DonSewell@WestCreekYSL.org](mailto:DonSewell@WestCreekYSL.org)  
[www.WestCreekYSL.org](http://www.WestCreekYSL.org)  
[www.ParmaArrows.org](http://www.ParmaArrows.org)

#### **Example 4 – Organizations Like the Cleveland Polka Association Making Us Their New Home**

For a couple of years, the Cleveland Polka Association used our hall as their home. Why? Because we have the location, the largest hall, a great dance floor and prices that cannot be beat.



#### **Example 5 - Notre Dame College considering us for a West Side Campus**

Notre Dame College of Ohio, South Euclid, had visited us and considered making a west side campus of theirs at the time they were doing large expansion of the school.

#### **Example 6 – Flex City**

FlexCity, a body sculpting company, has shown interest in possible daytime classes, which means a steady rental, 15% of what they take in.

#### **Example 7 - Cell tower royalty for location at Snow Road side**

Cell towers disguised at trees, flagpoles, etc pay a monthly royalty. The Snow Road woods area would have been a perfect location for such a tower.

## Exhibit B: Letter from Lawyer James Niehaus to Building Manager Michael Caithaml, April 2018

**From:** James Niehaus <[jniehaus@frantzward.com](mailto:jniehaus@frantzward.com)>

**Date:** April 13, 2018 at 8:40:54 AM EDT

**To:** "'[caith2@yahoo.com](mailto:caith2@yahoo.com)'" <[caith2@yahoo.com](mailto:caith2@yahoo.com)>

**Subject:** Social hall Leases

Michael,

I want to thank you for meeting with me to review the 13 Lease Agreements you currently have for the Chancery facilities (The Upper Hall, The Saint Nicholas Room and the Carpathian Hall) for dates after August 1, 2018. I understand that the "Lesees" under those leases have all made deposits (which you have turned over to Fr. Michael at the Cathedral). The "lessor" in each lease is listed as The Byzantine Catholic Cathedral of St. John the Baptist – not the Eparchy. After speaking with the Bishop, he is prepared to allow the Cathedral to honor those leases (and to enter into new leases that do not extend beyond December 31, 2018) provided that the Cathedral assumes the full cost of maintaining and operating all structures at the 1900 Carlton Road address (i.e., the former high school and the Cathedral), including all utilities, insurance, salaries, etc., commencing on the date that the Chancery relocates to a different facility. I suggest you consult with Fr. Michael regarding this proposal. If it is acceptable, let me know and I will prepare an appropriate agreement. If this proposal is not acceptable, then you will need to notify any Lessee whose event is scheduled to take place after July 31, 2018, that the Lease will need to be cancelled. The Cathedral should then plan to refund the deposits that it has received for those Leases.

**James Niehaus**

**Exhibit C: Letter from Pastoral Council to Bishop Milan, June 16, 2018**

**From: The Cathedral of St. John the Baptist  
Parish Advisory Council**

**To: Bishop Milan Lach**

**Date: June 16, 2018**

**Subject: Plan for the 1900 Carlton Road Property, Parma**

Your Grace, Bishop Milan,

Glory to Jesus Christ!

Our ancestors came to this country, searching for a land in which they could worship as they wished. They faced many challenges and the fact that we are celebrating 120 years at St. John's this year is a testimony to their faith and courage. You too, face similar challenges in this new country and we at St. John's Cathedral know this and would like to assist you. Our parish has been here a long time and we are certain that we can keep it going. The need for your spiritual guidance in other parts of the Eparchy is most important at this time. We at the Cathedral parish have created a plan for the next 10 years of our parish. It will be by the grace of God and with your blessing that we are successful. The details of our plan would be much better discussed with the new CFO and Eparchial lawyer, which will free you up to concentrate on our other 29 parishes of believers.

With your permission, we will start working immediately with the Chancery CFO to review the plans we have developed.

Yours in Christ,

The Pastoral Advisory Council for

The Cathedral of St. John the Baptist

**Exhibit D: Letter to Lawyer James Niehaus, June 21, 2018**

**From: The Cathedral of St. John the Baptist  
Parish Advisory Council**

**To: James Niehaus**

**Date: June 21, 2018**

**Subject: Plan for the 1900 Carlton Road Property, Parma**

Glory to Jesus Christ!

We, the members of Cathedral of St. John the Baptist Parish Advisory Council, appreciated the meeting with the Bishop in early May to discuss matters of mutual importance to the Eparchy and the Cathedral and to discuss how best to address them. The Bishop's views on the needs of the Eparchy were enlightening to us. Following that meeting, we analyzed the situation deeply, and developed the first stage of a plan for managing the Carlton Road property going forward.

The property has been a challenge for the Chancery and for the Cathedral for many years, but the Cathedral can agree to taking on the responsibility for managing the building and the expenses with a few stipulations. This is not a responsibility we sought out, nor is it one that we considered casually. While it would be easy for us to view the Carlton Road property as a no-win situation, that kind of thinking has limited the value received from the building and has put us collectively in this position.

In our approach, we will obtain more value from the building than has been done previously. This responsibility the Bishop wishes us to take on is a burden, but it can also be a blessing. Having only one group managing the building will increase the efficiency of managing it. And, delegating building management to the Cathedral will also free the Bishop and the Chancery from the worries of the building, so the Bishop can focus each day can be on serving the Byzantine Catholic faithful people.

The building expenses currently outweigh revenues even though active efforts have reduced expenses in recent years. Unless we take action to increase revenue, we will quickly drain our parish savings that are needed to provide financial stability. One way we will increase revenues is to make fuller use of the building which has significant under-utilized areas. We will also proceed with rental contract changes and pricing revisions that will match the market rental rates more closely.

We will continue to reduce building expenses, but we will also need to take on the full responsibility of the expenses when we previously only had half of the expense. This includes having the building manager and maintenance responsibility, caretaking of the grounds, and the real potential of large replacement expenses for the aging building.

We can accept this responsibility, but we need some flexibility to make our plans work. One example of this is the near term end date of December 31, 2018 for property rentals which will make it impossible to draw in the revenue needed to offset the large expenses of the building. To increase revenues, we need to be able to sign property rentals beyond December 31.

Some could get misled in thinking that preserving the building is our goal, when it is not. But, there is additional opportunity in preserving the building. For nearly fifty years (since June 12, 1969), the Carlton Road property has been a destination point for the people of the Eparchy to worship, to work together, to celebrate pilgrimages and festivals, and to collaborate. By taking on the responsibility for the property, the Cathedral will continue to make the property a central place of worship, pilgrimage and activity that the Chancery can depend on.

There are great needs across our Eparchy that must be addressed, but there has been one constant – the hardworking people of the Cathedral family who have contributed significantly to maintaining the Carlton Road property and reducing its expenses. As we take on this responsibility, it will be more than the Parish Advisory Council taking action. The Cathedral parish family will be in support, and actively working to maintain this centerpiece for the Eparchy. We will be working with the Chancery, in support of the Bishop's goals, and through our solidarity the Eparchy will blossom for many years.

As we worked on our planning, we noted several key items that we wanted to gain clarity or agreement on with you as this responsibility moves from the Chancery to the Cathedral. Here are the key items:

- We would prefer the timing of assuming the responsibility for the building expenses to be August 31, 2018. This gives us some time to prepare and attempt to minimize the new expenses in this transition.
- Since all church property is the property of the Bishop, the Cathedral will not own the building but will instead manage the Carlton Road property through a lease. To facilitate this, we would need a written lease agreement with a minimum date of Dec 31, 2028 with an option to renew at set terms. Verbal agreements in the past have only created more problems. By detailing our agreement, we can reach the goals that are most important.
- The Chancery will pay any outstanding bills until transition date.
- The Chancery will transition the account ownership on the bills effective August 31, 2018 (or the agreed upon date) so the Cathedral can assume this additional responsibility while freeing the Chancery from the operational concerns.
- We will need any Eparchial property, assets, materials removed by the agreed upon transition date so we can begin using the building to the fullest extent possible to offset the large increase in expenses. Space rentals will be assessed on a pro-rata basis per square foot for Eparchy utilized areas monthly until the items have been removed. (The museum, Bryan Scotton's room, Vancik Memorial Library, closed church archives, Eparchial Choir Room)
- The Cathedral will assume expenses associated with the building manager, and as a result all services performed will be solely for the benefit of St. John's Cathedral.
- The Cathedral, as property manager, will be able to rent the property after December 31, 2018 to prospective renters.

Thank you again for considering this plan for the property. In this communication, we have not spelled out all the necessary details but we can review the plan more completely as needed. As specified in this proposal, we intend to reaffirm our commitment to help by taking on this responsibility which is in support of the Bishop's plans to address the highest priority needs of the faithful in our Eparchy. We hope that you can appreciate that we are trying to determine the best way forward for both the Eparchy and the Cathedral Parish of St. John the Baptist.

You were copied on the short letter stating we have a plan that was sent to Bishop Milan. We have spared him from this more detailed version. It is imperative that we allow the Bishop to do his work as a successor of the Apostles and not bog him down with details of the plan. We are, however, confident you will brief him on the details here, since we need his approval to move forward.

Yours in Christ,

The Pastoral Advisory Council for

The Cathedral of St. John the Baptist

cc: Martin Kopmeyer, CFO Eparchy of Parma

**Exhibit E: Revised and Signed Letter Sent to Bishop Milan, August 27, 2018.**

**From: The Cathedral of St. John the Baptist  
Parish Advisory Council**

**To: Bishop Milan Lach**

**Date: August 27, 2018**

**Subject: Plan for the Cathedral and the 1900 Carlton Road Property**

Your Grace, Bishop Milan,

Glory to Jesus Christ!

We have developed the first stages of a plan for managing the Carlton Road property going forward and for continuing the Cathedral of St. John the Baptist parish at the current location. Given your recent enthronement, and recent move of the Chancery offices out of the Carlton Road building, we offer this plan to help your focus on the broad needs of the Eparchy, while the Cathedral parish takes on the responsibility for expenses and ongoing maintenance of the 1900 Carlton Road property.

You can be sure that this plan will be executed well. The Cathedral has consistently met its financial obligations in a variety of tactics including:

- having no outstanding debt
- consistently paying the 10% stipend to the Eparchy for over 15 years
- met or exceeded the Stewardship goal each year
- regularly paid 50% of operational building expenses
- savings in the bank
- supporting the Parishes Together Fund
- increased weekly donations by 10% through a parish initiated campaign

We also want to share a sampling of additional actions initiated by the St. John's Parish Advisory Council which benefitted the Chancery as much as the Cathedral:

- significantly reduced ongoing building operational expenses for water and lighting
- conducted annual fundraising events to address important enhancements or repairs such as the roof repairs, dome repairs, and digital sign investment

We worked hard to improve the financial positioning of the parish, and we now we have developed a plan for managing the Carlton Road property. The building and property have been a challenge for the Chancery and for the Cathedral for many years, but the Cathedral can agree to taking on the responsibility for managing the building and the expenses with a few stipulations. This is not a responsibility we sought out, nor is it one that we considered casually. With Father Michael's guidance, the Parish Advisory Council has had serious discussions and debate on this. While it would be easy for us to view the Carlton Road property as a no-win situation, that kind of thinking has historically limited the value received from the building and has put us collectively in this position.

In our approach, we will obtain more value from the building than has been done previously. This responsibility you asked us to take on is a burden, but it can also be a blessing. Having only one group managing the building will increase the efficiency of managing it. And, delegating building management to the Cathedral will also free you and the Chancery from the worries of the building, so your focus each day can be on serving the Byzantine Catholic faithful people.

The building expenses currently outweigh revenues even though active efforts have reduced expenses in recent years. Unless we take action to increase revenue, we will quickly drain our parish savings that are needed to provide financial stability. One way we will increase revenues is to make fuller use of the building which has significant under-utilized

areas. We will also proceed with the rental contract changes and pricing revisions that will match the market rental rates more closely.

We will continue to reduce building expenses, but we will also need to take on the full responsibility of the expenses when we previously only had half of the expense. This includes having the building manager and maintenance responsibility, caretaking of the grounds, and the real potential of large replacement expenses for the aging building.

e can accept this responsibility, but we need some flexibility to make our plans work. One example of this is the near term end date of December 31, 2018 for property rentals which will make it impossible to draw in the revenue needed to offset the large expenses of the building. To increase revenues, we need to be able to sign property rentals beyond December 31 starting now. We emphasized this in previous letters but have not received approval to proceed. The moratorium on signing up new rentals has to be lifted for the Cathedral to have a chance to make the plan work. We have already turned away revenue-enhancing opportunities while awaiting a decision on the property, so clearly a timely decision is essential. Without it, the Cathedral would be forced to use savings to meet the operations expenses of the property and building. Without a decision on the property, the Cathedral cannot agree to taking on the responsibility for the property, which leaves the full operational expense burden of the property still with the Chancery. We have roughly estimated that the Cathedral uses approximately 20% of the entire building, so we would be willing to pay our 20% share of the utilities.

There may be opportunity to sell the Carlton Road property in part or in total. That is an option that could be considered, but that would have a direct impact on the Cathedral, which is our primary concern. There are also options of just reducing the size of the existing building, while leaving the church and hall in tact for the operation of the parish. We would be ready to assist with further development of options that sought to keep the St. John the Baptist parish active at the current location. The history of St. John the Baptist parish is a long and successful one, which includes establishing the property that became the center of the Parma Eparchy. But it is worth noting that the Carlton Road building has significant amounts of asbestos, which would require the specific and expensive handling as required by the U.S. Environmental Protection Agency.

Some could get misled in thinking that preserving the building is our goal, when it is not, but, there is additional opportunity in preserving the building. For nearly fifty years (since June 12, 1969), the Carlton Road property has been a destination point for the people of the Eparchy to worship, to work together, to celebrate pilgrimages and festivals, and to collaborate. By taking on the responsibility for the property, the Cathedral will continue to make the property a central place of worship, pilgrimage and activity that the Chancery can depend on. This will continue the vision and intentions of Fr. Gulyassy, who purchased the property with his own funds, and the original benefactors of the Carlton Road property. The Cathedral would continue this legacy for the faithful of the Eparchy.

There are great needs across our Eparchy that must be addressed, but there has been one constant – the hardworking people of the Cathedral family who have contributed significantly to maintaining the Carlton Road property and reducing its expenses. As we take on this responsibility, it will be more than the Parish Advisory Council taking action. The Cathedral parish family will be in support, and actively working to maintain this centerpiece for the Eparchy. We will be working with you, in support of your goals, and through our solidarity the Eparchy will blossom for many years.

As we worked on our planning, we noted several key items that we wanted to gain clarity or agreement on with you as this responsibility moves from the Chancery to the Cathedral. Here are the key items:

- We would prefer the timing of assuming the responsibility for the building expenses to be September 30, 2018. This gives us some time to prepare and attempt to minimize the new expenses in this transition.
- Since all church property is the property of the Bishop, the Cathedral will not own the building but will instead manage the Carlton Road property through a lease. To facilitate this, we would need a written lease agreement with a minimum date of December 31, 2028 with an option to renew at set terms. Verbal agreements in the past have only created more problems. By detailing our agreement, we can reach the goals that are most important.
- The Chancery will pay any outstanding bills until transition date.
- The Chancery will transition the account ownership on the bills effective September 30, 2018 (or the agreed upon date) so the Cathedral can assume this additional responsibility while freeing the Chancery from the operational concerns.

- We will need any Eparchial property, assets, materials removed by the agreed upon transition date so we can begin using the building to the fullest extent possible to offset the large increase in expenses. Space rentals will be assessed on a pro-rata basis per square foot for Eparchy utilized areas monthly until the items have been removed. (The museum, Vancik Memorial Library, closed church archives, Eparchial Choir Room). If the Eparchy needs longer term storage, we have researched options and can provide that for the Eparchy.
- The Cathedral will assume expenses associated with the building manager, and as a result all services performed will be solely for the benefit of St. John's Cathedral.
- The Cathedral, as property manager, will be able to rent the property after December 31, 2018 to prospective renters.

Thank you again for considering this plan for the property. In this initial communication, we have not spelled out all the necessary details but we can review the plan more completely as needed. As specified in this proposal, we intend to reaffirm our commitment to help you and the Eparchy by taking on this responsibility, which is in support of your plans to address the highest priority needs of the faithful in our Eparchy. We hope that you can appreciate that we are trying to determine the best way forward for both the Eparchy and the Cathedral Parish of St. John the Baptist.

Yours in Christ, *(all signed original sent copy)*

---

Deacon Gregory Loya

Member of the Cathedral of St. John the Baptist Pastoral Advisory Council

---

George Shirilla

Member of the Cathedral of St. John the Baptist Pastoral Advisory Council

---

Michele Trompak

Member of the Cathedral of St. John the Baptist Pastoral Advisory Council

---

Alan Jacubenta

Member of the Cathedral of St. John the Baptist Pastoral Advisory Council

---

Joseph Shirilla

Member of the Cathedral of St. John the Baptist Pastoral Advisory Council

---

Byron Olexa

Member of the Cathedral of St. John the Baptist Pastoral Advisory Council

cc: James Niehaus



---

Frantz Ward LLP | 200 Public Square, Suite 3000 | Cleveland, OH 44114 James B. Niehaus  
| Direct: (216) 515-1611 | jniehaus@frantzward.com

September 13, 2018

The Cathedral of St. John the Baptist Parish Advisory  
Council  
1900 Carlton Road  
Parma, Ohio 44134

Re: Sharing of Expenses at 1900 Carlton Road Dear Council

Members:

I write to you in response to your letter to Bishop Milan Lach dated August 27, 2018, in which you outline a proposal by which the parish of St. John the Baptist would lease the property at 1900 Carlton Road from the Eparchy and endeavor to operate the property so that the revenue it generates would exceed the costs of operation. As you may know, the Bishop is traveling out of the country for the next few weeks, and he asked that I reply to your letter so as to not delay a resolution of the open issues.

After considering your proposal, the Bishop asked that I advise you that he is declining it.

As you know, certainly better than I, the property located at 1900 Carlton Road has been put to multiple uses since its acquisition. Over the past several years, the property has served two primary functions: as a location for the activities of the Parish of St. John the Baptist (the "Parish") and as the location for the activities of the Chancery Offices for the Eparchy of Parma. The Chancery Offices have now been relocated, so the property is currently serving one function: as a location for Parish activities.

As you note in your letter, the current expenses for the 1900 Carlton Road property outweigh revenues, even though efforts have been made to reduce expenses over the past several years. In fact, the current expenses far exceeded what could be justified to maintain the Carlton Road property for the purpose of both the Chancery and the Parish. This is one of the principle reasons the Bishop decided to relocate the Chancery.

The Bishop appreciates your belief that the Parish could generate sufficient income from the property to cover all of the expenses of operating the entire property and even generate a profit for the Parish. Your proposal, however, provided no details. You have requested that the Bishop give exclusive control of one of the Eparchy's most valuable assets to a single parish for at least the next ten years without offering any indication of how much rent you would pay to the Eparchy. Is it your expectation that you would have the entire property rent free? In view of the Eparchy's current financial challenges, do you believe that the Bishop should allow this valuable asset to solely benefit one of the smaller parishes in the Eparchy?

Have you considered how much a market-based rent would be? Have you prepared any pro forma financial projections to determine what the total costs would be if the Parish agreed to a market-based, triple net lease? Have you prepared any pro forma financial projections to determine whether the Parish can actually make a profit from the property?

Your proposal provided inadequate details for how you would operate the property so as to generate the revenue necessary to operate and maintain it. Your proposal suggests that you intend to generate revenue by renting the old high school facility to third parties. Have you conducted a market study to determine with whom you compete in the area for rental hall business? Have you evaluated the rents you can charge? Have you determined the amount of money it will take to make the facility more competitive? From where will that money come? How much money will you need to invest into the facility over the next ten years to keep it competitive? From where will that money come?

Historically, the Parish has relied on Michael Caithml to market and manage the events, but his salary has been subsidized by the Eparchy. If you significantly increase the number and size of events, how much additional cost will you incur? How many employees will you need to market the property and manage the events? Who will do the payroll for those employees? If you operate a full-scale rental hall and catering business, who will do the bookkeeping and who will prepare the financial statements for the business? Who will make sure that all of the proper permits have been acquired and that all of the proper taxes are paid?

Historically, the cost of insuring the 1900 Carlton Road property has been included with the Eparchy's overall insurance policy. If you intend to operate this as a separate business, have you priced the insurance that the Parish will need to carry?

The Parish and the Eparchy are non-profit entities, but have you considered whether the income that would be generated by your new venture is subject to income tax? Are you aware that an exempt organization that regularly carries on a trade or business not substantially related to its exempt purpose, is subject to income tax on the income from that unrelated trade or

business? This is true even if all of the income is devoted to carrying out the Parish's non-profit mission.

These are some of the questions that the Bishop would ask in evaluating a proposal such as yours, but your proposal offers no answers to any of these questions.

On a going forward basis, even though the Chancery has relocated, the Bishop believes that it would be unfair to expect the Parish to bear all the costs associated with the 1900 Carlton Road property. The property needs to be maintained while the Bishop explores all options for making the best use of the property. Obviously, the property will continue to serve as a location for Parish activities. The Bishop has also agreed that the Parish may honor all of its rental hall commitments until the end of 2018. Consequently, the old high school building cannot be "mothballed" until after those commitments have been honored. As the owner of the property, the Bishop believes that the Eparchy should bear some of the cost of the ongoing maintenance and utilities, even after the property is mothballed.

The expenses for the property can be categorized as (1) Utilities, (2) Supplies, (3) Salaries, (4) Maintenance and Repairs and (5) property taxes. Because the Chancery has vacated the premises, most of the utility expense will be attributable to the Parish and its activities. Similarly, any Supplies and Salaries will be mostly for the Parish activities. The Maintenance and Repairs are less focused on the Parish and more focused on the property as a whole. The Bishop suggests that effective September 1, 2018, the costs be allocated as follows:

	<u>Parish</u>	<u>Eparchy</u>
Utilities	80%	20%
Supplies	90%	10%
Salaries	80%	20%
Maintenance and Repairs	50%	50%
Taxes	20%	80%

If you believe different percentages are appropriate, please respond with an explanation as to why you think the Bishop should agree to a different allocation.

The Bishop would like these allocations to remain in place until the end of the year. At that time, either the Parish or the Bishop can ask to revisit the allocations and adjust them as appropriate based on actual experience over the last few months of the year.

I am also happy to meet with you or have a discussion by phone to try to reach a mutually beneficial outcome.

Sincerely,

*James B. Niehaus*

James B. Niehaus

JBN/smm

cc: Bishop Milan Lach, S.J (via email)

**Exhibit G: Letter to Syncellus for Outreach and Missions (2 pages)**

Deacon Gregory R. Loya  
1652 South Green Road  
South Euclid, OH 44121  
December 30, 2018

Very Rev. Thomas Loya, S.T.B., M.A.  
Syncellus for Outreach and Missions  
14610 Will-Cook Rd.  
Homer Glen, IL 60491-9212

Father Thomas,

The situation at the Cathedral complex has always been a difficult one to understand. From the time before the church was there, to the time the high school was there, to after it closed, the operation of the parish of St. John's has happened somewhat independently than the rest of the complex. Now, with the Chancery physically moving out of the building, the burden of the expenses of the entire complex is falling primarily on the parish of St. John's. Plans made and submitted by the Pastoral Council to the Eparchy have not been approved.



In the fall of 2018, I met a man named Roman Dutka and his wife Halyna. Roman and his wife Halyna, currently run a daycare in Parma Hts and a school in Brunswick. They know about the Cathedral complex due to their association with the ESL school there and have toured the building in the past. They are interested in expanding their business, to no longer rent in Parma Hts but to own. They have expressed serious interest in purchasing the entire Cathedral complex, building and land. The Dutka's realize that not only is the complex worth several millions, but have expressed their plan to first renovate the building before the daycare would become operational.

The daycare and the English as a Second Language School would reside in the building of the old Byzantine High School. Their efforts would minister to the surrounding community, primarily those of eastern European immigrants that continue to occupy west side neighborhoods. Ministering to the community fits in with what the Church should be doing.

While they would own the entire complex, they have agreed to allow the parish of St. John's to operate in the church building and a few others, in the same fashion as they do now. The burden of the complex's expenses and maintenance off of the parish of St. John's would allow them focus more on their mission of helping to spread the gospel of Jesus Christ and to build up his Body, the Church.

I am submitting this to your office, the Syncellus for Outreach and Missions, to be considered and presented to the Eparchy.

Respectfully Submitted, Deacon Gregory Loya  
Cathedral of St. John the Baptist

(Part II of Exhibit G)

Deacon Gregory R. Loya

1652 South Green Road  
South Euclid, OH 44121

January 25, 2019

Very Rev. Thomas Loya, S.T.B., M.A.  
Syncellus for Outreach and Missions  
14610 Will-Cook Rd.  
Homer Glen, IL 60491-9212

Father Thomas,

A second person has called me, on their own (note that I have made no effort to solicit sales of our complex), about purchasing the entire Cathedral complex, meaning property and building.

I have spoken to Gary Miller, Senior Vice President from LRC Realty. His company is the one that recently purchased Midtown Shopping Center and is in the process of investing \$80 million in renovations. They would like to purchase our property and building. They want to renovate the building and move in a possible school and find other ways of utilizing it to its fullest potential. The property closest to the corner of Snow and Broadview may include some new retail. As in the case of Roman Dutka, Gary has agreed to allow the Cathedral parish to function within the complex in a similar way as they do now. Those details can be worked out at a later date. (Roman has said nothing about retail on the property).

Gary indicated to me that if he gets a response from the Eparchy that shows a willingness to move forward, he would pay for a property/building appraisal, so that we would have a better idea of its worth.

While they would own the entire complex, they have agreed to allow the parish of St. John's to operate in the church building and a few others, in the same fashion as they do now. The burden of the complex's expenses and maintenance off of the parish of St. John's would allow them focus more on their mission of helping to spread the gospel of Jesus Christ and to build up his Body, the Church.

I am submitting this to your office, the Syncellus for Outreach and Missions, to be considered and presented to the Eparchy.

Respectfully Submitted,

Deacon Gregory Loya  
Cathedral of St. John the Baptist

**Exhibit H: Response from Lawyer James Niehaus after being asked about 2019 Expense Sharing**

These amounts will be put into effect for 2019, except for the taxes. The Eparchy will be paying 100% of the taxes on the property.

[James Niehaus](#)

Frantz Ward LLP

Direct (216) 515-1611

[FrantzWard.com](#)

**From:** Loya, Greg <[gregory.loya@philips.com](mailto:gregory.loya@philips.com)>

**Sent:** Monday, January 28, 2019 10:40 AM

**To:** James Niehaus <[jniehaus@frantzward.com](mailto:jniehaus@frantzward.com)>

**Subject:** FW: Response to St. John the Baptist Parish Proposal

Jim,

The Pastoral Council asked me to inquire about this. Wondering if this ever became effective for 2019. Did we ever agree on the amounts?

Thank you,

Deacon Gregory

	<u>Parish</u>	<u>Eparchy</u>
Utilities	80%	20%
Supplies	90%	10%
Salaries	80%	20%
Maintenance and Repairs	50%	50%
Taxes	20%	80%

**From:** James Niehaus [<mailto:jniehaus@frantzward.com>]  
**Sent:** Thursday, September 13, 2018 4:56 PM  
**To:** Loya, Greg <[gregory.loya@philips.com](mailto:gregory.loya@philips.com)>  
**Cc:** Milan Lach, S.J. ([mlach@jesuits.net](mailto:mlach@jesuits.net)) <[mlach@jesuits.net](mailto:mlach@jesuits.net)>  
**Subject:** Response to St. John the Baptist Parish Proposal

Deacon Gregory,

Attached is the response we discussed today.

**James Niehaus**



Frantz Ward LLP | 200 Public Square | Suite 3000 | Cleveland, OH 44114  
Direct (216) 515-1611 | Fax (216) 515-1650  
[jniehaus@frantzward.com](mailto:jniehaus@frantzward.com) | [FrantzWard.com](http://FrantzWard.com) | [LinkedIn](#)

## **Exhibit I: Lawyer James Niehaus tells the Cathedral Parish they must pay 100% of expenses**

Deacon Greg,

I apologize for the delay in my response; I have been tied up with other matters. I also apologize for the misunderstanding caused by my January 29, 2019 email. The allocation of expenses in your January 28, 2019, email to me came from a letter I had sent to the Parish in September 2018. In that letter, I noted that the Bishop had “agreed that the Parish may honor all of its rental hall commitments until the end of 2018.” The expense allocations were based on the assumption that the rental hall would not be used after December 31, 2018. In other words, one of the key assumptions underlying those proposed allocations was the assumption that the expenses for the property would be greatly reduced. I was not aware when I sent you my January 29, 2019, email that the Parish intended to continue to utilize the rental hall through at least June, 2019, if not longer. Because the Parish is continuing to use the rental hall (and is continuing to retain all revenue from the rental hall), the Bishop believes that it is fair for the Parish to bear the costs for the property, other than the taxes (which the Eparchy will pay in full). This is consistent with the position I communicated to Mr. Caithaml in April of last year. I had met with him to review all of the rental hall “leases” to which he had agreed. In a follow up email, I advised him that the Bishop “is prepared to allow the Cathedral to honor those leases (and to enter into new leases that do not extend beyond December 31, 2018) provided that the Cathedral assumes the full cost of maintaining and operating all structures at the 1900 Carlton Road address (i.e., the former high school and the Cathedral), including all utilities, insurance, salaries, etc., commencing on the date that the Chancery relocates to a different facility.” I hope this explains the “contradiction.” Again, I apologize for the confusion.

[James Niehaus](#)

Frantz Ward LLP

Direct (216) 515-1611

[FrantzWard.com](#)

**From:** Loya, Greg <[gregory.loya@philips.com](mailto:gregory.loya@philips.com)>

**Sent:** Monday, May 6, 2019 2:48 PM

**To:** James Niehaus <[jniehaus@frantzward.com](mailto:jniehaus@frantzward.com)>

**Cc:** 'Martin Kopmeyer' <[mkopmeyer@parma.org](mailto:mkopmeyer@parma.org)>

**Subject:** RE: Response to St. John the Baptist Parish Proposal

Jim / Martin,

The pastoral council was curious about this. Below, it states that St. John’s parish would be paying the split shown in the chart. Fr. Marek told us the bishop is having us pay 100% of all expenses. That is a big difference and contradicts what we were told here in writing on 1/29/2019.

Thank you, Deacon Gregory Loya

**Exhibit J: 12/13/2020 Bulletin with Combined Pastoral Council Members**

Note that in the 1/30 letter (Exhibit J) that the council members were “meeting for 3 years.” The combined group did not happen until mid December, 2020. Even if the groups were meeting alone, talk of merging was not the central focus of these meetings. In the September, 2020 meeting with (live) people, it was determined that a survey would be sent out to get the thoughts of the people.

**COMBINED PARISH COUNCIL:** Bishop Milan has granted permission to form one advisory council of the three parishes that Fr. Marek currently serves at: Holy Spirit, St. Mary, and the Cathedral of St. John the Baptist. The following parishioners have accepted positions on the council and been approved.

Mr. John Jurcisin (Holy Spirit)

Mrs. Kimberly Kocuba (St. Mary)

Mrs. Sue Ann Kochilla (Holy Spirit)

Mrs. Rosemary Trompak (St. Mary)

Mrs. Carol Szucs (Holy Spirit)

Mrs. Mary Veronica (St. Mary)

Mrs. Rita Basalla (Cathedral)

Mr. Alan Bratnick (Cathedral)

Mrs. Sharon Rayokovich (Cathedral)

Please keep each of the council members and Fr. Marek Visnovsky in your prayers!

**Exhibit K: Letter from Fr. Marek to parishioners of three parishes, 1/30/2020.**

January 30, 2021

Dear Parishioners,

Glory to Jesus Christ!

I hope this letter finds you and your loved ones well as I write to you about the future of our church. Currently our parishioners are maintaining three separate parish properties, each with limited assets. This situation cannot continue indefinitely, while at the same time being able to provide for the pastoral and spiritual needs of the faithful.

Representatives from the Cathedral of St. John the Baptist, Holy Spirit, and St. Mary's, have been meeting for three years to consider the difficult but necessary recommendation to merge into one parish family. This recommendation was made after a careful review of the following:

- The financial history of each parish
- The review of parishioner concerns as identified through surveys
- The present condition of each property (including Market Value)
- And most importantly, opportunities for evangelization and growth within the local community.

The suggestion from the representatives of the three parishes is that the newly merged parish would be named Dormition of the Mother of God, to be located at St. Mary Byzantine Parish, 4600 State Road, Cleveland.

Since May, 2020 our three parish communities have been celebrating the Eucharist as one family. Now prayerfully, we move forward together to our new location for the spiritually moving celebrations of Holy Week and Easter.

I will be meeting with Bishop Milan Lach, SJ to discuss this issue. If he is in agreement, he will then consult with the Eparchial Presbyteral Council before he makes a decision regarding a merger of the parishes.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Fr. Marek Visnovsky', written over a horizontal line.

Fr. Marek Visnovsky  
Pastor