

**MINUTES  
VILLAGE OF CUYAHOGA HEIGHTS  
COUNCIL MEETING  
AUGUST 11, 2021  
7:00 PM**

**COUNCIL MEETING**

**August 11, 2021**

Before the meeting, the Mayor asked Council to go into Executive Session for real estate updates.

Motion was made by Mr. Bloam, and seconded by Mr. Contipelli. All in favor, none opposed. Motion carried.

Mr. Schoeffler made the motion to come out of Executive Session, seconded by Mr. Contipelli. All in favor, none opposed. Motion carried.

**Mayor calls the meeting to order:**

**ROLL CALL: Bloam, Centa, Contipelli, Harris, Henley, Schoeffler**

**COMMUNICATIONS:**

None at this time.

**PERMITS:**

None at this time.

**PURCHASES:**

Finance Committee Approvals:

Finance Approval Req 21-ENG-25-A 2021 Street Striping not to exceed \$25,000

**MINUTES:**

July 14, 2021            Council Meeting

Ms. Henley made the motion to accept the Minutes as prepared, seconded by Mr. Contipelli. All in favor, none opposed. Motion carried.

**FINANCIAL REPORTS:**

Statement of Cash Position July 2021  
RITA Preliminary report August 2021

Mr. Contipelli made the motion to accept the Financial Statements as prepared and place them on file, seconded by Mr. Centa. All in favor, none opposed. Motion carried.

**LEGISLATION:**

**RESOLUTION NO. 2021-45**

Payment of Certain Claims: \$1,663,973.42  
Payroll  
General Bills  
Transfers

Mr. Centa moved, seconded by Mr. Schoeffler that the rules be suspended and the Resolution be placed on third and final reading. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for suspension of the rules. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for the adoption, motion carried.

**ORDINANCE NO. 2021-46**

AN ORDINANCE SUBMITTING TO THE ELECTORS OF CUYAHOGA HEIGHTS A PROPOSAL TO AMEND ARTICLE 2, SECTIONS 1, 1A, 1B, 2, 3, AND 4 OF THE CHARTER OF THE VILLAGE OF CUYAHOGA HEIGHTS.

Mr. Schoeffler moved, seconded by Mr. Bloam that the rules be suspended and the Ordinance be placed on third and final reading. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for suspension of the rules. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for the adoption, motion carried.

**ORDINANCE NO. 2021-47**

AN ORDINANCE SUBMITTING TO THE ELECTORS OF CUYAHOGA HEIGHTS A PROPOSAL TO AMEND ARTICLE I, SECTION 4 OF THE CHARTER OF THE VILLAGE OF CUYAHOGA HEIGHTS.

Mr. Bloam moved, seconded by Ms. Harris that the rules be suspended and the Ordinance be placed on third and final reading. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for suspension of the rules. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for the adoption, motion carried.

**ORDINANCE NO. 2021-48**

AN ORDINANCE SUBMITTING TO THE ELECTORS OF CUYAHOGA HEIGHTS A PROPOSAL TO AMEND ARTICLE V, SECTION 4 OF THE CHARTER OF THE VILLAGE OF CUYAHOGA HEIGHTS.

Ms. Harris moved, seconded by Ms. Henley that the rules be suspended and the Ordinance be placed on third and final reading. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for suspension of the rules. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for the adoption, motion carried.

**RESOLUTION NO. 2021-49**

A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR CLEVELAND URBANIZED AREA FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDING FROM THE ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES (SECTION 5310) PROGRAM

Ms. Henley moved, seconded by Mr. Contipelli that the rules be suspended and the Resolution be placed on third and final reading. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for suspension of the rules. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for the adoption, motion carried.

**RESOLUTION NO. 2021-50**

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY THROUGH ITS E-GRANT SYSTEM FOR A POWER LIFT COT, POWER LIFT SYSTEM, AND TWO YEARS OF EQUIPMENT MAINTENANCE FOR USE BY THE VILLAGE FIRE DEPARTMENT, AND AUTHORIZING THE CHIEF FISCAL OFFICER TO EXPEND ALL FUNDS NECESSARY TO ACQUIRE AND MAINTAIN SAID EQUIPMENT OVER A TWO YEAR PERIOD

Mr. Contipelli moved, seconded by Mr. Centa that the rules be suspended and the Resolution be placed on third and final reading. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for suspension of the rules. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for the adoption, motion carried.

**RESOLUTION NO. 2021-51**

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE NICKY BOULEVARD STORM SEWER EXTENSION AND SLOPE STABILIZATION IMPROVEMENTS PROJECT, PHASE ONE

Ms. Centa moved, seconded by Mr. Bloam that the rules be suspended and the Resolution be placed on third and final reading. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for suspension of the rules. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for the adoption, motion carried.

**RESOLUTION NO. 2021-52**

A RESOLUTION AUTHORIZING THE SPLIT, CONSOLIDATION, AND/OR RECONFIGURATION OF PERMANENT PARCEL NUMBERS 522-25-001, 522-25-002, 522-25-003, 522-25-008, AND 522-25-018

Mr. Contipelli asked Mayor Bacci to explain what we are doing here, and all the hard work that went into getting this done.

Mayor Bacci explained that all of these parcels are the old Harvard Refuse parcels that are north of the old Hillside Party Center parcel on E.71<sup>st</sup> Street. We started working on these parcels back in 2006. My administration continued the work in 2017.

When we add these parcels to the Hillside parcels we will maximize our acreage in size for a developer to allow parking to the north.

This was a collaboration of the EPA, South Waste District, and most certainly Councilman Anthony Brancatelli of the City of Cleveland, and Gus Frangos. This is a win for everyone involved.

Mr. Bloam moved, seconded by Ms. Harris that the rules be suspended and the Resolution be placed on third and final reading. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for suspension of the rules. Bloam, Centa, Contipelli, Harris, Henley, and Schoeffler voting aye for the adoption, motion carried.

### **OTHER BUSINESS:**

Motion to Amend the Agenda, and add Resolution 2021-52.

Mr. Schoeffler made the motion, seconded by Mr. Bloam. All in favor, none opposed. Motion carried.

Motion to approve asbestos remediation at 5047 E.71<sup>st</sup> Street not to exceed \$15,000.00

Ms. Harris made the motion, seconded by Ms. Henley. All in favor, none opposed. Motion carried.

### **MAYOR AND COUNCIL REPORTS:**

#### **MAYOR BACCI:**

Please keep village resident Michael Cimperman in your thoughts and prayers—he recently lost his Dad (Mic – who many of you knew). Mic had been battling leukemia the last several years; he was 67 years old.

The pool will be closing for the season this Sunday, August 15<sup>th</sup> at 7:00 p.m. We hope everyone had a great time—we had plenty of good weather this summer!

School will begin next week for all CHS students: Middle & High School students return to school on Wednesday, August 18; Elementary School students on Thursday, August 19.

A letter went out to all the residents today as an insert with the Neighborhood News. We are moving forward with flu shots and blood work for our senior citizens as originally scheduled—Friday, September 17<sup>th</sup> at Klima Gardens. We also will be offering a warm breakfast to each of them—it will be pre-packaged so they can eat at Klima's or take it home and eat it.

We are hoping to offer flu and COVID shots during that afternoon to all residents; however, we need to see if we have enough interest. Stay tuned!

With an abundance of caution, my trip to Kelley's Island with our senior citizens that was scheduled for Monday, August 30<sup>th</sup> has been cancelled. Our seniors just did not feel comfortable riding with a "full bus" of passengers.

August birthday wishes to employees: (4) Brian Baciak, (11) Ted Mackiewicz, (16) Wes Unger, (18) Richard Sweeney, (21) Dan Bauccho, and (30) Craig Morrow.

And lastly, wishing everyone a very safe and happy Labor Day holiday. I will be taking my youngest daughter Lily to her first NASCAR Race, and we are all very excited.

**MR. BLOAM:**

I am tentatively going to call a Workshop for September, to discuss some issues with the pool. I will get together with the Mayor over the next couple of weeks to see if we will need to have a Workshop or not. I am also calling a Public Works meeting before the Council Meeting in September at 5:30 pm.

**MR. CENTA:**

I wanted to thank everyone that worked so hard in getting the grant from FEMA for the purchase of the power cot for our Fire Department. We have waited for this for a long time.

**MR. CONTIPELLI:**

Nothing at this time.

**MS. HARRIS:**

Thanked everyone involved in getting the Power Cot.

**MS. HENLEY:**

Thank you for getting the cot, it will be a great addition to our Fire Department.

**MR. SCHOEFFLER:**

Congratulations to Chief Suhy and Ms. Meriwether for working on getting the FEMA grant for 6 plus years.

**POLICE CHIEF STRURGILL:**

Wished all the graduating seniors and college students' safe travels to their Universities.

**SERVICE DIRECTOR DAVE SAMMONS:**

Nothing at this time.

**FIRE CHIEF SUHY:**

Wanted to thank Silverlode for their help in obtaining the grant from FEMA for the Power Cot. Without their help, we would not have gotten the grant. Also thanked the Mayor and Council for all of their support.

**CFO MERIWETHER:**

Nothing at this time.

**LAW DIRECTOR BEN CHOJNACKI:**

Nothing at this time.

**CLERK UNGER:**

Nothing at this time.

**ADMINISTRATIVE ASSISTANT TO THE MAYOR LEE ANN SCHOEFFLER:**

Nothing at this time.

**ENGINEER TODD SCIANO:**

Nothing at this time.

**ASSISTANT BUILDING COMMISSIONER KEN LABELLA:**

A quick update on the project at Charter Steel. It is a 26 million dollar project, and Great Lakes Construction was awarded the contract, and construction is underway. Construction should be complete by mid-2022.

## COMMENTS FROM THE AUDIENCE:

Mr. Dave Domzalski wanted to speak as chairman of the recent Charter Review Committee.

He requested to be able to brief Council on our proceedings, unfortunately our Council President Mr. Todd Bloam, never had the courtesy to return my calls, so I guess I have no choice but to come to this venue.

Rather than give a brief reading of our proceedings, instead I would like to use this time to share with you some of my observations as Chairman, and make some suggestions as well.

If we in this village are going to empower a committee, we need to give them the necessary tools to conduct a proper meeting.

We need a professionally trained person as the secretary to report the meeting. If we can't get that, at least provide this citizens committee with some kind of recording device. I put in a request for this, but no one had the courtesy to respond. We have to be able to provide this citizens committee with legal counsel. Again I put in a request for this but no one had the courtesy to reply.

Finally, if we in this village want to attract new people into the process of this government, then we need to provide them with the basics I have described, and we need to welcome them with respect. I would suggest that this council take a look at how we operate, and open up to new ideas, and I suggest we open the windows and let new suggestions, and new people into the process. And when they do come into the process, I suggest we treat them with respect.

I would also like to thank those residents who brought their concerns to me to bring to this committee. I want them to know that I brought their concerns to the floor, unfortunately they were not given the proper time, and sadly, many of them did not even reach the floor for a vote. I would suggest to the people who gave me those suggestions, to join with me and demand that we in this village review how we govern.

I would also like to clear the air on something that has gotten back to me on the secretary of the committee, Michael Cimperman. I have here a copy of my communications with Mr. Cimperman. My communication with Mr. Cimperman is to first welcome him to the committee. I commended him for taking on this challenge to record our minutes. Good job Mike. Also, your help with parliamentary procedure, is also appreciated. This is my dealing with Mike,

Finally, if I would summarize the Charter Review Committee, I asked, and I don't know where it went, and I don't know who got it, and who didn't, but I requested legal counsel be made available, and also a competent recording secretary, or some type of recording device. For whatever reason, the Mayor did not have the courtesy to respond.

Our Village Charter is perhaps the single most important document in the Village of Cuyahoga Heights, it dictates how we govern. The Charter Review Committee meets every four years. As chairman of this committee, I am honored, and I take this duty seriously. I will not however, be a



part of a committee that merely goes through the motions to satisfy a legal publication. After a review of the minutes that were delivered to me by our Mayor, who seems to have an undemocratic belief that one person speaks for the whole. No, I cannot sign off on the minutes given to me by our Mayor, this must stop. Respectfully, Dave Domzalski, Chairman of the Charter Review Committee.

Mayor Bacci cautioned everyone that Mr. Domzalski's statements are his, and only supported by him. So let's be very careful in our rebuttal to him, other than how you don't return his phone calls.

Mr. Bloam stated that as Council President, I want one person in this room to raise their hand if you don't have my cell phone number. No one raised their hand. He told Mr. Domzalski that he got no phone calls from him. What I just said is an absolute fact, and I want it put in the record.

Mayor Bacci said this is an act of a man trying to get a reaction out of this Council and Administration. Mr. Bloam said that as the leader of Council, I thought it was appropriate to set the record straight that he never called me. Mayor Bacci said this is what he wants, this is his theatrics, this is his I'm going to stir the pot, and upset people and get them angry. My mom taught me a long time ago, that no one gets free rent in your head. This guy wants to get into your head, and he wants you to be upset and angry about what he has to say. I don't believe him to be a lawful individual, or a genuine individual, I know very little about the man, other than he runs for Mayor very often. So if we have some positive comments from the audience, or we have some comments that don't pertain to any negativity, I would like to hear them.

Mr. Contipelli wanted to state for the record that the minutes they received as a Council from the Charter Review Committee, were very competent, and signed off by all the committee except Mr. Domzalski.

Mr. Schoeffler asked the Mayor if there are guidelines for the committee. Mayor Bacci explained that there is nobody burning the door down to do this job and be on this committee. Council gets to pick these members because they want someone to voice an opinion, they don't want someone to say we need to dissolve the Village of Cuyahoga Heights. Council and the Mayor's picks are not looking for people to sit and say were going to burn the whole thing down. That's not the spirit of the committee. The spirit of the committee is to review the Charter individually and as a group, ask questions, bring forth concerns, and then the body makes the decisions.

In this case, know that Mr. Domzalski is Chair by default. No one wanted to be chair, the committee did not appoint him chair. Michael got the second short straw in becoming Recording Secretary.

We brought forth things from my office, as well as any other concerns from anyone else. Mr. Domzalski was appointed by Mayor Jack Bacci because he had told me in 2017 that he had this silent majority of folks that had issues with term limits. Taking the high road, I appointed him. It is a lesson of why Council and the Mayor appoint members of like mind, and have a true interest in the betterment of the Village of Cuyahoga Heights.

Mr. Volek wanted to thank the people of Cuyahoga Heights for supporting the band and food trucks at Bacci Park on Wednesday nights. He wanted to thank Lee Ann, and Ms. Hartman for all they do to put this event together on Wednesday nights. For those that don't know, we play music down there at the park on Wednesday nights. I'm not very good, but we have a lot of fun, and he wanted to thank everyone for all the help they have received.

Ms. Merhaut wanted to get it on the record that we did not just go through the motions on the Charter Review Committee. Unfortunately for the Chair, the vote did not go the way he would have wanted it to.

Mayor Bacci welcomed back Ms. Marilyn Duszynski to the halls of justice. Ms. Duszynski as a member of the Charter Review Committee stated that the committee did what they were supposed to do. Mr. Domzalski was appointed chair, and he did not do a good job as chair of the committee.

His whole agenda was to target the Mayor. All of his ideas were to target the Mayor. We shouldn't have a full-time Mayor, the Mayor shouldn't run the Council Meeting, and the Mayor should have term limits. I saw Mr. Domzalski outside the meeting, and I asked him why all he was doing was targeting the Mayor. He didn't answer me, so I just walked inside to join the committee. I thought Ms. Merhaut did a lot of research, and the committee did not accept or vote for his ideas. The committee worked the way it should have.

Mayor Bacci said that many people in the room have been on previous Charter Review Committees and worked collaboratively to review the Charter with no problems. For these Charter Review Committee meetings, I would come to the Town Hall and sit by myself and wait to see if they needed me for anything. We also have Mr. Chojnacki at the ready if they need any legal advice. All I have to do is make a phone call.

Mayor Bacci thanked Ms. Duszynski for her service to the committee. Ms. Duszynski explained that it was a hotbed, it was a nightmare I didn't expect. Mr. Domzalski doesn't understand the program and shouldn't be saying the things he is saying. Mayor Bacci said this is part of the politics of the past, and explained that this administration has moved past this contentious politics of the past, and we have distanced ourselves from all the drama and grandstanding. We work collaboratively together for the betterment of the Village.

We are a model small government, and Mr. Domzalski is dredging up the politics of the past. Mr. Domzalski stated that Mayor Lou Bacci would give him no attention.

Ms. Harris shared a story about her dealings with Mr. Domzalski during his previous election where he was running for Mayor. She was running for Council at that time, and she asked Mr. Domzalski why he wasn't running for Council instead of Mayor to get some experience before running for Mayor. His exact words were that he was above Council. Ms. Harris said that should tell you enough about the person he is.

WHEREFORE, there is no further business before this Council, Ms. Henley moved, seconded by Mr. Schoeffler that the Council Meeting be adjourned at 8:05 p.m. All voting aye, none opposed: motion carried.