

CIRCLEVILLE JUDICIAL COMMITTEE MEETING MINUTES 2/6/2024

Circleville Judicial Committee convened in City Council Chambers, 127 South Court St, Circleville, OH. Tuesday, February 6, 2024, at 6:30 pm. Roll call: Members present were Chair Tom Klitzka, Committee members: Sheri Theis, Clerk: Melissa Burns. Others present were Barry Keller, Katie Logan Hedges, Jeff Hallinan, Tom Duvall, and Zack Brooks. Invited guests: Mayor Michelle Blanton, Law Director Kendra Kinney, Assistant Law Director Jwayyed Jwayyed, Josh Ford, Hannah Wynne (ZI), and Jim Stanley.

Klitzka called the meeting to order at 6:30 p.m.

Theis motioned to approve the December 5, 2023, minutes, seconded by Klitzka. Motion carried.

New Business:

- a. Review of BZA Alternate applicant/candidate Josh Ford.

Discussion: Mr. Ford spoke to say he loves Circleville. He volunteers a lot throughout Circleville and previously served on the BZA. He wants to raise his daughter in a great city like Circleville.

Hallinin spoke to state Mr. Ford made a personal decision while he served on the BZA that went against a citizen's constitutional rights. This action cost the City a lot of time and money to defend. Hallinin stated the applicant blamed the City and the Mayor and took no accountability for his actions.

Klitzka and Keller explained the committee will make a recommendation to Council after the last applicant is heard. Council will then make the final decision.

- b. AN ORDINANCE AMENDING THE CITY OF CIRCLEVILLE ZONING CODE TO MAKE CERTAIN CHANGES AND ADDITIONS TO THE CODE AND DECLARING AN EMERGENCY.

Discussion: Hannah Wynne stated she already spoke in detail regarding the changes at a public hearing. Wynne stated the changes were just corrections to the intent of the code and mirror other communities. The accessory structure setback is being changed to be even with the primary structure setbacks in certain districts.

MOTION - ROLL CALL - VOTE

Theis motioned to forward this ordinance to the February 20, 2024, council meeting, with a recommendation for passage. Seconded by Klitzka. Roll call (2 Yeas-0 Nays). Motion carried.

- c. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LAND LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC GRANTING THE RIGHT TO INSTALL, MAINTAIN AND OPERATE COMMUNICATION EQUIPMENT, INCLUDING A NEW TOWER ON THE PREMISES OF THE CITY LOCATED AT 151 EAST FRANKLIN STREET.

Discussion: Theis spoke to state this was previously discussed in a Council meeting and referred back to Judicial for further review. The major concern was not having a termination clause. Theis has health concerns about adding a tower close to residents and businesses and proposes adding the tower outside of town.

Hedges spoke to state the towers could improve safety services in the City. Hedges suggested having a representative from the cell tower present to address any concerns.

Duvall has concerns about the City's liability down the line if it could cause health issues.

Hallinin spoke to state the contract is for 10 years with multiple renewal options after 5 years. He stated there is the possibility that the new towers may be cleaner with new technology and improvements.

Mayor Blanton spoke to state the contract is still negotiable. She would like to have both sides present to hear a fair representation of the issues.

The Law Director spoke to state first Council should determine if they want the tower. If Council wants a tower, then move forward with the next steps of negotiations.

Richie Verito spoke to state he is not worried about health concerns and is in support of the potential for better service.

Chief Thompson spoke to state he was involved in the 2019 cell tower discussion, and it was squashed for aesthetics by the Historic Review Board. Every year the City puts up a temporary tower for Pumpkin Show because of the need for better service. The tower would allow better coverage for multiple safety departments.

MOTION - ROLL CALL - VOTE

This motioned to table this ordinance until the next meeting on March 5, 2024. Seconded by Klitzka. Roll call (2 Yeas-0 Nays). Motion carried.

Other Business: None

This motioned to adjourn the meeting at 7:13 pm., Seconded by Klitzka. Motion carried.

Minutes prepared by: Melissa Burns, Clerk