CITY OF FAIRBORN
COUNCIL WORK SESSION
August 4, 2025, at 5:00 p.m.
Fire Training Room

COUNCIL MEMBERS	Present	Absent
Dan Kirkpatrick, Mayor	☒	☐
Clint Allen, Councilman	☒	☐
Sylvia Chess, Councilwoman	☒	☐
Adam Fritzsche, Councilman	☐	☒
Rodney McCubbins, Councilman	☒	☐
Mary Reaster, Deputy Mayor	☒	☐
Tana Stanton, Councilwoman	☒	☐

STAFF MEMBERS PRESENT

Adkins, Browning, E. Gay, Gebhart, McClure, McNamee, Schell, and Taylor.

Mike Gebhart, City Manager, explained he would talk about SolSmart Solar for the first 10 minutes and then he would turn it over to Cherise Schell and Jalen White for the CRA update and then he will provide a few updates and then take questions from Council.

SOLSMART SOLAR CERTIFICATION

Mike Gebhart, City Manager, explained this is the next in line in things that staff needs to work on for our partnership with the Environmental Advisory Board. Essentially, there are four different levels of SolSmart Solar Certification. It starts with Bronz, and it goes all the way to platinum. There are 23 communities in the State of Ohio that have this. It primarily affects our zoning and building inspection divisions. It helps expedite the process if you want to put solar on your property. Why would a community want to do SolSmart? It attracts solar investment. Lower costs improve access for residents and business. To gain recognition in peer networking and to gain national recognition by showcasing environmental commitment.

Again 23 communities and agencies across the state of Ohio have Gold certification. Many have silver designation near the Cincinnati area. The bronze designation is held by multiple cities as well.

To get to the silver level you have to do everything that is included in Bronze which includes: Creating a solar statement, complete solar permitting checklist, compile the zoning review and then move on to complete permit staff training, complete inspection staff training, complete zoning clarification and create a page on our website that talks about SolSmart. After discussing this with Terry Adkins and his staff in Building Inspection they determined that they are so close to Bronze that we should try for Silver, and we are in that process right now. He just wanted to provide a quick update on that.

The only other thing with Fairborn Environmental Advisory Board is the Mayor signed the letter this morning saying that we are interested in the NWF Certification for our parks.

Councilman Allen asked on the wildlife piece what does the statement do for us. Audrey McGown stated it was just a requirement of theirs and that City Council draft some kind of Resolution saying they are behind it. So, they know they are going to get money for signs and whatever. Councilwoman Stanton passed out a letter that was received by the Mayor that MVRPC put together that recommends SolSmart for informational purposes.

Mayor Kirkpatrick stated this shows that we have the best park system around. This all fits right into that. This shows the entire community that we are trying to be environmentally aware and pushing for environmental things for our community. He applauds everyone for the process that has been made.

Councilwoman Stanton thanked everyone for their efforts on the certification for SolSmart. Terry Adkins, Public Works Director, stated he would pass that on to David Yates and Marie Gay, as they are the ones who had taken that on. He knows David and Marie have put a lot of time into this and we are very close to silver. It looks like that is going to be very doable. Councilwoman Stanton discussed Power a Clean Ohio, who is a great resource as well.

CRA DISCUSSION

Jalen White, Economic Development Specialist, explained he would be discussing the Fairborn Community Reinvestment Area Program to include Residential Property Tax Abatements. He explained the purpose of the amendment is to expand Fairborn's Community Reinvestment to include residential properties. These tax abatements will be applicable to new construction and substantial rehabilitation of existing homes (as defined in ORC 3735.67). The proposed legislation will include the entirety of the City of Fairborn as the code currently does just for commercial and industrial properties to include residential. This amendment is needed because in June of 2025 the housing survey revealed the following metrics: more than 60 percent of Fairborn's housing stock was built before 1979, approximately 32% of the housing units were constructed prior to 1960 making them 65 plus years old, housing vacancy rates in Fairborn are almost double the vacancy rates of the County, median household incomes in Fairborn are 33.27% above what the county average and 17.42% below the state average. These Metrix were obtained using the census bureau's five-year estimates from 2023. Without the CRA Fairborn is less competitive compared to Huber Heights, Dayton, or Xenia when it comes to increasing property values, decreasing vacancy rates, and decreasing the average age of residential dwellings.

He reviewed the key components of the CRA Amendment:

- Allow for up to 100% abatement for 15 years.
    - Requires school district approval for any abatement over 75%.
- Staff has developed.
    - Application and eligibility criteria
    - Aging in Place Standards
- Both comply with Ohio Revised Code 3735.65-3735.70 and Senate Bill 33

- Similar to the requirements enacted when the City first allowed residential tax abatement in August of 1984 (Resolution 86-84)

Mayor Kirkpatrick asked Mr. White to explain the allowance of up to 100% abatement as it would apply to a citizen who owns a home in Fairborn. Mr. White explained it really only applies to the infill single housing and residential multi-family housing as well as new constructions or substantial rehabilitations. Mayor Kirkpatrick asked Mr. White to explain an infill house. Mr. White explained they are houses or lots the City obtained and then an RFP is put out for them to build new construction to help increase the property value and improve the neighborhood. With an infill house if they wanted to do like a reconstruction/rehabilitation, the increase in the property value they have it would be abated for a certain amount of time for a certain percentage. In a multi-family it is usually new construction, but you can use rehabilitation for that as well. He believes it is $2,500 towards the reconstruction for single family and then $7,500 for multi-family.

Deputy Mayor Reaster stated so the people who own Fairborn Apartments. Would this apply to the building where the façade is being supported? Mr. Whalen stated absolutely.

Councilwoman Stanton asked if this would apply to an existing homeowner who happens to have a home that needs improved, and they cannot afford to do it. Does this apply to them, or does it have to be something the City has designated as an infill project. Cherise Schell, Economic Development Director, stated yes, it could apply. It doesn't provide them with any funding for the rehabilitation itself, but if they make the necessary investment in the rehab then yes, they could do an abatement based on the increase based on improvement. Councilwoman Stanton wondered if there would be confusion of who could do this. Mrs. Schell stated it is about clear communication in her mind. It is available to anyone in theory. We just need to make sure we get the word out as adequately as possible and explain it. Sometimes it is challenging to explain it to people. She thinks having the online application process they have talked about will help and discuss the criteria of the program. We also have other programs that would help also. Like the CHIP rehab program, it is available for people at certain income levels. Mr. White stated of course it is on a case-by-case basis. If you want to do a new roof that might be less than if they wanted to do a full inside rehabilitation. Some might get more abatement, more percentage, longer term. Some might get less. Councilwoman Stanton asked if there is a certain logic to decide that. Mr. White stated they would follow the criteria that were attached. It is baseline. It also needs to be in an area where you can tell that development and investment is discouraged. That is a big one.

Mrs. Schell explained for the new construction piece it would be more of a comprehensive look and what they try to gage as staff is they don't want to establish criteria that say if you do this you get 50% for ten years. They don't want people bringing developments to them designed based on criteria to try to get an increased incentive. It needs to be something that fits the area it is going into, trying to identify needs in the market that exists. It is taking a holistic approach to reviewing. That is why they were hesitant to assign certain abatement periods and percentages to particular things like energy efficiency. Certainly, they will encourage it and be mindful of it as it would apply to the project and the incentive. Additionally, from an economic development standpoint they don't typically put incentives on the table, we ask people to bring them a project and demonstrate your need for whatever incentive you are requesting. Councilwoman Stanton asked with the CRA that is in place today do they ever run into issues. Mrs.

Schell stated the commercial side is pretty cut and dry in terms of capital investment and job creation. Those are the two parameters to identify whether or not a project is worthy of an incentive. They have not had that issue up to this point.

Councilman McCubbins asked if the City will put a cap on how many CRAs it would allow. Mrs. Schell responded they do not have one currently. Mr. White stated he did not think they expect a large amount, but just to try to encourage investment it could be just one large multi-family residential building or a few. He does not think they are expecting over a dozen.

Mayor Kirkpatrick asked if there is a cap on the total amount of money. Mrs. Schell stated it is just the abatement percentage. It is an abatement of property tax. The increase in property tax as a result of the improvement or the new construction. Say it is a vacant lot, and the baseline property tax is being paid it does not get abated. Mayor Kirkpatrick asked if there has been an amount set for the total amount of abated taxes that we are going to work up to. Mrs. Schell stated that it has not been established. The hope being and what led them to this strategy to begin with was they were approached by a home family developer who wants to build something in our City that we don't currently have. The goal is to attract people that we are currently losing to other communities, young professionals, those who work at Wright Patterson who chose to live in other communities because they have the housing, they want to live in. It has a lot of amenities, yards mowed and that type of thing. It led us down the path of how can we be more competitive to attract that type of housing to our market that we don't currently have. She does not know there is a desire to say once you abate a certain amount we are not considered anymore. Mr. White stated it would also be hard to get a threshold of how much tax is abated because if we do attract people from other cities that income tax is going to be added as well. You lose property tax, but you add income tax, so it is not really a threshold, it is a give and take.

Mayor Kirkpatrick asked if this would have any impact on developing more affordable housing for young people. Mrs. Schell did not think so.

Councilman McCubbins stated he thinks what they got from Jay is the new young professionals are searching for more high-end properties. It is a little tricky here in Fairborn.

Mayor Kirkpatrick asked if there are any reasons not to do this. Mrs. Schell stated she does not see a ton of cons on this. As Jalen pointed out, Fairborn's residential income taxpayers are the highest contributors. The percentage of property tax the City receives to begin with is not significant. Hilary Browning, Finance Director, stated it is about 12 percent compared to our other sources. Income taxes are the largest source of income for the City.

Councilman McCubbins stated you have to spend money to make money.

Councilwoman Stanton stated it seems in line to have this with the new schools. Mrs. Schell stated the new schools are a great tool for us.

Councilman Allen stated he appreciated their research on this and giving the residents another tool to help. It is good news.

CITY MANAGER COMMENTS

Mike Gebhart, City Manager, reviewed the upcoming civic engagements to include:

Council Conversations, Thursday, August 14th from 5-7 at TJ Chumps

Mayor's Forum, Monday, August 25th from 6-7 at Rona Church – topic is the renewal request for the 4.4 mill levies for the Police and Fire levies. Mayor Kirkpatrick commented that they are not to encourage more than two Councilmembers to attend. Mr. Gebhart stated including the Mayor they cannot have any more than three. They do not want it to be a majority of Council. The Mayor's Forums are not going to be what they had done in the past where they encouraged Council to show up and made it an official meeting and called roll. They are getting away from that. Mr. Gebhart asked that Council sign up with Emily Gay.

Coffee with Council, Tuesday, September 9th from 9-10 with the location to be determined.

Town Hall, Monday, September 29th from 5-6, again the same topic the 4.4 mill renewal levy renewal request with the location possibly at the Senior Center. Emily Gay, Communications Manager, stated there is one non-city related event on August 19th from 8-10 a.m. Fairborn Family Diner there will be another Breakfast with the Mayor. Chuck Stout is arranging it, but Dan Kirkpatrick will be there. Mayor Kirkpatrick added no more than two Council members. Ms. Gay stated Ben Roman will be there. Captain Hern, Sergenat Penrod and Amy Gayheart are going. They had one at Tim Hortons and 25 citizens showed up for that one. Mayor Kirkpatrick stated that is being arranged and set up by a private citizen. This is Mr. Stout's meeting arrangement and anyone showing up to video tape will be asked to stop.

Deputy Mayor Reaster stated just to be clear Mr. Stout is the one who said hey, Amy, I want you to be there. He is the one who asked these people to be there. Ms. Gay stated he came to Dan and went to Ben Roman and said what day works for you, I would like to do another one.

Councilman Allen asked because a private citizen is setting up the Breakfast with the Mayor event, does the sunshine law come into effect there as well? Mike McNamee, City Solicitor, explained that the sunshine laws come into effect when there is a prearranged public meeting with a majority of the Council members where there are deliberations on City business. So, if you meet all those criteria then it is a public meeting. So, the best bet is don't even get into the majority, just keep it at three and then you are good. As long as you raise the issue, he might add that you can have a city meeting by way of email if there is a group email to all the Council members discussing or deliberating City business then that opens you up to that. He reminded everyone of best practices don't use email to communicate to a majority. Feel free to go back and forth one on one.

Mike Gebhart, City Manager, stated next week August 11, 2025, they will be at Spark at 5:00 p.m. for the Capital Budget work session. August 18, 2025, they will have an all-day marijuana moratorium discussion. The 2nd, which is a Tuesday because the first is Labor

Day, they will start the discussion about Council Rules and creation of a Charter Review Committee for 2026. They will carry that on for the 15th if they need to. They don't have anything for October 6, 2025. October 13, 2025, will be the fiscal year 2026 budget work session at Spark at 5:00 p.m. We don't have anything for October 20th at this time.

Councilman McCubbins requested having one of those days for discussion about vapes and gas stations. Mr. Gebhart stated it is his understanding that sometime in the next week the Governor will announce that he is doing all he can with an Executive order to eliminate THC 8, Delta then he will ask the state legislature to continue that in their fall session so that those are banned. All the things that GTI came in and talked about at the work session about dispensaries and they brought the freezer pops and the gummies and things marketed towards kids, it is his understanding that in the next week the Governor is going to take executive action to start to ban those. Mr. Gebhart stated he and Mr. McNamee discussed whether or not a city could create their own law that would ban THC 8 and its derivatives, but he was told to put that on hold until the Governor makes his announcement.

Councilwoman Stanton asked about the marijuana moratorium discussion. She asked when the current moratorium will end. Mr. Gebhart replied August 31, 2025. Mr. McNamee stated it ends on the 31st and we have already kicked the can twice. He is going to need some directions as that is the last meeting in August. We could handle that legislation then. Better practice would be to handle it at the August 18, 2025, meeting. If you remember we had to discuss the moratorium during the retreat. He could use some direction from Council on what type of legislation to have prepared for voting on either continuing the moratorium or authorizing some flavor of it. Just some things for Council to be thinking about. Please pass any information onto Mike Gebhart and go from there.

Councilwoman Stanton stated so they will talk about it during the work session but then go right into the meeting afterwards. Mr. McNamee stated, or they could kick it down to the September 2, 2025, meeting.

Mike Gebhart, City Manager, stated he envisions the capital budget not being a super long meeting. He and Hilary have already shared that the recommendation will be to cut capital spending down so they can pay off debt over the 2026 and 2027 fiscal years. So, they can come back at larger capital improvement projects in 2028. There may be time since we have Spark from 5:00 p.m. to begin the marijuana discussion on the 11th, finish it on the 18th so whatever happens can move forward at the regular council meeting on the 18th. We can start that process on 11th with the capital budget and then move into the moratorium discussion and then carry it over to the 18th. Mr. McNamee stated he could come with two pieces of legislation, one continuing the moratorium and the other would be authorizing a limited number of dispensaries within the city, for example one. Mayor Kirkpatrick asked if there is a hard deadline to the moratorium. Mr. Gebhart stated August 31, 2025. Mayor Kirkpatrick stated they are talking about extending that. Is there a hard deadline or can you extend it indefinitely? Mr. McNamee stated you can, but that just keeps kicking the can down the road. Mayor Kirkpatrick is not in favor of that, he just wondered if there was a deadline.

Mike Gebhart, City Manager, stated as of right now, they will begin some of the discussion after the capital budget has been discussed on the 11th. They will move into the marijuana discussion and then carry it through to the 18th if they need to. He apologized that he

thought they would only have one work session each month in August and October to allow time to go through the capital budget and the actual operating budget for 2026 that is still why he doesn't have anything scheduled for the 6th and 20th of October 2026.

Councilwoman Stanton asked if he was considering having the October 6 or October 20th meeting for a city reason to also sneak in a 10-minute FEAB discussion. Mr. Gebhart stated he did not know yet. What he is waiting for now is Tree City, USA stuff and Mike McNamee has time to review it. Mr. Gebhart would really like to not have a work session on October 6 and the 20th so they can have some down time. There are some Town Hall things coming and that related to the levies, so he would like Council to have a Monday or two off. He will keep those available.

COUNCIL COMMENTS

Councilwoman Stanton asked if the content for the work sessions could be available ahead of time so they can read it ahead. Mr. Gebhart stated yes when we have that kind of thing yes. She asked if it would be possible for them to email her the current Stormwater Master Plan before they go into the Five-Year Capital meeting. She is not sure that she has the most recent one. She said the copy she has is 147 pages from Stantec. Mr. Adkins stated that is the last one. They are doing the Stormwater, Water and Sanitary Master Plans right now. Those will be completed by the end of this year, and we will have a new master plan. Councilwoman Stanton discussed the aggregation plan and discrepancies being put out. Mr. McNamee stated he contacted Palmer Energy, Kurt Ference and he is out on vacation and is back this week. He will have something for her by the end of the week.

Councilman Allen asked about a City phone app being added. He suggested it being something staff explore.

Councilwoman Chess asked if there is any update about the TNR group. Mr. Gebhart stated he has not heard anything from them. Ms. Schell has not heard any complaints. Councilwoman Chess stated she knows they were trying to obtain their non-profit status. Did that ever happen? Ms. Schell believes they did.

Councilwoman Chess asked when the groundbreaking would be held for Wawa. Mr. Adkins stated the last time he spoke with Manuel Jacobs, he thought it would be past the October 1, 2025, timeframe. Mr. Gebhart stated there is an annexation process that goes along with that as well. They are just now starting that process and an annexation takes 90-160 days. Mr. McNamee stated it should be 90 days.

Councilman McCubbins asked if that was what Cassie Lester was talking about when she talked about the Spangler and 444 improvements. Mr. Gebhart stated no, that is Charlie Deere. He wants to annex across the street. Where Spangler comes southbound to 444 and that turn lane has the barricades across it that area is Charlies and it is in Bath Township. He has notified Mr. Gebhart, the township, and the county that he intends to annex that less than two acres into the current he owns in the City. Those improvements would probably be a part of that. Councilman McCubbins stated he directed a citizen to the website to file a complaint on their neighbors, and they did not want to file it because

it makes them put in identifying information. Mr. Gebhart stated they would have to look into it.

Deputy Mayor Reaster requested if there is an option to not fill out the name on the request that would be preferable.

Mayor Kirkpatrick stated the deadline for the Historical Society's Legends of Fairborn is August 29, 2025. The forms are available at the Senior Center. He discussed the upcoming Sweet Corn Eating contest and the need for team members.

ADJOURNMENT

Councilman McCubbins moved to adjourn the meeting. Deputy Mayor Reaster seconded. Yeas, six: McCubbins, Reaster, Allen, Chess, Stanton, and Kirkpatrick. Nays, none. Motion carried. The meeting was adjourned at 5:58 p.m.

MAYOR

CLERK, CITY OF FAIRBORN