CITY OF FAIRBORN
COUNCIL MEETING
September 2, 2025, at 6:00 p.m.
Council Chambers

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, Davis, Gebhart, McClure, McNamee, Petty, Riggs, Schell, Williams, and Yates.

Everyone stood for the Pledge of Allegiance and a moment of silence.

APPROVAL OF MINUTES

Councilman McCubbins moved to approve the August 18, 2025, Regular Council Meeting minutes. Councilwoman Stanton seconded. Voice Vote. Motion carried. Mayor Kirkpatrick declared the minutes approved as written.

OLD BUSINESS

ORDINANCE 21-25 AN ORDINANCE TO AMEND VARIOUS PORTIONS OF CHAPTER 1311 OF THE FAIRBORN CODIFIED ORDINANCES AND FOR ALLOW ONGOING REVISIONS.

Councilwoman Stanton motioned to read Ordinance 21-25 for the second time by title only. Deputy Mayor Reaster seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Ordinance 21-25 by title only.

David Yates, Chief Building Official, explained the objective is to look at permit fees for the Building Department. The economics all over the country are growing and one of the things they need to implement is reevaluating our current permit fees to ensure that our fees are covering services provided. They need to adopt a current ICC building evaluation data and establish reoccurring process to revise permit fees as needed.

The building fees have not been addressed since 2007 and prior to that it was 1994 so it was obviously something that was on his mind that they needed to address immediately.

The way the fees work is the ICC which is the International Code Council provides evaluation data of every classification of a building. That evaluation data is basically the cost of doing business for construction. Every year in February and August a new one comes out. It is an average of what it costs for evaluations for businesses from all across the country. Currently, the City's is at the 2007 rate, Greene County when he checked was 2023 and Montgomery County was 2017; but he thinks they are adjusting theirs. Xenia is at 2024, Vandalia is at 2022, Clarke County is at 2024 and Kettering is at 2022. Obviously, we are pretty behind.

He states the City's Mechanical, Electrical and Plumbing (gas) is on average 50 to 70 percent lower than all the local jurisdictions. Currently, we do not charge for common services regarding reviews, permits and inspections. For example, the residential plan review is at no cost. Builder and contractors are basically getting a service for free and charging homeowners.

Permit fees should be able to be adjusted to reflect the cost of doing construction services. We need to have something in place where it is regularly adjusted as we go because new technology comes, like solar or anything along those lines, you never know what is going to come out with technology, so they must be able to adjust as they go.

The biggest thing about this is that the increase in building permit fees does not affect the homeowners directly. This affects the contractor's profit margin. They basically have the formula for what it is going to cost to do a house or whatever project it is, and they have that already in their budget. Then we are basically giving them a big discount, and he doubts they are giving a discount to the homeowner's or contractors or people buying the buildings.

Our Building Department goes above and beyond. So, some of the building fees will be discretionary. We are not going to sit there and beat up people all the time because of a small mistake. We are always willing to work with people.

He discussed the common fees. Right now, the City's reinspection fee is $20, and the local average is $100. The reason why this is an issue is because they had a contractor that they did a reinspection 7 times on one project. So basically, they were paying the City to do their punchout list. That is not something they want. The average MEPs are $100, and the City is looking to make them $80 from $20. They are not trying to jump to the highest marks. They have the local residents in mind. They want to encourage business, but they also don't want to be taken to the cleaners.

In conclusion, they are introducing this new fee schedule that is relative to the current monetary factors, adopting the current 2025 ICC Building Evaluation data and establish a process to revise permit fees as needed or at least look into it every three years. They don't want to go 18 years again. Staff recommends approval of Ordinance 21-25.

Mayor Kirkpatrick opened the public hearing.

Mayor Kirkpatrick closed the public hearing.

Councilman Fritzsche stated this makes sense. We were overdue for an update. He thanked Mr. Yates for taking that on.

Councilman Allen thanked him for the presentation.

Deputy Mayor Reaster stated all of her questions had been answered.

Councilwoman Chess stated that the cost will not be passed onto the homeowner from the City, but the contractor can pass the cost onto the resident. Mr. Yates responded yes, typically they are doing a project and getting an estimate. These fees are factored into their proposals. Obviously, they are going to the local jurisdiction because we don't just work with people who work in Fairborn, they obviously work in other jurisdictions, and they are always saying we are so much cheaper. So, they have a number they are using, and he doubts they are giving a discount.

Councilman McCubbins stated his understanding is with the BVD codes is they update those twice annually. Mr. Yates stated yes, mid-February and mid-August. Councilman McCubbins stated if they are doing it on a three-year cycle, they should be ok. Mr. Yates stated it is one of those things that if they see a drastic jump maybe that would be when they would adjust. For example, from February of this year to August it jumped up to about an average of $1 to $1.25 on some classifications per square foot.

Councilwoman Stanton thanked him for looking into this and for finding money that was being left on the table type of thing.

Mayor Kirkpatrick thanked Mr. Yates for his presentation.

Deputy Mayor Reaster moved to waive the rule requiring that Ordinances be read on three separate occasions and Ordinance 21-25 be read for the third time by title only. Councilman Allen seconded. Yeas, seven: Reaster, Allen, Chess, Fritzsche, McCubbins, Stanton, and Kirkpatrick. Nays, none. Motion carried. Mike McNamee, City Solicitor, read Ordinance 21-25 by title only.

Councilwoman Chess moved to adopt Ordinance 21-25. Councilwoman Stanton seconded. Yeas seven: Chess, Stanton, Allen, Fritzsche, McCubbins, Reaster and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Ordinance 21-25 duly adopted.

ORDINANCE 22-25 AN ORDINANCE APPROVING A ZONING TEXT AMENDMENT TO CHAPTER 1122.12(F) OF THE FAIRBORN CODIFIED ORDINANCES.

Councilman McCubbins motioned to read Ordinance 22-25 for the second time by title only. Deputy Mayor Reaster seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Ordinance 22-25 by title only.

Kathleen Riggs, City Planner, stated they recently updated the Zoning Code that became effective in May 2025. One of the goals of that most recent update was an update to our downtown commercial district where we broke that district into two subdistricts, the Main Street subdistrict, and the Broad Street subdistrict. She displayed the areas on the map. The reason for that was to really promote that Main Street subdistrict for restaurant and retail use.

They did recently receive some feedback that they would like to see single family homes as a permitted use in that Main Street subdistrict so that is what they are bringing forward to Council today. Currently, for the permitted uses in the Main Street subdistrict there are no residential uses that are listed under permitted. Currently, under conditional uses multi-family on upper floors of commercial uses are a conditional use and this is where single-family detached dwelling would be placed as a conditional use. This would require Planning Board approval according to the conditional use standards that really looks at the health, safety, and welfare of the impact of this use on adjacent uses. The impact the traffic could have on adjacent uses. This takes a deeper dive if you will.

Planning Board did review this at their last meeting in August. They had a lengthy discussion and there were a lot of questions. Ultimately, for clarification what this will ultimately permit is currently a single-family home is considered a legal non-conforming use. In the future if this is approved, it would be a conforming use for any existing single-family homes. It would also permit any new single-family homes to be located in the Main Street subdistrict. Staff recommends approval of Ordinance 22-25.

Mayor Kirkpatrick opened the public hearing.

Mayor Kirkpatrick closed the public hearing.

Councilwoman Chess stated she appreciated Ms. Riggs hard work on this. We do need some revitalization downtown and this will help out a lot.

Councilman McCubbins, Councilwoman Stanton, and Councilman Fritzsche had no questions.

Mayor Kirkpatrick thanked Ms. Riggs for the work that went into the presentation.

Deputy Mayor Reaster moved to waive the rule requiring that Ordinances be read on three separate occasions and Ordinance 22-25 be read for the third time by title only. Councilman McCubbins seconded. Yeas, seven: Reaster, McCubbins, Allen, Chess, Fritzsche, Stanton, and Kirkpatrick. Nays, none. Motion carried. Mike McNamee, City Solicitor, read Ordinance 22-25 by title only.

Councilman Allen moved to adopt Ordinance 22-25. Deputy Mayor Reaster seconded. Yeas seven: Allen, Reaster, Chess, Fritzsche, McCubbins, Stanton and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Ordinance 22-25 duly adopted.

NEW BUSINESS

RESOLUTION 34-25 AUTHORIZING THE OPERATION OF ONE RECREATIONAL MARIJUANA RETAIL DISPENSARY PERMIT WITHIN THE CITY OF FAIRBORN.

Councilman Allen motioned to read Resolution 34-25 for the first time by title only. Councilwoman Stanton seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 34-25 by title only.

Mike McNamee, City Solicitor, stated his power point would cover the next resolution as well because it is related. They covered the thought process at a prior work session so none of this will be known to them. He stated he would go through his power point the at addresses both Resolutions and then another unusual feature is they typically don't allow a public commentary during Resolutions and because of the nature and the substance of the Resolution they thought it would be a good idea to allow public input with a three minute time limit.

He provided some background explaining that Ohio Issue 2 was passed in November of 2023 which legalized the adult use of marijuana. Ohio Revised Code 3780 allows municipalities to limit or prohibit dispensaries in their entirety. Fairborn has passed four different moratoriums since 2024. The last one was passed in August of 2025 and that was to get us past a twilight zone type period from August 31st, which is when the last moratorium expired, until we could get this hearing and vote on the resolution. We just added a day for good measure to make sure that we did not lapse on the moratorium.

On the moratorium the purpose is to provide time for policy development and clarity. For example, if we pass the Ordinance on a recreational marijuana dispensary then staff needs time to update the zoning code and provide various regulations. It gives us that time to develop that from September 3, 2025, to December 31, 2025. If the measure does not pass the new moratorium also gives Council time to determine what do, they want to make this permanent. What do they want to do with the moratorium moving out? That is why they are considering these together.

The purpose of Resolution 34-25 is to authorize one dispensary. It is a clear yes or no on the decision-making rollout. By adopting just one at this point in time Council can always change its mind, but this allows us to do a controlled roll out, simplifies zoning oversight and compliance, benefits which we don't know how great those benefits are going to be with the state Governor and the Senate as well. Changing its mind on how those funds are going to be shared. We do not know, but that is at least one perceived benefit. We are not even considering the moratorium continues on other uses such as cultivating, processing and the like.

If approved staff will develop the zoning and the moratorium will be extended. If rejected, they will consider a permanent ban. He stated they will have a public hearing time of three minutes per individual.

Recommendations: It is not appropriate for staff to make a recommendation on Resolution 34-25 because this is purely a Council's decision, and no staff input is need on that. On Resolution 35-25 staff has an opinion and they do recommend approval of the moratorium through December 31, 2025. He stated he would answer any Council questions. Mayor Kirkpatrick asked if they would do citizens comments first. Mr. McNamee stated they would do Council's questions first and then go to citizens comments.

Councilman Fritzsche stated the only question he had was when it comes to the zoning portion of this will Council have a say in that. Will it come back for approval? Mr. McNamee explained yes, it would. Any amendment to the zoning text will have to be approved by Council. He will work with the City Planner devising what types of amendments they should make.

Mayor Kirkpatrick stated they are doing this a little unusual with citizens comments. Will after citizens comments will Council be able to make comments. Mr. McNamee responded affirmatively.

Councilman Allen had no comments. They talked about this a lot. He did say that he appreciates the deliberateness of how this Council is approaching this particular matter.

Deputy Mayor Reaster stated the only comment she really wants to emphasize is there is some misconception on what a moratorium is. It is not a vote no. It gives us time to figure out the pieces and parts and how they fit together. They have been very intentional as Clint talked about in reviewing this and making the best decision for the citizens as a whole. The entire 35,000 people they are elected to represent, not just four people, pervibiably speaking. A moratorium is not a vote no. It is a give us time to legally figure things out and make a good decision based on all the facts and all of the evidence.

Councilwoman Chess agreed with her colleagues.

Councilman McCubbins stated he had no comments or questions at this point.

Councilwoman Stanton had some questions to follow up on some questions she asked previously and she just wanted to know if this would pass tonight then when we have the period of time until December when everything is being lined up these are some conditional things she wanted them to consider if they would vote yes. A lot of the feedback was about concerns for kids and dangers to kids. She had brought up suggestions and she just wants to know if there will be an opportunity to include things like this. To require a facility to post information about things. There are some things that she was not aware of some things until we got into this discussion. She thinks as a parent she would want it publicly posted in a facility that talks about the dangers to kids' brains so she would keep the kids as safe as possible.

Mr. McNamee asked if she was speaking of posting in the facility itself. She stated that if they do approve this tonight then is there the ability for Council to add some additional things from the City requiring that a facility in the City would have to post information. Mr.

McNamee suggested they go through her list, and he would go through them one at a time.

Councilwoman stated, "require the medically proven facts to be posted in large print posters inside in plain sight." Require a pamphlet with this information be provided with each purchase. Require a label with this information to be affixed to each product and have these materials also include a penalty for buying marijuana and providing it to someone under 21. Mr. McNamee began with his overview of everything she would want them to require. He stated yes, they have the opportunity as that is part of the purpose of the moratorium. That can be a part of the zoning or regulatory aspect. What he does have to research would be is all of her requests inconsistent with State law. If the marijuana laws would be considered a general law of the State of Ohio, then that is not a law that the City cannot deviate from. He would have to make that initial assessment. Do we have the opportunity, yes? Are all of her requests going to pass all the checkmarks he does not know, but he will get the email back in front of him and let's see what happens here and then in due haste he will make a presentation to Council at the next meeting to update them. Councilwoman Stanton agreed.

Mayor Kirkpatrick had no questions at this time. He wanted to hear from the citizens. As mentioned by the City Solicitor normally resolutions don't allow for or require a public hearing. They are going to make an exception this evening for Resolution 34-25. They are going to conduct a public hearing with a three-minute time limit per speaker. Anyone who wishes to come forward at this time you have three minutes, and this is on the issue of do we want a marijuana dispensary in the City of Fairborn.

Mayor Kirkpatrick opened the public hearing.

Beth Renken, 1437 Graceland Drive, stated in regard to the marijuana dispensary issue she is pretty neutral, but why would you not allow something the public has voted for. She does not care what percentage voted that is not the point. The people that did take the time to vote, voted for it. They don't seem to be listening to the voters why not allow a marijuana dispensary that has so many regulations by state and federal to operate in Fairborn. She would rather have a marijuana dispensary to open with regulations and laws governing them than a loophole business to operate in Fairborn, like Bud City. What has happened while they have drug their feet? There are stores that have found those loopholes. Why haven't you done something about all the car washes, storage businesses, VIP Smoke, Vape too stores opening. Why not pass an Ordinance to limit the number of these types of businesses in Fairborn? Some of the car washes have even been deserted. They have become eyesores. Nice look for Fairborn. It seems like all the focus is on the marijuana dispensary and not fixing the other problems in Fairborn. She really likes Ms. Stanton's questions about posters and stuff. The more information out there just like they did with cigarettes.

Charlie Deere, 1819 N. Broad Street, stated his comments are pretty simple. He asked do you want drugs in your town or not? He said it seemed like a no-brainer for him. He is sure everyone on council has probably smoked pot including himself. What good did it do you. It didn't do you any good. There might be some exceptions for a medical issue,

but just to be able to go and buy this high quality, high THC pot, get high and get on the road. He thinks it is stupid.

Jaclyn Sickles, 216 N. Maple, stated she is a recent resident of Fairborn and has lived here for over a year. She loves this City. She sees that a lot of wonderful efforts have been made to revitalize Fairborn and bring business in and bolster what we already have here. She appreciates the diligence to make sure the choices we make are not only something the people want but something that is done safely and effectively and with good planning. She appreciates that. As a resident she thinks that while there are certain misgivings around the use of the product are perfectly valid and she encourages everyone to make the personal choice that they do when it comes to their bodies, and we love that. She said that some people do use these recreational products for uses that improve their lives, relieve their pain, or ease their anxiety. She personally thinks bringing a dispensary into Fairborn would be a good idea. It could bring in funds, though there is some concern about how that exactly will look. It could also bring in business. It brings in feet and sometimes bringing feet to a location brings feet to other locations. She has seen that in downtown Fairborn herself that having a good stable business brings business to everyone around it. In times where we are dealing with economic struggles, she thinks anything that can bring that kind of life back to Fairborn is a good idea. She appreciated the time she was given today. She stated she would let Council get back to their decisions.

Jospeh Lolli, 216 N. Maple Avenue, stated they moved to Fairborn about a year ago and it is the first time Council has been seeing him, but they will be seeing quite a bit of him in the coming months for a few reasons. He stated the moratorium wasn't a terrible idea of delaying, but we have seen other surrounding cities implement the dispensaries so he thinks we can actually look to them and see from their experiences where they have had troubles and where they have had successes. When it comes to waiting it out a little bit he does not think that is a terrible idea, but he knows it would be a bad thing for the City because we have seen in cases throughout this country and our neighbors up north that the tax revenue alone has really helped their areas for social programs and revitalizing areas. As his partner had mentioned, bringing more business to the area is important because we are already losing business. Not having dispensaries is not going to prevent marijuana usage in the City of Fairborn. By having a dispensary here, we can look at other avenues as mentioned such as adding informational tablets and what not to purchases. We can keep that business here. People are going to go to Yellow Springs for example. That place has been making a lot of money from our citizenry that would could have here. While he understands the concerns, he thinks we should have a dispensary here. Even as someone who won't be using it himself, he is looking at the positive notions for the revitalization. He is always seeing people in town talking about how people are leaving, and the town is dying, and businesses are struggling. Denying something we know the citizenry has wanted for the state can help bring other businesses to the area. He appreciates Council's patience with the issue, but he does urge us to use the resources around and put the stigma to bed.

Donna Johnson, 328 Bowman Drive, stated on February 24, 2025, the Mayor and Citizens' Forum were held with the goal to hear from drug treatment and behavioral health facilities in Ohio. One of the final statements by our Mayor recorded in the minutes of the

forum was to ensure that we are ready if we start seeing problems in Fairborn. Most respectfully Mayor Kirkpatrick and Council we have problems. Since growing up here in February back in the 1960's she has never missed an Independence Day parade. Over the past decade we have witnessed increased entries along the parade line up of some of our local drug treatment facility staff, their patients, and patient families to include children. This is an opportunity for those struggling with addiction to seek our encouragement in their quest to gain their personal independence from the substance that threatens to doom the quality of their lives. Of late, a new church has been located in Fairborn and offers the promise of rescue. Campaigning specifically to those struggling with drug addiction and promised ministry in a non-judgmental environment. These people see the need and understand fully there is no pure or legal form of recreational marijuana that can nullify its destruction in the lives of adults and the effect upon their children. With a low Fairborn registered voter turnout of only 25 percent in November 2023 adult recreational use of marijuana became legal in Ohio. She believes it will be the youth that will suffer the consequences. She is repeating this from her April 7th presentation to Council. She will spare all of the medical information that she and Dr. Stalter presented to them at that meeting. But what they don't know from those studies is that long-term health effects on school-aged children, but as a lifelong asthmatic herself she knows that smoking exposure to asthmatic children can be fatal. Have they confirmed with the Fairborn School nurses how many asthmatic children visit the clinic every week for inhaler therapy? Do you believe these numbers will increase after Fairborn blesses marijuana use as a life changing contribution to our community? Do you think it will change the health outcomes of our schools? What about the costs to our schools? She covered those in that presentation. She continued saying that it has become evident that the I-675 corridor, specifically that of the Commerce Center Blvd., is of prime interest to the marijuana industry she believes the financial gain they promise the community will be no counter measure to the negative effects on our youth. The National Library of Medicine reports a potential increase in adolescent use of marijuana as a result of an increased availability by this legalization. She thanked Council for their consideration.

Mayor Kirkpatrick closed the public hearing.

Councilman Fritzsche had no further comments or questions.

Councilman Allen stated he appreciates the fact that they prioritize understanding over speed. There has been a lot of communities that he knows who have addressed this same situation which are our neighbors. He appreciates the fact that we had four moratoriums, and he believes all of it again is to sit through and weed through and understand with intention how we move forward with this particular resolution.

Deputy Mayor Reaster stated she does not share a lot of her very close personal details. In 2020 she lost her brother to a brain tumor, and she saw firsthand the positive impacts of medicinal marijuana, but what she understands from the state legislation is that you can't have one without the other. So, she is torn on her decision. She thinks there are excellent points made by everyone who has spoken tonight and up to tonight. The research she has done, and she is torn, but as it was stated the voters did speak at the polls and if there has ever been a point or proof that every vote counts, this would be it. The finger is often pointed at Council that they don't listen to the citizens. They do, and

it is not just the handful that shows up at the meeting. She wishes more citizens would show up her and voice their opinions. It is also those that send them messages, emails, stop them in Kroger. It is bigger than just here, and she cannot speak for her peers she can only speak for herself this decision does not come lightheartedly.

Councilwoman Chess stated she is a little torn. She is with Tana on the questions that she asked about children and publicizing information that could be harmful to our children. She also looks at the rate of opioid use and fentanyl use in Ohio and how our children are really suffering. The opioid use in Ohio is down, and it is because of education going back to Tana's point because they studied and put out publications in the school about what could happen to you. She thinks that all of the organizations out there are really trying hard to push this information so that our children will be safe. She struggles with it. She has had citizens who have contacted her with both pros and cons of what this would be like, and they have some valid points on both sides. She believes this would really help.

Councilman McCubbins stated he could not sit and say that he is neutral on this particular subject because he is not. He definitely has a side that he wants to pick on a personal level that is not on a Councilman level, which is a totally different decision. He can say that when this topic came up it reminded him of his college days and taking that ethics course and he dreaded that course so much. Only because every topic was a slippery slope where you were either for it or against it and the emotions ran high on both sides. In the end, someone is not going to get what they want. It is a very difficult decision. He will say he heard it again tonight. A comment was made that Council is not listening to the citizens. He can tell you since this marijuana stuff took place of all the Citizens Forums that he attended only two citizens approached him about this marijuana and he has only been emailed by one citizen. So that is a total of three over the course of the last year. If you want them to hear from you outside of these meetings you must contact them. They cannot read your mind and know what you are thinking. If you don't tell them what you would like them to know. He is not buying the fact anymore that Council does not listen to citizens. Fabrication is not true. They will listen to each and every single person that contacts them. Stop with that if you wouldn't mind, please. He left his comments at that.

Councilwoman Stanton appreciates everyone who came tonight and throughout all the different processes they had and the venues they had for people to make comments or to reach out individually. She does feel on this vote, she probably has a better understanding of all of the aspects of what people think probably compared to any other vote she has taken. She feels that it was very good to hear a lot of people's thought process at all the events they had and what people shared.

Mayor Kirkpatrick stated he has been listening to citizens for months now in a variety of venues, gatherings, and private meetings. He heard a lot of comments about this. He started by clarifying that the vote in November 2023 was about legalizing recreational marijuana. It does not mention dispensaries at all. It mentions the tax, which has not been resolved. He was in a meeting last week where one of the state legislators commented that they don't think the state is going to resolve this until December. So, the issue of money going to communities is still not resolved.

His background is working in mental health. He has a master's degree in Mental Health nursing. He has worked in both the civilian sector and military. He worked many years in the military in mental health. He is not in favor of this based on his background of working with people who have suffered from substance abuse disorders. That is not to say that everyone that uses marijuana is abusing it. That is absolutely not true. No different than people who have used alcohol. The vast majority can successfully use alcohol without becoming an abuser or getting into trouble with it. He has seen the negative side of people who have used marijuana extensively. Regarding the issue of buying, locally, two people have told him that regardless of the decision they will still try to drive to the State of Michigan to get their marijuana because it is far cheaper up there. They will drive up there regardless of whether there is a dispensary in Fairborn.

He did a study on communities that have dispensaries around the City. Beavercreek has one less than 10 minutes from here. Riverside has 2 dispensaries 10 or 15 minutes from here. Dayton has 6 dispensaries and Springfield has several. People have mentioned Yellow Springs. He does not think they have a dispensary. They have a growing facility, and they grow it, but he has mixed comments on that. The comment of do we need a dispensary here. He read a list of the cities in the immediate area who have said no to dispensaries: Centerville, Clayton, Eaton, Kettering, Miamisburg, Springboro, Trotwood Troy, Vandalia, West Carrollton, Xenia, and Oakwood. Those are communities in this area that their City Councils said no to marijuana dispensaries. We still have dispensaries in Dayton. We have them in Beavercreek and Riverside, they are right down the street.

The financial benefit to this is as the state representative has told us the state has not made a decision yet, so we don't know what that benefit is going to be. His comments is that if we decide to vote no we can always come back if it turns out to be a windfall of taxes. Based on what was originally proposed, the 10% tax on marijuana with the City seeing roughly 30 to 46% percent of that 10% so we do not know how much that will be. It depends on how much is purchased. He has also talked to people who tell him that regardless of whether or not we have a dispensary they still intend to buy it off the street. He thinks that is really stupid because you don't know what you are going to get. If you are going to buy it buy it from a known entity. His point is we know entities literally within 10 minutes of here. He is not in favor of having a dispensary in Fairborn.

He also talked with the Base, and we are one of the communities that surround Wright Patterson Air Force Base. Two of those communities have dispensaries. He talked with several senior officers at the Base. He talked to the public affairs office, and they sent him a memorandum. It says the United States Armed Forces like many other federal agencies has explicitly told its employees, military, civilians, and contractors they are to remain drug free while they are both on duty and off duty. If a federal employee has been flagged for reasonable suspicion drug testing marijuana will be among the drugs tested for and from many other agency employees who test positive for marijuana use may be subjected to mandatory consequences such as disciplinary action up to and including removal from federal service. He is a 34-year retired Air Force veteran. He worked in the program where they treated some people who had drug problems, mainly alcohol. If they had an alcohol problem, we would treat it and hopefully return them to duty. Anybody who tested positive for any other drugs, primarily including marijuana it was an automatic military discharge and that is still the military's position on this. We are a neighbor of

Wright Patterson Air Force Base he truly believes it is our responsibility to support our military people. We are their neighbors. If you want marijuana go to Beavercreek, Riverside, Dayton, or Springfield. There are dispensaries very close to Fairborn. Literally, right next door. He is against it. Again, his background is working in mental health, and he has seen the negative aspects of the people who cannot properly use marijuana and there are a number of those just like there are for alcohol. He thinks their number one job as government is to provide for the safety and security of our citizens. He sees this as a safety and security issue.

Councilman Fritzsche moved to adopt Resolution 34-25. Councilman Allen seconded. Yeas, six: Fritzsche, Allen, Chess, McCubbins, Reaster, and Stanton. Nays, one: Kirkpatrick. Motion carried. Mayor Kirkpatrick declared Resolution 34-25 duly adopted.

RESOLUTION 35-25 EXTENDING THE MARIJUANA MORATORIUM ON THE ISSUANCE AND PROCESSING OF ANY PERMITS WITHIN THE CITY OF FAIRBORN, OHIO, TO DECEMBER 31, 2025.

Councilwoman Stanton motioned to read Resolution 35-25 for the first time by title only. Deputy Mayor Reaster seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 35-25 by title only.

Councilwoman Chess moved to adopt Resolution 35-25. Councilman Fritzsche seconded. Yeas, seven: Chess, Fritzsche, Allen, McCubbins, Reaster, Stanton, and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Resolution 35-25 duly adopted.

RESOLUTION 36-25 AUTHORIZING THE CITY MANAGER TO ENTER INTO A TAX INCREMENT FINANCING (TIF) AGREEMENT WITH XENIA ROAD STORAGE, LLC (CRAWFORD-HOYING) FOR THE DEVELOPMENT OF A COLD STORAGE FACILITY AT 50 CHAPELGATE DRIVE.

Councilman Allen motioned to read Resolution 36-25 for the first time by title only. Councilman McCubbins seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 36-25 by title only.

Cherise Schell, Economic Development Director, explained a TIF is a Tax Increment Financing instrument. It is a tool authorized by the Ohio Revised Code that allows for the capture of a portion of the increased property tax revenue (the "increment) that results from new development. The new tax dollars would flow to a special fund to pay for infrastructure improvements that support the development. In the case of the cold storage facility, it is just under $1.3 million in infrastructure improvements. Property owners in a TIF district continue to pay the same base level property taxes that they always have only the growth in value from the improvements is subject to the TIF mechanism. The I-675 Corridor TIF district was established in 2014 via Ordinance 40-14.

She reviewed the project specifics – the request is a 75% property tax abatement for 15 years for the cold storage facility that will be approximately 200,000 square feet on 11.4

acres of currently vacant commercial land located at 50 Chapelgate Drive. It will be a total investment of approximately $50,000,000 in the first 12 months when they create 8 permanent full-time positions with a three-year employment total of 24 full-time positions with an estimated payroll of just under $1,000,000.

As established in the original Ordinance the district is a non-school TIF district so the schools will continue to receive their portion of any tax revenue generated. The project itself represents more than $50,000,000 in private investment, provides new employment opportunities, leverages private development to fund public infrastructure without burdening the City's general fund and supports long term redevelopment of the Xenia Road corridor,

Staff recommends that the City Manager be authorized to enter into a Tax Increment Financing agreement with Xenia Road Storage as outlined in the memo.

Deputy Mayor Reaster is excited about the initial economic growth as well as the long-term impact it will have for us.

Mayor Kirkpatrick thanked Mrs. Schell for her work on this.

Deputy Mayor Reaster moved to adopt Resolution 36-25. Councilman Allen seconded. Yeas, seven: Reaster, Allen, Chess, Fritzsche, McCubbins, Stanton, and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Resolution 36-25 duly adopted.

RESOLUTION 37-25 AUTHOZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT WITH GREENE COUNTY, BATH TOWNSHIP, AND SYNERGY CRC, LLC, AND TO EXECUTE COMPANION AGREEMENTS WITH SYNERGY BUILDNG SYSTEMS FOR MUNICIPAL SERVICES TO THE WPAFB ENHANCED USE LEASE SITE.

Councilman McCubbins motioned to read Resolution 37-25 for the first time by title only. Deputy Mayor Reaster seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 37-25 by title only.

Mike Gebhart, City Manager, explained he and Mr. McNamee would be co-presenting this resolution. Mr. Gebhart provided some background on this Resolution and the location. He explained Synergy Building Systems of Beavercreek entered into a 50 year least agreement with the Air Force back in December 2024. It is 23.5 acres along National Road. Currently, WPAFB is moving the fence so that this 23.5 acres will actually fall outside of the fence in Area A. He believes it is gate 8A off of National Road. So, the City is contiguous to this portion of Bath Township's part of the Air Force Base directly across the street. We are the only municipality or governmental organization that has available sanitary sewer and drinking water available to this site. They plan to build five class A buildings for office space and/or research and development on the site over the next 5 to 10 years. They would like to do groundbreaking on the first building in the fall of 2025 with the building occupancy being the fall of 2027. The site is outside of the City. The

Air Force and the Department of Defense do not want to annex into the City. The land is now under Bath Township's jurisdiction.

The purpose of this Resolution is to authorize three separate agreements. The first is a Cooperative Economic Development Agreement or a CEDA. Originally, when this was brought to them in late December of 2024, early January of 2025 the thought was the federal government did not want an income tax on that property, but everyone thought that there could be property tax on the property. Since then, the County Prosecutor's Office has reaffirmed that there is no property tax either on the property. By ORC there are two mechanisms that the ORC allows to encourage collaboration between communities where an annexation could have been possible. So, a JED a Joint Economic Development District did not make any sense because JEDs usually rely on income tax and since the federal government won't allow an income tax on the property then a JED was not something they could consider.

A CEDA was suggested to allow Bath Township, the City of Fairborn, Greene County and Synergy to work together. So, the Cooperative Economic Development Agreement or CEDA shares different services to the site. There is a separate emergency services contribution agreement. We currently have a multi-year agreement to provide fire and EMS services to Bath Township. Now that this is part of Bath Township, we will continue to provide Fire and EMS, and we will amend the section of the contract that will bring these 23.5 acres into what is labeled Zone 4 for Bath Township service by the Fairborn Fire Department. The site needs drinking water, sanitary sewer, and stormwater oversite. This agreement will allow for that to occur on the site. The main thing is these agreements all ensure that our taxpayers don't foot the bill for any of this and the developer is responsible for all the costs.

Fairborn will provide building permits, plan reviews and inspections, fire code review and fire and EMS services. We will eventually own the drinking water and sanitary sewer lines like we would on any street in the City. We will also oversee the review of stormwater plans that were submitted to Bath Township and federal stormwater regulations on that property since it is still federally owned property. Bath Township will provide zoning. They have already done that, and it has gone to the Regional Planning Board and gone onto their zoning commission and then on to the Board of Trustees for approval. So, the PUD zoning for that site from Bath Township is already in place. Then Greene County will support the zoning, and they will also do the traffic review on National Road. Those are the components of the governments in this CEDA agreement will provide. Synergy's responsibility is to design, construct and fund all infrastructure, install all water, sewer and stormwater systems at their expense, comply with any of the Fairborn codified ordinances with regard to that. They will maintain a minimum water pressure, and it will be their responsibility should they not meet that minimum. Should the property be sold from them to another developer they are required to provide the City with a letter of credit in the amount of $500,000 to guarantee payments continue. So, there is another leverage of cover there.

He reviewed the financial contributions – building inspection will be billed directly to the developer just like when any permit is applied for. This is based on what you saw earlier in the Ordinance that adopted a new building code from ICC. Fire and EMS will receive

a contribution of $70,000 annually and then that will increase by 10% every five years of the life of this agreement, which currently would be 50 years. Again, you will see the long-term schedule rises to $165,000 by year 46 and those payments go through Bath Township, and they will forward those payments onto the City along with the already contracted amount for service to the rest of the Township. They will do that annually. Water and sewer contributions the developer builds the infrastructure at its own expense, pays higher outside City utility rates. Staff has negotiated with them that they will by 2.5 times what a Fairborn resident will pay for water usage. They will also contribute $115,000 to what is called a "sinking fund". That fund will have a minimum requirement of $300,000 in it and that money will be used should there be any repairs for the infrastructure that the City owns, like a water main break, or something like that. That fund grows every five years by 7.5% and that fund is restricted to long-term maintenance and capacity, but that sinking fund can also be utilized for non-EUL property expenditures as well as EUL expenditures. So, if there is an infrastructure project that benefits the entire City, we can use part of those proceeds as long as $300,000 remains in that fund should there be any issues that come up. There is also a portion of it that is a true up provision so that if they would spend more than what is in the sinking fund at the end of the year they will bring that total back up to $300,000 and make the City whole for any expenses over that amount,

The agreement terms and protections – the CEDA runs through 2074 with an automatic renewal after 50 years. There is a default 90-day cure period before enforcement, and the developer has enforcement rights as a third-party beneficiary. So, if we are not doing things that we are required to contractually they can use the courts to make us fulfill our obligation. We did not give up any of our sovereign immunity in this CEDA process. It is not a tax sharing or debt creating agreement.

We need this agreement as the site cannot be annexed but services are still required. The agreements ensure cost recovery and revenue streams, protect Fairborn taxpayers from outside service subsidies. This agreement supports a major regional economic development project. We all know the importance of Wright Patterson Air Force Base to this region of the State as the single largest on-site employer.

Staff recommends approval Resolution 37-25 which covers the three agreements, the CEDA, the Fire and the Water/Wastewater agreements that have been presented this evening.

Councilwoman Chess stated this was discussed in the work session. She has a full understanding of what they are doing here, and it is absolutely amazing. The partnership is wonderful. She thanked him for his hard work.

Councilman McCubbins appreciates the City taking their time on this one and delving into the complex issues and making sure we get it right the first time. It is much easier to do it that way than it is to go back and fix it.

Councilwoman Staton echoed Councilman McCubbin's comments.

Councilman Fritzsche appreciates all the work that had to go into this. He knows it was very unique situation, and it was very important that we get it right so that our taxpayers aren't the ones eating the costs on this. Mr. Gebhart stated that was their goal to make sure that the taxpayers footed none of this bill and that we actually receive revenue from it.

Councilman Allen asked if there's a reason the Base wanted to stay away from annexing. Mr. Gebhart said they had that discussion multiple times. There was an instance where there has been an annexation near a base in Alabama. We did not have any indication through the limited discussions they had and the time that it required to do an annexation, plus the time to get it through the federal government and that type of thing he just doesn't think was feasible. In the future, if they would like to annex, he is sure that it is a question that they could address at a future date. So, it is not limited to that. At least at this point with the CEDA in place we will provide those services, and we will make revenue from it. We would be looking at multiple years if an annexation was even desired to get it through that process. He just doesn't think with the schedule that the Air Force had for this site that would have worked out. They were always told that an annexation was not a possibility. Councilman Allen appreciates the fact that we are partnering and working with Synergy, the Base, Bath Township, and we are the first stop when it comes to anyone who wants to go on Base or coming off Base. He appreciates that conversation and then continuing to keep those doors open so that we can continue to have that conversation. Wright State is also a part of this as well as they are on that side of Fairborn. Mr. Gebhart stated none of this would have been possible without him and Mike McNamee working diligently with Terry Adkins, our Public Works Director, and his staff. Chief Williams and the Fire Department staff and Cherise Schell, our Economic Development Director. This was a collaborative effort on our part. It was worth the time it took to get it right.

Deputy Mayor Reaster thanked all those who worked on this and making sure that we looked ahead, not just in front of us, but down the road and making sure that we took care of our citizens and we came out in the black on this one. She appreciates everyone's time and energy.

Mayor Kirkpatrick said this is a win-win. As everyone said, a lot of work went into this. Other communities near military bases will look at us to see how we did it and they will see that this was done thoroughly and was well thought out. He thinks it is a great program and a positive mark for the City of Fairborn along with all the staff that was involved. This is truly an opportunity for the communities to work together for the common good.

Deputy Mayor Reaster moved to adopt Resolution 37-25. Councilman McCubbins seconded. Yeas, seven: Reaster, McCubbins, Allen, Chess, Fritzsche, Stanton, Kirkpatrick. Motion carried. Mayor Kirkpatrick declared Resolution 37-25 duly adopted.

RESOLUTION 38-25 APPROVING THE CITY OF FAIRBORN FIVE-YEAR FIVE-YEAR CAPITAL IMPROVEMENT PLAN (CIP).

Councilman Allen motioned to read Resolution 38-25 for the first time by title only. Deputy Mayor Reaster seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 38-25 by title only.

Terry Adkins, Public Works Director, explained he will present the 2026 projects and annual expenditures they see throughout the departments. These are the ones most relating to what Council will see at the end of the year for next years budget.

The City Chart requires the City to do a Capital Improvement Plan be submitted every year. It includes a summary of its contents, cost estimated, methods of financing and a timeline for the improvements. They start planning early in the year and it's given to the City Manager in early May for review and any revisions. The plan is then taken to the Citizens Capital Improvement Review Committee. They do those meetings typically in June and July. They break those up because there is so much information to present. After that there is another review and the final plan is on display at the library, publicized in the Daily Herald and a copy placed in the City Manager's Office.

Please see the attached Power Point presentation labeled Exhibit "A" which Mr. Adkins reviewed.

Staff recommends approval of Resolution 38-25.

Mayor Kirkpatrick opened the public hearing.

Mayor Kirkpatrick closed the public hearing.

Councilman Allen stated they went through this at a special work session and to talk through some of the challenges. He appreciates all of the departments providing an overview and trying to find some efficiencies. We made a conscious decision to cut back on capital projects for this coming year so that we can lower our debt.

Deputy Mayor Reaster stated is what the general public doesn't see is the amount of time and effort that the staff puts into taking a look at the wants versus the needs and being very fiscally responsible with the tax dollars we receive. She appreciates it.

Councilwoman Chess echoed Councilwoman Reaster's comments.

Councilman McCubbins is excited about that fully inclusive park in Rona Hills. It has been a long time since I've come.

Councilwoman Stanton thanked everyone for their hard work on this.

Mayor Kirkpatrick asked about the ADA curb ramp program. We have been working on this for years. How many more outside of the parks ADA curb ramps do we have to place. Mr. Adkins stated he wished he could give him a timeline they were going to be done, but those ones that when we started this need replaced. A lot of the original ones were mats, and some were bricks. Now, they are a stamped concrete method. Mayor Kirkpatrick

stated it sounds like it is going to be replacement costs and that is a very good program for the ADA compliance.

Deputy Mayor Reaster moved to adopt Resolution 38-25. Councilman Allen seconded. Yeas, seven: Reaster, Allen, Chess, Fritzsche, McCubbins, Stanton, and Kirkpatrick Nays, none. Motion carried. Mayor Kirkpatrick declared Resolution 38-25 duly adopted.

RESOLUTION 39-25 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SHI TO REPLACE THE CITY'S SERVER AND BACKUP STORAGE.

Councilwoman Stanton motioned to read Resolution 39-25 for the first time by title only. Councilman Fritzsche seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 39-25 by title only.

Jon Petty, ITS Director, explained this is to authorize purchase of server storage and backups. The primary storage is aging and nearly at full capacity, backup storage is undersized so they only identify critical data that they backup and ensure that they can restore from. That leaves them with some non-critical systems and non-critical information could potentially be at risk if we were to ever have an issue.

The risk of current system is service disruptions due to insufficient capacity, potential loss of non-critical system data and then our disaster recovery options are limited. There is an increased cybersecurity and operational risk, so basically some things will have to be redone if we are not able to back up all the data.

Staff budgeted $140,000 this year for this. SHI is a value-added reseller that quoted us $136,940.78. It was within our budget, and this was quoted using the Sourcewell cooperative purchasing agreement. They already did all the RFPs.

The value of the City would be expanded storage capacity to support City operations and give us a reliable backup across all of our data. It would give us a stronger disaster recovery because we are able to back up every piece of data. It is within the approved budget using the cooperative purchasing agreement. Staff recommends approval of Resolution 39-25.

Councilwoman Chess thanked him for his hard work to make sure the City is secure and that we have the necessary means to back up our data properly.

Councilman McCubbins commented that we never see Jon because if we do, there are issues. The second thing is that we have seen at least two of our neighbors who have experienced IT issues. He thinks the one in Huber ended up costing them nearly half a million dollars. A small investment of $140,000 to save half a million is really good. He thanked him for using the cooperative agreement as it saves the City a ton of money and it gets rid of all the red tape through the RFPs. He thanked Mr. Petty for all he does.

Councilwoman Stanton stated the type of work she does she works with companies that do manufacturing and logistics. A lot of people are moving to cloud storage, and they do that for security purposes. She asked if there is a future in that or is it in house. Mr. Petty stated it is a mix back and forth. Anytime you use a cloud provider for anything there is a shared responsibility for security. It has to be balanced on both sides. They have to be able to give you the controls to make sure that you can stay safe and you have to make sure you know how to set those controls and enforce that. Sometimes that is where people get mixed up. They assume the data companies are going to secure your data for you and it is the right thing, and that is not the case. There is a shared responsibility between both entities. It is kind of hard to determine who does what.

Councilman Fritzsche countered Rodney McCubbin's comment that you never see IT until there is a problem. An IT guy will tell you it's just the opposite. You don't go and see them until there is a problem. He thanked Mr. Petty for all of his work.

Deputy Mayor Reaster asked for our data retention guidelines with this being a government entity. Mr. Petty said it depends on the data they are retaining. Legal, Law Enforcement and EMS all have different guidelines. It depends on what they are backing up. Deputy Mayor Reaster said in short what she is saying is they are not keeping everything, indefinitely only the business-critical things. Mr. Petty stated they are making sure they only are keeping what they need to keep and can produce that whenever it is needed.

Mayor Kirkpatrick stated he is technically challenged, and Jon is on his speed dial. He is in Mr. Petty's office often. He thanked him for his work.

Councilwoman Chess moved to adopt Resolution 39-25. Deputy Mayor Reaster seconded. Yeas, seven: Chess, Reaster, Allen, Fritzsche, McCubbins, Stanton, and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Resolution 39-25 duly adopted.

CITIZENS COMMENTS

Mayor Kirkpatrick opened Citizens Comments.

Charlie Deer, 1819 N. Broad Street, commented that yesterday he had to go to New Carlisle. The entryway into New Carlisle says the Churches of New Carlisle Welcomes You. He liked that instead of carwashes, gas stations, and truck stops. They are a smaller town, but we are not that big either. We could do something like that. He is proud of the Mayor for standing up for two important decisions that have been made lately. He wishes he could say the same about the remaining Council. He said the one decision they made about the truck stop is going to bite you hard, but you did not do your own research you went by someone else's word. You are going to get what's coming. When he first started opposing that thing, when it first came down at Bath Township the only thing he thought about was him and his wife and what it was going to do for him and his wife. When he got over that phase and he started looking at the big picture. He still hates it for him and his wife, but you wait to see what it does to Fairborn. No one knows that area like he

does. He has been in that area for 25 years. He sees everything. He sees the wrecks that are going to be cause there. On one side he is giving away free Bibles while over here they are going to be doing drug deals. He just wanted to let Council know how disappointed he is in their decisions they made. He feels they would not have made them had they done their research.

Beth Renken, 1437 Graceland Drive, stated she really likes the efforts such as the Mayor's Forum, Ask the Mayor, and the small groups they are having to talk with the Council members. She is not sure how many people are coming out to do that and she is not sure how many questions they are getting but she is sure someone is going through them all. She thinks that is great that Council is reaching out and if the citizens aren't taking an opportunity to talk with you then shame on them. She does see the efforts that are being made. She gave kudos to Council for those efforts.

Ken Stanley, 358 North Elm, stated hearing Mr. Deere talk about the truck stop he came by there today and that area where the truck stop is going to be going in that area still has a land for sale sign up. Is it still going through? He also discussed the Fairborn Access Channel. He asked if there was a problem with that because he would normally watch this on that channel, but it shows up as inaccessible now.
Mayor Kirkpatrick closed Citizens Comments.

CITY MANAGER COMMENTS

Mayor Kirkpatrick stated that Mike Gebhart had to leave to attend another situation he had to attend to. He thanked Ms. McClure for providing City Manager Comments.

Robin McClure, Acting City Manager, reviewed the milestones for September 2025.
The Fairborn Citizens Academy begins tomorrow night from 6-8 p.m. in the Fire Training Room and there are 20 participants registered this year. The academy runs for 9 weeks beginning on September 3 and concludes with graduation on October 29th.

A few items for civic engagement include Coffee with Council, Tuesday, September 9th from 9 to 10 a.m. Dunkin Donuts at Five Points. A town hall meeting will be held on Monday, September 29th at 5:00 p.m. at the Fairborn Senior Center and the topic will be the public safety renewal levy request on the November 2025 ballot. Please see Emily Gay with availability for future events. For future planning in September the 9-11 ceremony will be held on Thursday, September 11, 2025, at Calamityville at 9 a.m. Hairborn will be Friday, September 19th in the Main Street Commons area from 4 to 10 p.m. The US Air Force Marathon is Saturday, September 20th downtown from 7:30 a.m. to 12:00 p.m. The Chamber Fall Car Show is on Sunday, September 21, 2025, from 8:00 a.m. to 5:00 p.m. The 445th Air Wing Honor Flight will be Sunday, September 21, 2025, at Wright Patterson Air Force Base with details to follow.

COUNCIL COMMENTS

Councilwoman Chess congratulated all the milestone recipients. It doesn't matter if you are a participant in our wonderful city for one year or 25 years you are valued. She

thanked everyone who came out to the Council meeting to voice their opinions or concerns about a dispensary in Fairborn. She understands that some of you may not have like the vote to do this. There are pros and cons, and they understand that, and those things will be worked out. She believes it's the right choice. She is happy to know that they are so concerned about their city that even if you don't agree that you would come out and give your opinion. She's feeling well. She had to go through chemotherapy for breast cancer, and she is doing well. She thanked everyone for their prayers, cards, flowers, and phone calls.

Councilman McCubbins congratulated the milestone recipients. He thanked all the citizens who came out tonight. Their voices and opinions are valued. They may or may not disagree and they may have formed opinions about what they have and have not done. Specifically what kind of research they have done. He cannot speak for his peers, but he can tell them he researches every single topic that they are going to discuss, and he forms his own opinion independently without talking to these peers. He knows some may not believe that. He had no idea what any of his peers were going to do on their vote tonight for or against marijuana. He learned at the same time as everyone else. He felt compelled however, because there is such strong opinions to make his opinion known about marijuana on a personal level he is opposed to marijuana. He is opposed to all drugs. He is a father of a former heroine addict. She has been clean for 12 years and has done wonderful things with her life since she is cleaned up. It is a gateway drug. He knows that. He has done all his research, and he has lived it. Alcohol is a gateway drug also. We see a lot from alcohol. Cigarettes are also another bad one. Cancer from cigarettes is the number one leading cause of cancer in the world. It kills almost 2 million people a year. Roughly 150,000 people in the United States as the second leading cause of cancer and only has an 18 percent five-year survival rate, but yet you can buy it on each and every street corner in every City. We as a city, state, and federal government have not done our due diligence to curtail or curb that either and this is causing us as taxpayers a lot of money. He works in the medical career field and has for the last 32 years, and we survive off of cancer. This is almost 100 percent preventable. Alcohol accounts for 3 million deaths annually worldwide. That is 6 percent of deaths worldwide. Again, you can buy it on every street corner. In fact, the State of Ohio regulates what you can and can't do. He knows at one point during his four-year term the City was approached wanting us to increase the number of liquors permits in the City because they didn't have enough. We thought it was selfish, and we did not pursue that. On a personal level he is opposed to marijuana, and he won't support it, but he made his decision as a Councilman and not on a personal level because we are supposed to take our personal feelings out of it and make a decision based on other factors. That is exactly what he did. He ended with saying thank you to everyone that came out tonight and spoke. Please don't hesitate to reach out to any Council member or all of them and let them know what is on your mind.

Councilwoman Stanton thanked the milestone recipients and for those who came out to the meeting. They're all very open to hearing from each other.

Councilman Fritzsche stated Mayor Kirkpatrick made a comment about some people still driving to Michigan because it's cheaper. Even though in most states it's legal, it's not

legal to transport it and it is a federal crime if you do. He said the 9/11 ceremony is a great memorial to attend. He congratulated the milestone recipients.

Councilman Allen thanked all those who attended the meeting. He feels it's awesome to attend this session and have a respectful conversation about something we don't all agree on. Sometimes, it doesn't happen like that, and he appreciates the confidence and the struggle of his colleagues it is not an easy decision to think about the marijuana issue. He has been around marijuana all of his life at 65 years of age and all kinds of other drugs. It is not his thing. What he appreciates about this particular opportunity is the regulation. He thinks Ms. Renken said it very well it is the regulation and to be able to educate and help people understand the hazards of doing illicit drugs. He congratulated the milestone recipients. He congratulated the Fairborn Skyhawks football team. Please enjoy some of the upcoming festivities this month.

Deputy Mayor Reaster thanked all the milestone recipients. She also thanked everyone for all the comments and questions and concerns. She did want to emphasize Rodney's points. A lot of assumptions are made at how they arrive at their decisions up here and very few times someone has reached out and asked them directly how they arrived at their decisions. So, be careful with those assumptions. They are all approachable. Whether you send a message, an email, or catch them at Kroger or Dair Queen. She alluded to the fact earlier that she did not take this decision very lightly. She has seen the personal impact not only with her brother and his battle with cancer, but she has also seen friends and family and her best friend has a sister that is struggling with addiction. The decision did not come lightly. It came with a lot of sleepless nights and research and a lot of concern, knowledge, and feedback. She respects and understands that you may not agree with her decision. She is not here to make her personal opinions on her vote. She is here to represent almost 35,000 people and those people showed up at the polls. Again, show up to the polls. If there was ever a point to be made, every vote counts.

Mayor Kirkpatrick congratulated the milestone recipients. He appreciated everyone coming out tonight. He stands by his comments on the marijuana issue. He believes 100 percent in what he said and if someone wants to discuss it, he welcomes that opportunity. He had the luxury of being retired and he had the opportunity to speak to a lot of people and the vast majority he spoke with over the last couple of months reflect the opinion in his vote tonight. He announced the upcoming Council Work Sessions and Council meeting on September 15th and October 6th. He announced the Halloween Festival is October 17-19th in downtown Fairborn. This is a huge event.

ADJOURNMENT

Councilman Allen made a motion to adjourn the meeting. Councilman Fritzsche seconded the motion. Yeas, seven: Allen, Fritzsche, Chess, McCubbins, Reaster, Stanton, and Keller. Nays, none. Motion carried. The meeting was adjourned at 8:03 p.m.

MAYOR

CLERK, CITY OF FAIRBORN


Five-Year Capital
Improvement Plan
2026-2030
Resolution 38 - 25
FAIRBORN
A CITY IN MOTION

City of Fairborn
Charter Requirement

- Conforming to Section 5.05, a five-year capital program is to be prepared and submitted to City Council at least three months prior to the final date for submission of the budget.

- The capital program shall include:
  1. A clear general summary of its contents;
  2. Cost estimates, method of financing and recommendation of time schedules for each such improvement; and
  3. Any estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

FAIRBORN
A CITY IN MOTION

Overall Capital Improvement Review Schedule

- Staff Preparation February – April
- City Manager Review in May
- Revise and present to 5 Year Capital Improvement Review Committee on June 23rd, and July 28th.
- Revise and present to City Council at Work Session on August 11th
- Prepared for public review from August 18th, until September 1st. Posted Online, at Fairborn Library and the Gov't Center in City Managers Office.
- Public Hearing and Adoption via resolution on September 2nd.

FAIRBORN
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CITY STREET STATISTICS

- 480 Streets
- 141 Centerline Miles
- 311 Lane Miles

FAIRBORN
A CITY IN MOTION

ANNUAL PROJECTS

FAIRBORN
A CITY IN MOTION

	Project	Year	Cost	Funding
1	Street Improvements	2026 2027 2028 2029 2030	$1,250,000 $1,500,000 $1,500,000 $1,500,000 $1,500,000	Street Levy
2	Curb-Sidewalk-Approach (City portion)	2026 - 2030	$40,000/year	General Capital
3	ADA Curb Ramp Program	2026 - 2030	$60,000/year	License Fees
4	Development Inspection Services	2026 2027 2028 2029 2030	$50,000 $55,000 $55,000 $55,000 $55,000	Developer Fee

FAIRBORN
A CITY IN MOTION

	Project	Year	Cost	Funding
5	OPWC Loan Repayment: Ohio & Wright	2026-2030	$11,210/year	License Fees
6	OPWC Loan Repayment: Broad Street	2026-2030	$13,334/year	License Fees
7	OPWC Loan Repayment: Central Reconstruction	2026-2030	$16,667/year	License Fees
8	OPWC Loan Repayment: Yellow Springs Fairfield	2026-2030	$23,375/year	License Fees
9	CENTRAX Traffic Monitoring	2026 2027 2028 2029 2030	$68,250 $68,250 $47,250 $37,250 $37,250	License Fees
10	PCI Street Rating and Data Collection	2029	$65,000	License Fees

FAIRBORN
A CITY IN MOTION

CAPITAL IMPROVEMENT PROJECTS

FAIRBORN
A CITY IN MOTION

	Project	Year	Cost	Funding
1	Construction Contingency Funds	2026 2027 2028 2029 2030	$575,303 $295,000 $285,000 $200,000 $250,000 $1,605,302	Street Levy
2	Broad Street Phase 4 (Central to Xenia)	2026	$1,579,684 $1,673,340 $800,000 $4,053,023	Street Levy STP Grant OPWC Grant
3	Wright Avenue Bridge Removal	2026	$800,000	Street Levy
4	Beaver Valley Concrete Repairs	2026	$750,000	Street Levy

FAIRBORN
A CITY IN MOTION

	Project	Year	Cost	Funding
5	Xenia Drive Concrete Replacement & Reconstruction	2026 - 2027	$1,650,000 $500,000 $2,150,000	Street Levy OPWC Grant
6	Kauffman Avenue – Intersection Improvements	2026 - 2027	$850,000 $200,000 $1,050,000	Street Levy County License Fee

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Water and Sewer Utilities
Capital Improvement Plan
Overview and Statistics
2026-2030
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Recurring Ops Budget/Emergency Funds

Source	Project	2026 - 2030
WATER	Growth Project Infrastructure Support	$50,000
	Mad River Wellfield - Well Redevelopment & Pump/Motor Replacement	$65,000
	Water Main Oversizing	$60,000
	Water Main Valve/Hydrant Replacement	$50,000
STORMWATER	Catch Basin Repair	$40,000
	Storm Sewer Repair	$40,000
	Storm System Nuisance Control	$20,000
	Replace Pipe and Pour Catch Basins	$50,000
	Consulting Service MS4 Technical Support	$20,000
SEWER	Service and Clean Non-potable Wells	$20,000
	Growth Project Infrastructure Support	$50,000
	Manhole and Sewer Rehabilitation	$50,000
	Sewer Main Oversizing	$60,000

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2026 to 2030
Water Fund Projects

Project	2026	2027	2028	2029	2030
Apple Street and Date Street Water Main Replacement - Construction	Planning Year	$800,000	Planning Year		Planning Year
Clear Well Rehabilitations		$200,000			
Generator Replacement		$300,000			
Water Treatment Plant Building Exterior Repairs				$125,000	
Beech Street and Fig Street Water Main Replacement - Construction				$1,000,000	
Annual Totals		**$1,300,000**		**$1,125,000**	

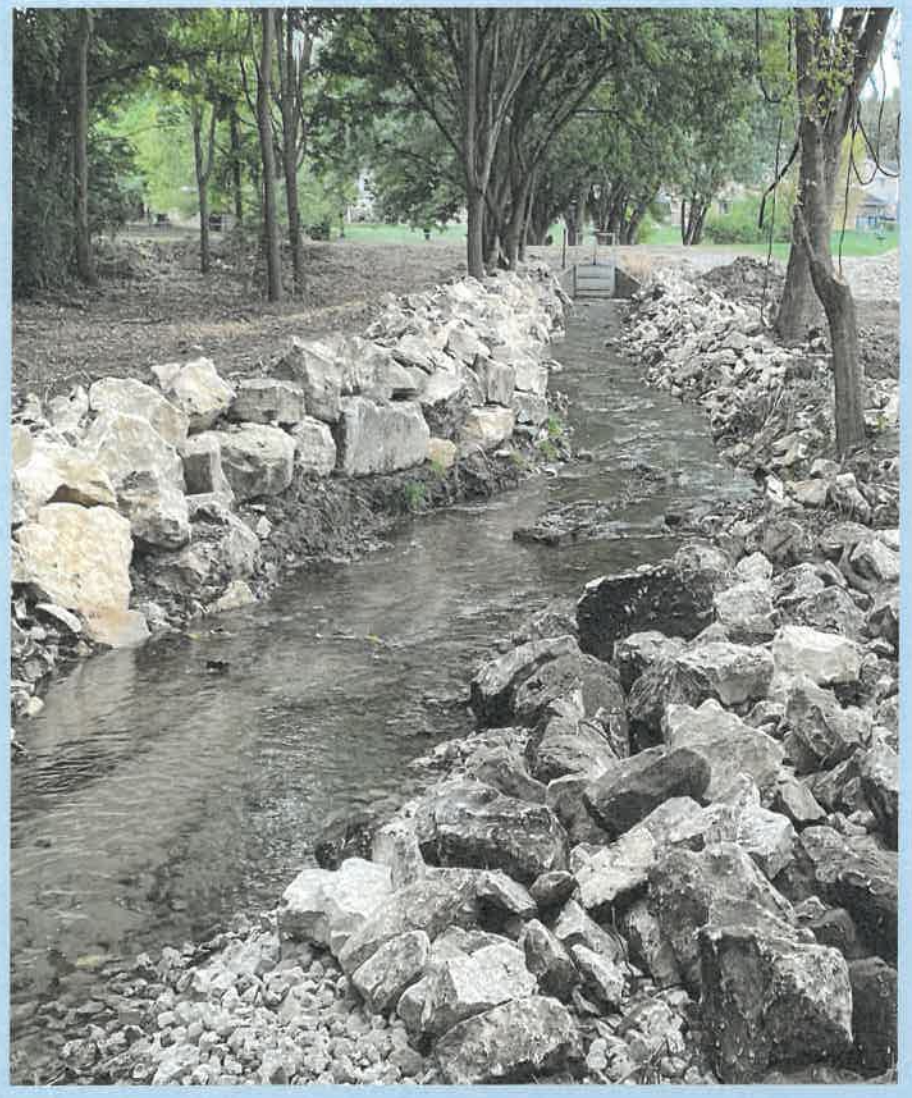
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Annual Recurring Capital Improvements Projects

Activity	2026 - 2030
Sanitary Sewer Rehabilitation	$300,000
Total Annual Recurring	**$300,000**

2026 Projects

Project	Cost
Main Lift Station- Sluice Gate Installation	$115,000
Broad Street Phase 4 - Engineering Project	$150,000
Water and Sewer Jet-Vac	$700,000
Water Reclamation Front End Loader	$300,000
Water and Sewer Utility Truck (1 of 2)	$350,000
2026 Total	**$1,615,000**



Stormwater Capital Plan

2025-2029

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Storm Sewer System

- Hebble Creek
- Beaver Creek
- Catch Basins
- Storm sewer mains
- Ditchlines
- Detention areas



May 2023 – Garland and Commerce



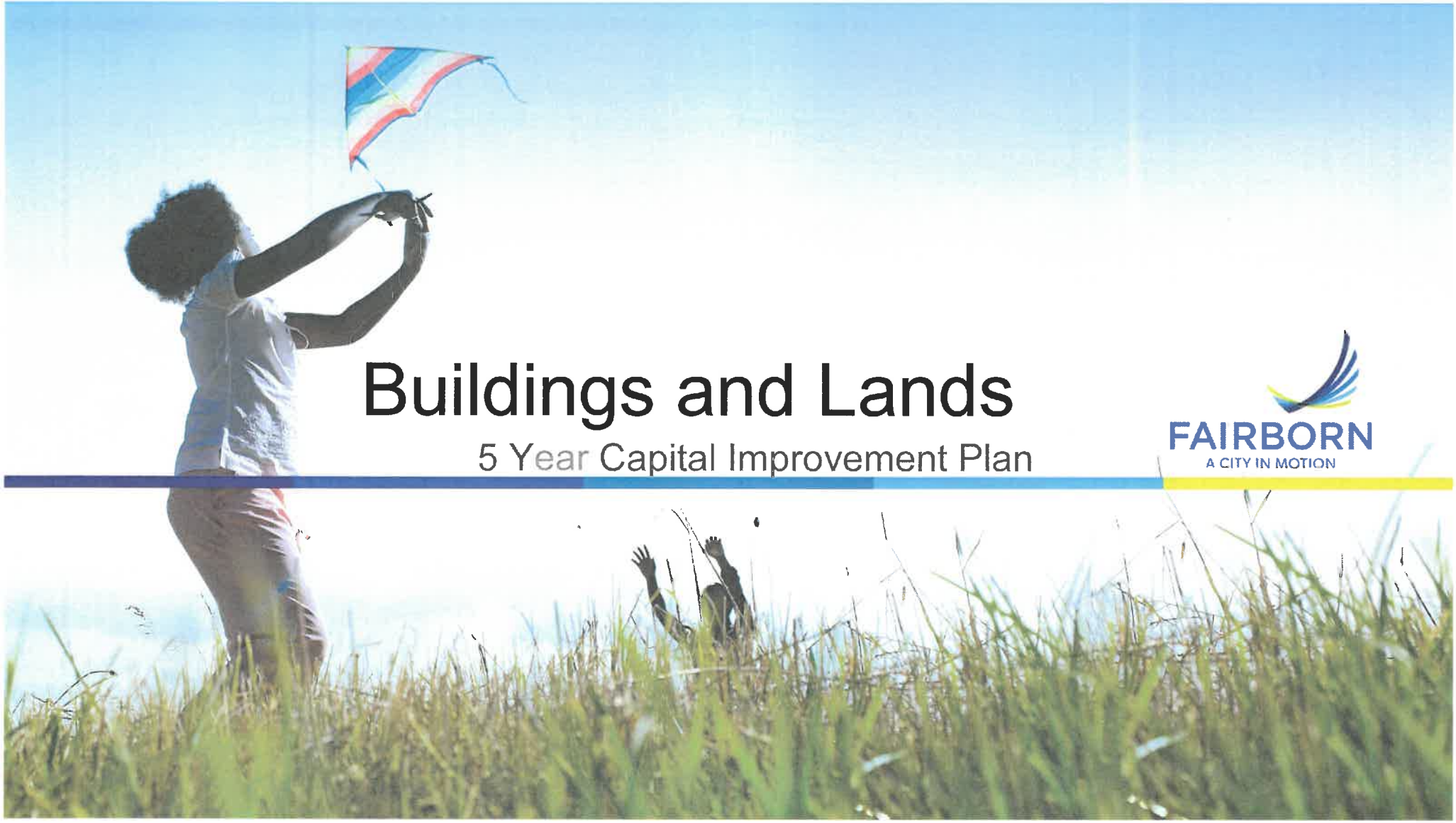
June 2023 – Garland and Commerce

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2026- 2030

Project	2026	2027	2028	2029	2030
Dayton Yellow Springs Ditchline Construction	Planning Year	$600,000			
Mitman Park Storm - Design			$350,000		
Mitman Park Storm Phase 1 - Construction				$2,000,000	
Mitman Park Storm Phase 2 - Construction					$2,000,000
Annual Totals		**$600,000**	**$350,000**	**$2,000,000**	**$2,000,000**

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Buildings and Lands

5 Year Capital Improvement Plan

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BUILDINGS AND LANDS
5 YEAR PLAN

Annual Operating Expenditures:

Annual Anticipated Costs, Building Repairs - $45,000-$55,000
Annual HVAC Maintenance agreements - $30,000-$45,000

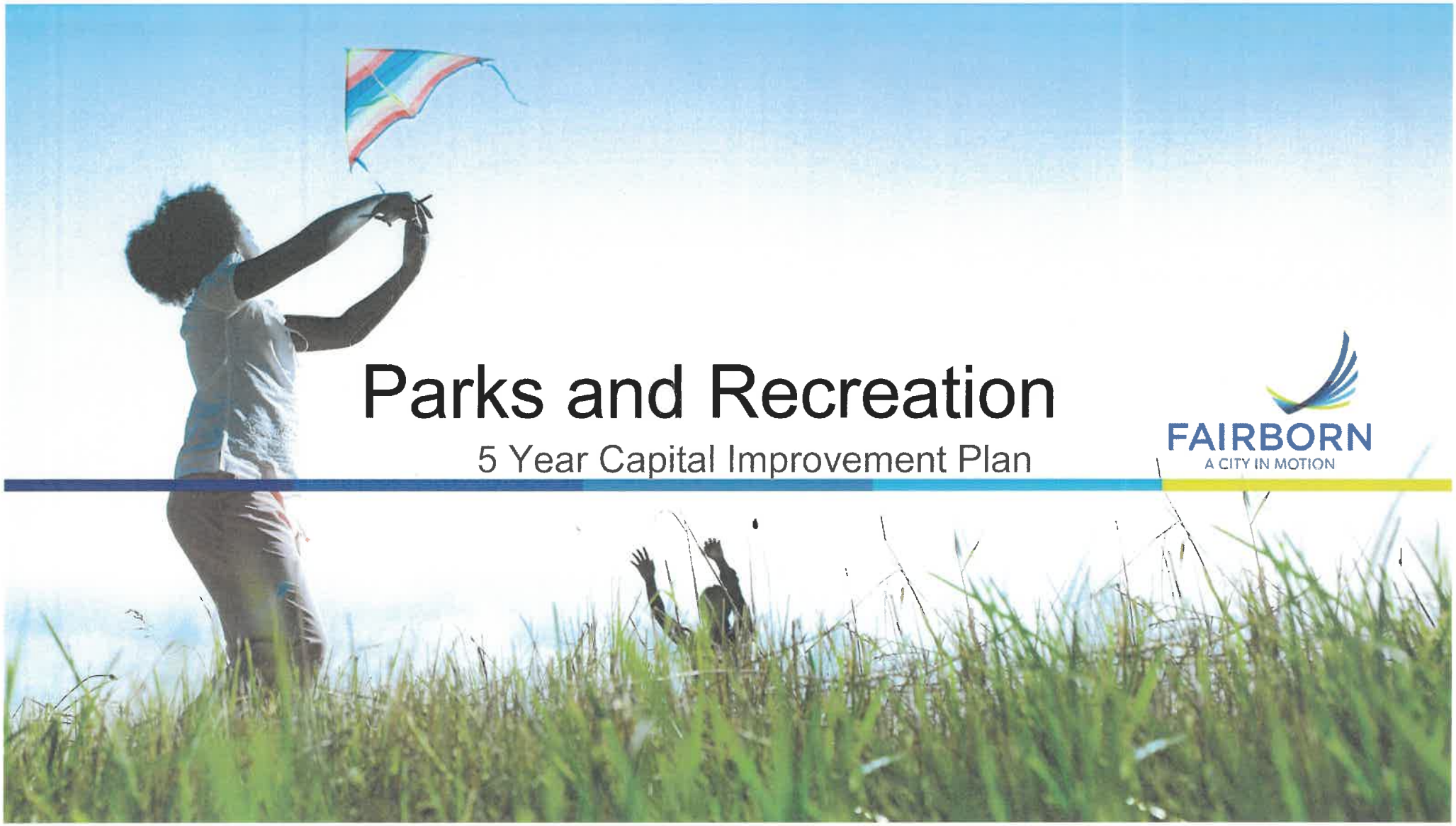
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BUILDINGS AND LANDS
5 YEAR CAPITAL IMPROVEMENT PLAN

2026 Projects

Replace Digital Sign on DYS Rd.	$125,000
Government Center-Gutter Waterproofing	$220,000
	$345,000

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Parks and Recreation

5 Year Capital Improvement Plan

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PARKS AND RECREATION
5 YEAR PLAN

Annual Operating Expenditures:

Park Equipment at Various Parks	$30,000-$40,000
Playground Updates at Various Parks	$15,000-$25,000

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PARKS AND RECREATION
5 YEAR CAPITAL IMPROVEMENT PLAN

2026 Projects

ADA Sidewalk Plan for Parks	$ 10,000
Mercer-Smith House Preservation	$ 175,000
Lights @ Community Park Basketball Courts	$ 80,000
Fully Inclusive Playground at Rona Park	$ 350,000
Park Sport Courts-Resurfacing	$ 50,000
	$ 665,000

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Police Department



5-Year Capital Plan

2026 - 2030

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2026 – 2030 Police Department Expenses

2026 – 2030 Police Department "ANNUAL OPERATIONS EXPENSES"

❑ Uniforms and Related Equipment (Operating Budget)	$7,000 - $8,000
❑ Building Maintenance (Operating Budget)	$5,000
❑ (3) APX N50 Portable Radios (CIP)	$18,000
❑ Miscellaneous Equipment (Operating Budget)	$5,000
❑ (2) Vehicle Mobile Data Computers (Operating Budget)	$5,000 - $6,000
❑ Soft Body Armor (Operating Budget)	$7,700 - $8,000
❑ Lenco BearCat Lease (CIP)	$26,500
❑ (2) Vehicle Modems (Operating Budget)	$8,000

POLICE FAIRBORN

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2026 Capital Improvement Plan Projects

2026 Police Department Expenses

❑ (2) Patrol Cruisers	$160,966
❑ Unmarked Vehicles (lease buyout/ new vehicle)	$50,894
❑ Flock Cameras	$45,000
❑ Taser 10 Contract	$36,000
❑ Dispatch Desk Chairs (Operating Budget)	$8,000
❑ (2) Vehicle Radars	$4,000
❑ Body Worn Camera Contract	$45,540
❑ In Car Camera Contract	$40,800
❑ Computer Soft/Hardware(2107 Fund Operating Budget)	$10,000
❑ (1) Vehicle Radar (2113 Fund Operating Budget)	$2,200
❑ Computer Equipment (2114 Fund Operating Budget)	$2,000

POLICE
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Fire Department

5-Year Capital Plan

2026-2030

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2026-2030 Fire Department Expenses "OPERATIONS"

Miscellaneous Fire Equipment	$45,000
Misc. Hoses and Equipment	$24,000
Turnout Gear	$65,400
Station Training / Health & Wellness Equip.	$13,000
EMS Equipment	$80,987
Computer Replacements	$8,000
800 MHz Radios	$25,000
Bath Twp. Capital Equipment (Reim.)	$25,000

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2026 Fire Department Projects

New Medic (may not be delivered until 2027)	$385,875
Replace Two Staff Cars (2017 and 2019)	$160,000
Staff Vehicle Lease – Fire Marshal	$11,800
Lifepack, cots, other capital & Service/Maintenance	$125,000
Buildings & Attached Equip (1 Fire Station floor)	$30,000
Fire Administration – Bathrooms, new paint, carpet	$60,000

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QUESTIONS?

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