CITY OF FAIRBORN
COUNCIL MEETING
December 1, 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

Barker, Browning, Cappelli, Gay, Gebhart, Jacobs, McNamee, Petty, Riggs, Roman, Sanders, Schell, and Taylor.

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

APPROVAL OF MINUTES

Councilwoman Chess moved to approve the minutes of the November 17, 2025, Council Work Session. Councilman Allen seconded. Voice Vote. Motion carried. Mayor Kirkpatrick declared the minutes approved as written.

Deputy Mayor Reaster moved to approve the minutes of the November 17, 2025, Regular Council Meeting. Councilman McCubbins seconded. Voice Vote. Motion carried. Mayor Kirkpatrick declared the minutes approved as written.

PRESCHEDULED

Cherise Schell, Development Services Director, presented Kathleen Riggs, City Planner, with her 10-year milestone.

Mayor Kirkpatrick read a Little Tykes Shop Proclamation declaring Friday, December 5, 2025, from 5:00 to 8:00 p.m. and Saturday, December 13, from noon to 3:00 p.m. as Fairborn Little Tykes Shop Days in the City of Fairborn. Marilyn McCauley and her wonderful elves accepted the proclamation. Ms. McCauley stated over the two years that they have been doing this and they have served about 450 kids and about 2,200 gifts. It keeps the elves busy. She thanked the community who helped with donations. They had a previous elf who made a big donation that they found after she was gone. She encouraged them to bring the children out to shop.

OLD BUSINESS

ORDINANCE 32-25 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $1,611,792 FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE PROJECTS.

Deputy Mayor Reaster motioned to read Ordinance 32-25 for the second time by title only. Councilwoman Stanton seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Ordinance 32-25 by title only.

Hilary Browning, Finance Director, explained Heather Meyer from Bradley Payne Associates was present at the meeting. They are the City's municipal advisors for all of our bond deals. We are required to have at least bond counsel, but they also have municipal advisors to help us structure these deals to give us the best possible advice about our debt issuance. This is a little bit different than what we have done in the past. She wanted to have Bradley Payne here to provide that support and some justification for our new debt service protocol. She explained this would be the very first Ordinance. These are actually refunding bonds. Ms. Meyer explained how the process works for the City to issue any debt. Ms. Meyer pointed out that the City's credit rating is Aa2, which indicates lower rates in the market or at the bank level as well. Mrs. Browning explained in February of this year the City issued $1.75 million in public safety and court project BANs. These are bonds that mature annually which means they are paid off annually or reissued annually. This Ordinance 32-25 will provision them to retire the Bond Anticipation Notes when they are due in February of 2026. They are seeking approval to issue bonds for the remaining amount plus issuance costs which are not to exceed $1,611,792. This Ordinance also allows them the flexibility of term so that the City can obtain the best possible rates. It allows for a term that is no less than 5 years and no greater than 16 years. The reason it is 16 years is because they have rolled these notes multiple times and we do not have the full length of the 20 or 30 years left because of the amount of time that we have rolled them. Therefore, the maximum number of years that they can get on this bond refunding is 16 years. Again, this all depends on the rate. They are trying to reduce costs for the City while getting the longest term they can get so they don't have the recurrent costs of issuance annually.

They are including in this issuance a permanent paydown on the municipal court roof project. It only has $142,000 left. They would like to pay this off instead of bonding it because it has such low amounts. This issuance calls for them to pay off that amount, and it also includes about $74,000 in issuance costs. Staff recommends approval of Ordinance 32-25.

Mayor Kirkpatrick opened the public hearing.

Mayor Kirkpatrick closed the public hearing.

Councilman Allen stated she has walked them through this for the biggest part of the summer and spring when they started talking about what they are going to do next. He

thinks they have made those positive steps in the budget with intentional steps to draw down the budget. He thanked her for the presentation.

Deputy Mayor Reaster thanked them both for the presentation, detailed read ahead and the detailed explanations. She appreciates their hard work.

Councilwoman Chess thanked her for her hard work.

Mayor Kirkpatrick thanked her for her hard work. It sounds like Fairborn is doing pretty good.

Deputy Mayor Reaster moved to waive the requirement that Ordinances be read on three separate occasions and Ordinance 32-25 be read for the third time by title only. Councilwoman Stanton seconded. Yeas, seven: Reaster, Stanton, Allen, Chess, Fritzsche, McCubbins and Kirkpatrick. Nays, none. Mike McNamee, City Solicitor, read Ordinance 32-25 by title only.

Councilman McCubbins moved to adopt Ordinance 32-25. Deputy Mayor Reaster seconded. Yeas, seven: McCubbins, Reaster, Allen, Chess, Fritzsche, Stanton and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Ordinance 32-25 duly adopted.

ORDINANCE 33-25 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $2,488,208 FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS MUNICIPAL WATER SYSTEM PROJECTS.

Councilwoman Stanton motioned to read Ordinance 33-25 for the second time by title only. Councilman McCubbins seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Ordinance 33-25 by title only.

Hilary Browning, Finance Director, stated this Ordinance is providing for the issuance and sale of bonds in a not-to-exceed amount of $2,488,208. The reason these are two Ordinances is because Ordinance 32-25 was a General Fund Ordinance. Ordinance 33-25 is for our Water Fund. This one is a little larger. We issued a little bit more than $3.1 million in BANs for waterlines, mains, and other water upgrades. In total we had about $4.2 million in total BANs for the Water Department. They are maturing annually. They are requiring payoff by cash or by reissuance and they are coming mature in February 2026. They are seeking an amount not to exceed $2,488,208 and that is because they are hoping for a very aggressive pay down schedule that is funded mostly from PFAS proceeds. The term here is 5 to 20 years. These notes have not been rolled for as long and it is utility debt. For both of those reasons, they have a bit more generous terms they can work with here. The goal is to have flexibility on the term so they can get the best possible rate. Staff is provisioning for a paydown of $1.8 million utilizing those proceeds from 3M from PFAS settlement dollars. They have issuance costs of about $114,379 so the total not to exceed amount is $2,488,208. This is an aggressive payoff. It might be the largest payoff yet, as these BANs have been rolled for quite some time and then

issuing some new debt in the cap. This is an aggressive move, but one that is needed for the water fund. Water revenues pay for this debt and absent of that we would have a hard time with the revenue that we have in the Water Fund paying down this debt it would take us a very long time if we were not getting an aggressive paydown schedule and then bonding out the rest that we could not pay down this year. Staff recommends approval of Ordinance 33-25.

Mayor Kirkpatrick opened the public hearing.

Mayor Kirkpatrick closed the public hearing.

Deputy Mayor Reaster stated this is an excellent use of the PFAS money. She is excited to see the City reduce the debt.

Mayor Kirkpatrick thanked Mrs. Browning for the work that went into this.

Councilwoman Chess moved to waive the requirement that Ordinances be read on three separate occasions and Ordinance 33-25 be read for the third time by title only. Councilman Fritzsche seconded. Yeas, seven: Chess, Fritzsche, Allen, McCubbins, Reaster, Stanton, and Kirkpatrick. Nays, none. Mike McNamee, City Solicitor, read Ordinance 33-25 by title only.

Councilman Fritzsche moved to adopt Ordinance 33-25. Deputy Mayor Reaster seconded. Yeas, seven: Fritzsche, Reaster, Allen, Chess, McCubbins, Stanton and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Ordinance 33-25 duly adopted.

ORDINANCE 34-25 AN ORDINANCE AMENDING VARIOUS SECTIONS AND CREATING NEW CHAPTER 1136 OF THE FAIRBORN CODIFIED ORDINANCES TO ESTABLISH REGULATIONS GOVERNING MARIJUANA DISPENSARIES.

Deputy Mayor Reaster motioned to read Ordinance 34-25 for the second time by title only. Councilman Allen seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Ordinance 34-25 by title only.

Kathleen Riggs, City Planner, stated these zoning text amendments are about setting the parameters for the one dispensary that is approved to locate in the City of Fairborn. The City of Fairborn is the applicant in this case. She reviewed the background. In 2023 the State of Ohio approved the legalization of the sales of adult use marijuana. Since 2024 the City has enacted several moratoria on dispensaries locating in the City. That was in order to study the state regulations that were coming out as well as monitoring those rules that were going to be established and then to develop the appropriate policy here at the City. The moratorium is scheduled to end on December 31, 2025. In September of this year a policy was established that limits the number of dispensaries in the City to one. These text amendments as an overview are to provide regulations on the location, design, and the operation of that single dispensary. These regulations are intended to ensure that this facility operates safely, maintains compatibility with surrounding land uses, and

protects the public health, safety, and welfare. She explained they have amended some sections of the zoning code and they added a new Chapter 1136 to the zoning code. A dispensary will be a conditionally permitted use in the Light Industrial Zoning District. The dispensary will be located greater than 1,000 feet from churches, schools, parks, other dispensaries, or establishments selling spiritous liquor. Other regulations that were set is that drive-through and delivery would be prohibited unless approved by the State. Building design and development standards and adequate buffering, traffic circulation, landscaping, lighting, architectural design, and renewal requirement for the conditional use permit were also spelled out. They also set operational standards as far as hours of operation and requiring continuous video surveillance and on-premises consumption would be prohibited.

She discussed the feedback they received. They did receive a letter from Robert Zimmerman of Benesch Law, who is the firm representing Green Thumb Industries. This is a cannabis company who has existing dispensaries in the State of Ohio and who are looking to locate in Fairborn. They are not in favor of the proposed text language, and they would like to see dispensaries located in more commercial districts. Planning Board did have extensive conversation at their meeting on November 12, 2025. They did go over the rationale to locate in the light industrial zoning district. This is appropriate due to the lack of sensitive areas that are in that zoning district. The location is away from schools, churches, parks, and libraries. It would meet those proposed setbacks they are proposing in the Ordinance. The light industrial zoning district is usually more separated from our residential districts, and it also seemed more prudent to enforce any loitering restrictions, the no on premise use as well as those heightened security protections.

Staff researched cities throughout the State including Columbus, Canton, Cleveland, Brooke Park, and Westerville to provide guidance on the language. Approximately half of these cities that were researched designated dispensaries to be located in Industrial Zoning Districts. State legislation gives cities the right to establish these regulations and provide guidelines on design, location, operations, and administrative review.

Lastly, a dispensary has always been listed as a separate use in our Zoning Code, and it will continue to be listed as a separate use, apart from retail sales and services. Once the moratorium expires at the end of the year this language will be in place to regulate that single dispensary.

Mayor Kirkpatrick opened the public hearing.

Robert Zimmerman, the same Robert Zimmerman who was mentioned by Ms. Riggs. He congratulated her on her 10 years with the City. He stated he is a partner with the Benesch Law Firm in Cleveland. He was here in March at the work session, and he was also here in September when they passed the single dispensary. As they got to know each other a little bit they may recall that he spent 16 years as a member of City Council in his hometown of Shaker Heights.

He explained Green Thumb Industries is an industry leader of vertically integrated cannabis company. He did submit the letter, and he is not going to repeat it as he is sure Council read it and there should not be anything that he says that would be unfamiliar,

but there is one point that he really wanted to emphasize. As they talked about in March, right now, in your retail districts people in Fairborn, whether they live here or not, can go into stores and buy unregulated Hemp derived THC products which may provide the same type of effect as legalized medical and adult use marijuana. They saw those products. Those are the pop-up smoke shops, the gummies, the candy and vapes that are being sold in their commercial districts on an unregulated basis. The Light Industrial recommended zoning here essentially puts the legalized cannabis that the voters in the State of Ohio and a substantial amount of Fairborn's own voters what they legalized that puts that legalized, regulated product on an unequal footing. They are splitting in terms of commercial sales than the unregulated Hemp derived THC sales. That is what this zoning amendment would accomplish. He would ask Council to respectfully think about that and the implication that could have for children and those that want to use the product for medical or recreational reasons.

In addition to the letter, he would just mention to Council while they did adopt the single dispensary and plan on lifting the moratorium after the completion of this product. The reality is the Light Industrial zoning designation that is effectively a permanent moratorium. It is a permanent moratorium by another name. As he thinks they know the Light Industrial District is not suitable for individual sales. That is not what it is for, you don't see that there. There is not an inventory of buildings that allow that type of sale. It is unsuitable for that type of commercial experience. He would also mention that he drove through the area on his way to the Council meeting to familiarize himself with the LI area. Not only is it not suitable for retail sales, but you can also see any of them was very dark. It seemed like an uncomfortable place to buy legalized cannabis. He knows they are supposed to have lighting under the design standards but that is just that particular area. The whole surrounding area is not welcoming and again it is very dark. He would say from the perspective of a company like Green Thumb Industries, they consider themselves an industry leader. The gold standard and they want to provide a first-class retail experience for your consumers, and they cannot do that from the Light Industrial zoning district. He suspects what may end up happening here if this ends up passing, they are going to get a company that locates there that they don't want in Fairborn. One that does not have the reputation or the experience of Green Thumb Industries. He completely understands where they come from. There are other institutional organizations that are concerned about the location and the 1,000-foot buffer and they completely understand that, but the light industrial zoning district is inappropriate for this type of sale. He knows that Cleveland was mentioned. He lives in Cleveland and knows for a fact that there are cannabis companies located in the commercial areas of Cleveland, not very far from his office. So, there is another way. He respectfully urged the members of Council to reject the Planning Board's recommendation. They respect the efforts that have been made by Ms. Riggs and Council, but perhaps there is an even more direct act than a rejection. Please don't pass this tonight. It is a big deal. He asked that it go through all three readings and it could require a little more consideration.

Mayor Kirkpatrick asked Mr. Zimmerman to take a seat to see if there were any other people wanting to make public comment.

Mayor Kirkpatrick closed public comments.

Councilman Fritzsche had no questions.

Councilman Allen thanked Mrs. Riggs for the presentation. He explained they have been discussing this for a long time. He thanked Mr. Zimmerman for his presentation and for bringing this team and educating Council on the other side of this particular issue. He wanted to say this is a tough situation when the voters vote for a certain thing and Council has to balance that in the City. They still have some decisions and choices to make and that was all he had to share.

Deputy Mayor Reaster echoed all of Councilman Allen's comments. She does have concerns about the THC, and she is hopeful the state legislation will continue working on making sure that we take care of those opportunities. Clint is right. It is a tough balance to balance legally all the things, the codified ordinances, the citizens requests and wants and needs. The decision is not made lightly whatever that may be. She thanked both Ms. Riggs and Mr. Zimmerman for their presentations.

Councilwoman Chess did not have any comments because they have been over this many times. As her colleagues said it is a very tough decision, but again Mr. Zimmerman thank you for your input. They appreciate it.

Councilman McCubbins had no questions. He thinks Clint said it eloquently. It is a tough decision, and they are going to make that decision and stand behind it, no matter what it is.

Councilwoman Stanton stated she also brought up in the work session the question of is this an effective moratorium. Her intention is not that they would do that and the feedback she received from knowledgeable folks is that this industry has the money to build a facility in this location. She stated marijuana is not for her at this time, but she would think if she is going to go get it, she does not think she would mind going to our light industrial areas. We drive through them to go to parks. It is not like it is near an oil refinery. She thinks all the areas are nice and maybe even provide some privacy. She asked Mr. Zimmerman if he was saying definitely that Green Thumb would not be investing in a facility in our Light Industrial Zoning areas. Mr. Zimmerman stated he could not say that directly, but he can just say from an economic and business standpoint they have deep concerns about the zoning. He again can't emphasize enough how much they respect the effort and the study that has gone into it. It is a tough decision, and it is a balancing act. Obviously, Green Thumb Industries has to make its own decisions and do its own balance.

Mayor Kirkpatrick has several comments about this. He appreciates the work that has gone into this. City Council has met extensively and talked about this in work sessions. The vote in November of 2023 was to legalize the use of marijuana. It was not to establish dispensaries. He has the verbiage from the November 2023 ballot. It did not say for communities to establish marijuana dispensaries. The moratorium that Council placed was for us to look very carefully at this and he thinks they have done that. Mr. Zimmerman in all do respect he is going to disagree as was mentioned, you can be anywhere in Fairborn in about 15 minutes. It is not a matter of placing something in such a faraway place that people can't get to it. Light Industrial there are several places in Fairborn where this could be located. He is the one Council member that voted against the dispensary.

His background is working in mental health. He spent over 35 years working in mental health. He is not a fan of this, and he thinks most people that know him know that. He thinks Planning Board put a lot of thought and effort into this and Council has put a lot of effort into this. He knows Kathleen Riggs' office has looked very carefully into this. He appreciates Mr. Zimmerman's presentation. All due respect; Council is going to have to decide on this.

Deputy Mayor Reaster moved to waive the requirement that Ordinances be read on three separate occasions and Ordinance 34-25 be read for the third time by title only. Councilman McCubbins seconded. Yeas, seven: Reaster, McCubbins, Allen, Chess, Fritzsche, Stanton, and Kirkpatrick. Nays, none. Mike McNamee, City Solicitor, read Ordinance 34-25 by title only.

Councilwoman Stanton moved to adopt Ordinance 34-25. Deputy Mayor Reaster seconded. Yeas, seven: Stanton, Reaster, Allen, Chess, Fritzsche, McCubbins and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Ordinance 34-25 duly adopted.

Deputy Mayor Reaster called for a point of order. She made a motion to add an item to the agenda. Councilman McCubbins seconded. Yeas, seven: Reaster, McCubbins, Allen, Chess, Fritzsche, Stanton and Kirkpatrick. Nays, none.

Deputy Mayor Reaster made a motion to issue a censure to Councilwoman Sylvia Chess under Section 12 of the newly adopted Rules of Council passed on October 6, 2025. Mayor Kirkpatrick stated they had a motion and a second. Mike McNamee, City Solicitor stated that it was the approval to put the motion on the agenda and Deputy Mayor Reaster has stated the content of the motion so at this time it would be appropriate for Council discussion. He stated with the movement he thinks maybe explaining what the motion is and expressing what the language of it is would be appropriate.

Deputy Mayor Reaster stated she as Deputy Mayor and as a Council person would like to express her disapproval of the words spoken by Councilwoman Sylvia Chess on 10-31-25. Sylvia had made multiple disparaging remarks of the City and its residents by calling them and/or us white supremacists and allegedly her peers and fellow citizens were the enemy. We have made great strides as a community and economic opportunities for all, acceptance of all, service to all. The words that Sylvia spoke are not representative of this community that we are elected to serve. These words have the potential to cause irreparable damage to working relationships, our economic growth, and our progress as a whole. Your honor and fellow council members these words are not becoming of a councilperson elected to serve this City.

Mayor Kirkpatrick asked if Councilwoman Stanton wanted to recuse herself. Ms. Stanton responded that she was not aware that this was going to be on the agenda. For the month of November, she rented an office from Councilwoman Chess. Honestly, because of this situation she never had a chance to speak with her about it, but she decided that it was a month to month and she is just leaving it at November to avoid any issues. It is December 1, 2025. She had spoken with Mike McNamee whether there was a need for her to recuse herself, but the rent was for November, and it was a month-to-month thing.

So as of today, that relationship does not exist anymore. She has planned to make a comment that she would like to be here for it if possible. Mayor Kirkpatrick stated that she is not asking to recuse herself. Ms. Stanton stated she is making sure that she does not have to. Mike McNamee stated yes, so long as that economic relationship has been terminated there is no need for her to recuse herself. He did advise Councilwoman Stanton previously that if it was ongoing, but that decision is up to her. She has made that public. It does not mean that she can't recuse herself. It is totally up to her. Councilwoman Stanton stated based on his advice to her that it was a conflict of interest and she apologized to Sylvia because she did not realize this was going to happen tonight, so she did not even talk to her about it. She knows when they talked about it, she said it was just a month-to-month thing to just see how it worked out, but she decided to just keep it for November because of this. Councilwoman Stanton stated she would like to remain present. So that she and Councilwoman Chess no longer have a business agreement for the rental of a small office. Councilwoman Chess stated there was never a lease signed anyway.

Mayor Kirkpatrick stated they would continue with Council comments and he began with Councilman Fritzsche.

Councilman Fritzsche stated he really didn't have much that wasn't already addressed in Deputy Mayor Reaster's statement. He does respect that Councilwoman Sylvia has her right to say what she says, but he also thinks it is worth noting that is not the view of the rest of Council.

Councilman Allen stated words matter. Words matter when they are written and words matter when they are spoken. When they are spoken, they probably hurt more. He does disagree with some of the characterizations in the speech because he knows the citizens of this fair city. His heart is heavy because he knows also that Councilwoman Chess pours her heart and soul into what she does, but it does not take away from the words or expressions that were shared.

He truly feels as a Councilmember he tries very hard to measure his comments because he feels in this position and role he is representing. So, the citizens have to encourage and uplift and help. We are not always going to agree. It is a tough situation where we have come to a point where we are censuring someone. This is the first time that we have censored someone. He doesn't even know if they have a path or understand what we do next. He will ask that we all individually and collectively be cognizant of where we are if we are going to share a thought, opinion, or view, let's be respectful and understand that the other person did not necessarily come up the same way we came up. We all come to this intersection in life through different paths. We are here. He asks that we be respectful and mindful of others. Be kind. You will never regret being kind. He can't think of anything more, but it is heavy on his heart.

Mike McNamee, City Solicitor, stated with listening to Councilman Allen's comments in terms of what we do next, he thinks it may be appropriate for him to remind Council what censure is. Mayor Kirkpatrick stated so everyone would understand what this is about. Back on October 6, 2025, Resolution 45-25 was a Rules of Council handbook that described a variety of things all about what Council does. In Section 12 title Censure and

Discipline: Censure is a formal public statement adopted by Council that expresses disapproval of the words, actions or conduct of one of its members. It is a disciplinary measure used to address behavior deemed inconsistent with the duties, decorum or ethical standards expected of Council members. Censure does not remove the member from office, limit their voting rights, or alter their legal responsibilities as an elected official. The process requires a motion, second, debate and an opportunity for the member to respond. Adoption requires a majority of the members elected. The censure is recorded in the minutes. Council's authority to adopt rules of procedure including the use of censure is provided under the Charter. Removal of a Council member from office may only occur in accordance with Ohio law, which is defined in ORC 733.72 or by judicial action. It is not within the power of Council through censure. He wanted to make that very clear.

Mayor Kirkpatrick continued with his comments. He too was very disappointed when he heard about this and when he went online and looked at the speech that was presented down in Texas on October 31, 2025. He was very saddened and disappointed to watch and hear what was being said about this community. As has already been stated, Councilmembers represent the City. We have just under 35,000 residents here and Council is their elected representation. The expectation is that they listen to citizens. They observe what is going on in our community and they are the spokesperson for this community. He was very disappointed when Councilwoman Chess made the comments that she made at a college convocation in Texas on October 31, 2025. He did not feel at all that it represented the community that he knows and loved as the City of Fairborn. He has spoken to many citizens in Fairborn about this since October 31, 2025, and every person that he has spoken to is also very disappointed and they will have an opportunity to make their statements during Citizens Comments. He and his wife settled in Fairborn after a very lengthy military career. They lived all over the United States, form the east coast to the west coast, north and south. They chose this community for one of the reasons being because of its diversity. His wife is from Baltimore. She grew up in a neighborhood of ethnic diversity where the Irish lived in one neighborhood and the English lived in another and the Polish lived in another and there was diversity, but it didn't mix. In this community the diversity is very mixed. One of the things many people may not know about Fairborn and because of their relationship with Wright Patterson Air Force Base most of the countries that we sell equipment to through the military including the Air Force have offices at the AFMC headquarters building. We have a wide variety of citizens from all over the world who maintain offices at Wright Patterson Air Force Base. Those members from those countries and their families live in our community. If you drive around Fairborn you are going to see Indian restaurants, Japanese restaurants, Asian stores, and other kinds of business because of the diversity in this community. Again, he was very disappointed to listen to and watch the comments that were made on October 31, 2025. He stated they would hear from Councilwoman Chess in a minute, but he was also very disappointed to have seen what he saw and heard what he had listened to as well.

Councilwoman Stanton stated she was under the impression that they were going to hear Public Comments at the end of the tonight's meeting and then be able to make a statement. What she had prepared was for in that instance. Mayor Kirkpatrick stated she would have comments during City Council comments. Councilwoman Stanton stated she

would read it now. For those that don't know Councilwoman Stanton stated she is a very technical, fact driven person, bullet point person, so that is what she is going to be reading from. First, this is her perspective with her opinions, and she is not speaking on behalf of any other Councilmembers. The title of her document was Councilwoman Stanton's response to public concerns raised about Councilwoman Chess' speech at Paul Quinn College. Public feedback that she received prior to today, one email, two by public comment at the last City Council meeting, two by phone in total from three individuals. She was anticipating that she would hear a lot more tonight in the comments section. She will hear that later. On November 14, 2025, is when the Mayor and City Manager received an email from a citizen and a copy of the transcription the citizens had made from the video of Councilwoman Chess' speech limited to the Fairborn related sections. The email requested the following actions, and she is paraphrasing these below if you want the actual one that email is a public record. One a police investigation by the City into Councilwoman Chess' claims of white supremacist intimidation towards her in Fairborn including from the Proud Boys and two that Fairborn City Councilmembers serving on the Lions Club should request Councilwoman Chess to resign. Councilwoman Stanton does not serve on the Lions Club. Hopefully, someday, she is too busy right now.

November 17, 2025, two citizens spoke during the Citizens Comments portion of the City Council meeting. Again, the rest of this will be summarized by her and for full comments you can see the video of that meeting on the City website. First, Karen Combs made a public comment requesting Council to take action and alleging that Councilwoman Chess' speech did the following: Made false statements about Fairborn's history of black business owners which omitted previous business owners, referred to members of the Board of Fairborn Lions Club as the enemy and made statements that imply that racism is rampant in Fairborn. Jimmy Baker made a public comment that included a request for Councilwoman Chess to apologize tonight because he believed without naming him directly that her speech had falsely implied that he was a Proud Boy. Again, that summarized the actual word for word on the Council website.

November 18, 2025, and November 29, 2025, one citizen sent Councilwoman Stanton links to posts and asked her to read the posts on the Citizens for Fairborn's Future Facebook page. Actions that Councilwoman Stanton has taken after the feedback that she summarized. First, she watched the video from the Paul Quinn College website and compared it to the transcript in the citizen's email. In her opinion the citizen's transcript seemed pretty accurate although she could not completely confirm this because of the video sound quality. She rewatched the Citizens Comment portion of the November 17, 2025, City Council meeting video as she prepared this statement. She read the post about this issue on the Citizens for Fairborn's Future Facebook page as she was requested to do by one citizen. She spoke with the Mayor and Deputy Mayor to discuss options for Council response. This was not a public meeting, and she did not take any notes. She read the Fairborn Lions Club Facebook page public address post related to this issue, and she also read the Fairborn Juneteenth celebration Facebook page to confirm that the Lions Club was an event sponsor. She thought it was because when she had attended that she thought she saw them there with their booth.

This section is what she would consider the optimal outcome given what she knows at this point. First, where possible Councilwoman Chess' statements that have been

challenged are fact checked. Where fact checking a statement is not possible, for example, terms used that may have a different meaning to her speech audience or from her personal experiences that Councilwoman Chess would provide clarification on those statements that have been challenged. She wants to say assuming that one of those first two points turn out to be true, but she does feel that certain things have been proven to her that some statements were false. But assuming that statements were false then she would recommend that Councilwoman Chess issue an apology along with a written public statement acknowledging and correcting any false statements and clarifying any statements that she believes have been misunderstood. We care about what is out there about our City and she thinks that it is important. If she were in Councilwoman Chess' shoes as a person and as a human that makes mistakes she has been in the place of having made mistakes before many times and personally she would not want someone to make an apology tonight, she would want to go and think about it for a long time before making comment. She stated by this she is not asking Councilwoman Chess to make an apology tonight, something more thoughtful is what she is asking for. Councilwoman Chess thinks that she would like to see the City Council initiate a public project to accurately document the racial history of Fairborn. This project could include a diverse working group of residents and possible resources could be the Fairborn Area Historical Society, Wright State University, Wright Patterson Air Force Base, and the Greene County Public Library. We could see if grant money exists for such a project. She would like to better understand what the process is for residents to report incidents of harassment and intimidation especially related to bigotry and/or categories of hate crimes and what the expectations are for the City to respond and document that.

Her final comments and reflections from her perspective as a 56-year-old middle class white woman the overall theme of Councilwoman Chess' speech seemed to be this. Paul Quinn College taught her how to focus her talents and passions into an achievable personal mission to improve the lives of other black people in her community. So far, she has done this by adding her perspective as a black woman to existing community organizations in local government, creating a new community organization specifically for black women and becoming the owner of several businesses that have created opportunities for employment and small business startups. She applauds these accomplishments. Councilwoman Chess thanked her for those comments. Another of them interwoven with the first was racism, which makes sense given her speech audience and her life's work. From Councilwoman Stanton's perspective, again white middle class woman who has lived in Fairborn for over 20 years she appreciates the diversity of our residents. As a gay person who experienced significant homophobia in her youth it is a priority for her to live in a diverse area because it makes her feel safer. She understands that we each have our own personal experiences, and she will never know what it is like to be a black person. She is using the term black versus African American because her friends who are black prefer that term. She thinks that most of us would agree to say there is never any racist behavior towards black people in our country or even in our city is incorrect. During her life she has said things in her youth that she now considers crossing the line and she wishes she had not said them. She lives and learns, and she tries to do better, and she apologizes when she can. Personally, she believes that even though our country has come such a long way from its racist past that a wealth disparity still exists based on past discriminatory policies. She learned a lot from this, and this is the last part of what she is saying. It is a little off topic. If you would like to learn about

that she would recommend the book called the Color of Law, a forgotten history of how our government segregated America by Richard Rosteen because it contains both facts of law and stories about the laws affected specific people's lives. She apologizes for the length of her comments but those were her comments.

Councilman McCubbins sated he can't disagree with a lot that has been said. As a Fairborn resident born and raised and living his whole life in Fairborn with the exception of the 26 years he spent in the military, he was a bit disappointed in the comments. It hurt personally. He thinks that he and Mary Reaster are the only two people on Council that were born and raised in Fairborn. He can say what Councilwoman Chess conveyed was not his experience. Not at all. After graduating high school, he made the decision to join the United States military where he spent 26 years and one of the basic tenants of the United States military is to support and defend the Constitution of the Unite States. Specifically, the first amendment is freedom of speech. So, she has a right to say whatever she wants and she conveyed her perspective of her life. He does not see it. It has not been proven to him that is what exists here, but he does not see life through her eyes, so that could very well be her perspective and her experience. He respects that although he disagrees with the way it was presented, what he found most disturbing about the speech which he reluctantly listened to after the outpouring he thought was necessary was the comment about the Lions Club and embedding herself with the enemy so she could get inside. It makes him wonder if she is sitting up here on Council today. Is there a hidden agenda? What is nefarious behind it? Does he trust her anymore? Obviously, she does not have good experience living in the City that she is supposed to be supporting and disparaging it in other states. He is concerned over that aspect more than anything. He left it at that.

Mayor Kirkpatrick stated Councilwoman Chess was certainly entitled to make a response. Councilwoman Chess stated oh, yes. She appreciated that. She thanked everyone for being at the meeting to hear her comments. She also thanked Council for their comments as well. She would have respect for each of their thoughts, comments and how they feel. On November 26, 2025, the President of the Lions Club reached out to her about her comments about the Lions Club and she did respond. She read the letter that she sent to the Lions Club.

The reason for the response was a response of misunderstanding. Greetings, I am reaching out as a private citizen regarding a personal matter that arose during a private event at a private institution. Before diving into the issue, she would like to clarify some key aspects of her service to the community. #1 throughout every town and city she has lived in she has built a reputation as a community leader and advocate. She has dedicated over 50 years to community advocacy. Unfortunately, since moving to Fairborn six years ago and many of you don't know this, but she never talked about it she just kept it to herself. She has faced intense scrutiny from less than 1 percent of the population. This scrutiny has at times crossed the line into harassment, defamation, and false allegations with instances of racially charged attacks and bias behavior against her. In certain instances, this has significantly affected her health, her family, and her business. She has never experienced such invasive examinations of words, actions, and personal life as if she was a lab rat under scientific observation. Regardless of her adversary's opinions she firmly believes that 99.9 percent of Fairborn residents are some of the most wonderful

people in the world and she has always said that. Even sitting here, she said it before in the speech that she gave, and she is specifically talking to those people who are harassing her that 99.9 percent of the people who live in Fairborn are absolutely wonderful people. She has always said that. Now given her experiences she was invited to share her story with a group of scholars and alumni from her almatar. Many of whom are pursuing degrees in social justice, pre-law, economic empowerment, and social sciences. Now, depending on the audience, she may express herself in metaphorical terms, draw parallels or speak literally to convey her point. Unfortunately, a small fraction of Fairborn residents, the very same individuals who have harassed her for more than five years, are obvious to critique this speech as well. Let me tell you something, when she moved here and bought property in downtown Fairborn, Ohio she has had people burn rubber in front of her house. She has had people to call her phone and say we don't need another "n" word on City Council. She has been harassed even from someone before she became a Council member came to the podium and literally belittled her and her dialect as a southern woman. It was in the paper the next day. They accused her of receiving ARPA funding which was placed on the front page of the Dayton Times. She has been called the "n" word so much and she does not understand why. But she never really complained about it. Let her finish saying what she said to the Lions Club. She is going to take the rest of it later. In her address she mentioned sitting on the Board of the Lions Club because she wanted to gain insight into their discussions. This paraphrase was definitely misinterpreted, and she does apologize for that. It was not intended to imply that she was spying on anyone. Metaphorically speaking, she meant to express that sometimes we venture into unfamiliar places or environments to better understand how others operate and occasionally we encounter individuals who may oppose us within those places. Because believe her, just like people scrutinize some of the things she has said and done she does have reason to believe or who have come to her even people in this very room, that have said some really negative things and terrible things in small spaces and private spaces that were really uncalled for. Her thing was to go and see face to face who these people were because she is not familiar with some of these people's faces and what their names are. So, yes, she did go into her own organizations to see who they were, but not to spy on anyone. That was not the intention for that comment, and she does apologize for that and that is what she conveyed in her message to the Lions Club.

So those that know her, she has given a lot to this community from helping orphaned kids and she won't put that on social media because she doesn't think it should be. From picking up trash, from supporting small businesses we have given a lot to this community since we have been here. This small percentage of people who continue to taunt and taunt her is not about her taxes it is about this and not about this it is about that. They just continue on and on. Can you imagine her family members getting ahold of all these newspaper articles and these false allegations and people calling her phone and saying things. We do have people here like that, but we are not speaking to 99.9 percent who are not like that. We are only speaking to that small percentage who constantly badger and this is what they were asking her to speak to because we have people at those universities who have faced the same things in their endeavor to just be included. That was what they were asking her to present that day. She is going to apologize that you took it the wrong way. It was not meant to be taken that way because she does not talk like that, but her intention was for them to understand that no matter what you go through you push your way through it and don't be intimidated by people who think it's okay to

constantly belittle you and make you feel like you are not worthy. She cannot tell you how many black women who have been fired from any job in this country within the last year and are being constantly belittled. She is a new person in this community who came here doing nothing but work for this community. Black, white, blue, green, brown it did not matter who you were. She has constantly faced harassment constantly. It is constant, it is never ending. She does not see anyone else who does things that have records behind it like she does. She knows most of you don't even know what she is talking about because she never mentioned it. She never said anything. She just keeps pushing and going and keeps loving. If you are disappointed, I do apologize to you. It was never intended for something like that because in her speech she also said that 99.9 percent of Fairborn are wonderful people. She said that. So, in the end, she will go back and she will re-evaluate. She must emphasize that she does not advocate for name calling because she does know there are people in this room that she knows some things they have said that are very mean and ugly against her. She has never mentioned their name or said anything. She kept it to herself. She has been kind even when people lied on her. She has been nothing but kind. While some have expressed unkind things about her, they still possess the right to share their feelings in private settings and that is the main reason why she does not call their name. There are a few key individual members who express rather unkind remarks within the organization in a private setting but however, she will refrain from revealing identities because these same people have also made significant contributions to society. She believes it is important not to tarnish someone's character simply because they hold a different opinion about her. However, due to the scrutiny she has faced she sought to connect faces with names in the hope of shifting their perspective of her. She may not have articulated this clearly in her speech, but her intention was to encourage confronting those who seek to tarnish character for political or unjust reasons rather than cowering in fear. Most HBC community members she spoke to understand the examples she was trying to convey. She had just under 7 to 10 minutes to deliver this message and rather than glossing over some of the questions or comments she probably should have taken time to clarify the other. She should have anticipated that her critics would scrutinize her words just as they have been doing since her arrival in Fairborn. She hopes this letter clears up any confusion and she appreciates those that took time to contact her directly rather than spreading misinformation about her intentions. She also appreciates the professional response to the public because you are correct. Fairborn Lions Club is a great organization. If you have any further questions or concerns, please feel free to contact her. She has invited those people who have said things about her to come have tea with her. To come talk with her. If you have any questions to say something to her, but if this is a conversation we are having right now maybe we should have something in place where we talk about racial relations in Fairborn. Because most people that she talks to outside of the City when she tells them she lives in Fairborn they say "Fairborn." This is what they say, and they tell her about their experiences in Fairborn. What she tells them is Fairborn is on the move. Fairborn is a wonderful place to live, work and play. That is what she tells them. Her address at that private institution was just to that private institution. It was not meant to harm anyone or anybody in Fairborn. She wants everyone to understand that. She has given to this community and most people who scrutinize her so those "n" words to her she does not see them out here doing any community service. She does not see them out here giving back to the community. It is wrong. She was at a private institution, at a private college making comments based on her experience here in Fairborn, but God knows her intention

was never to make it feel like the Lions Club was a bad place because it is not. It is an absolutely wonderful organization. So far, that is all she has to say and maybe later and if you come back and have any questions again you can come to her and have a conversation with her. You can talk with her that door has always been open. So, to her Councilmembers and colleagues, if you feel any type of way, she does apologize for how they feel, but those were not her intentions. She wants them to know that because she is not that person. She never has been and never will be, but we do need to have serious conversations in this town surrounding race relations. She has been harassed in this City since she has been here by only a few people and not everyone. She will not let what people do to her dictate how she treats them and most everyone in the Chambers knows she has been nothing but kind even to the ones who have done her harm, which has filtered over into her family and everywhere. Which she thinks is absolutely absurd. She does not hear the outcry about that. She does not hear Sylvia, we are so sorry you went through all of that. Where is the outcry when people attack someone like that constantly, over and over again, but she is supposed to take that. Does she need to put a gag order put out there or harassment charges should she do that herself also, but she did not. She forgave and she constantly forgives and forgives. You get to the point where you just say I'm tired of forgiving when you keep attacking me. For what? Her job is to come to this Council and do our job. She does her job on this Council. She sees some of them rolling their eyes and making comments and she is okay with that. So, with that being said she hopes that they don't take that literally. She has submitted the letter to the President of the Lions Club. He thanked her for it, and she thinks they get to move forward and then maybe have a conversation about race relations in Fairborn because it is definitely needed.

She will not say all the things that have been privy to her that some of you people have said about her. Not, you all, but less than one percent in their private settings. Because believe her there are people watching you and coming back and telling it. It is sad. So, if you want people to believe outside of Fairborn that we are a wonderful City she advises the less than one percent to stop whatever you are doing to harass one person and constantly do it. Please stop. She has had enough of it. She has had enough. That is all she had to say and thank you for your ears and for your understanding if you decide to understand. If she has hurt anyone's feelings, she does apologize for that, but please don't take it that way that she was against one organization because she was not.

Mayor Kirkpatrick thanked Councilwoman Chess. Mayor Kirkpatrick asked if there was any further discussion among Council. Councilwoman Chess asked if that was it. Mayor Kirkpatrick stated next up they would vote on the censure. Councilwoman Stanton asked a question about the process. She asked if anyone is allowed to come forward and speak on Councilwoman Chess' behalf. Mayor Kirkpatrick stated there will be Citizens Comments later. This is a vote amongst Council.

Councilwoman Stanton commented that when they met to discuss this she asked for the opportunity for a redaction and heartfelt apology before taking it to censure, not that she said censure was off the table, but she said that to her that was her approved approach. She was also under the impression that this was not going to happen tonight, and she was going to be asking for that apology to be forthcoming in the future tonight and she wanted to say to everyone she is sorry. She is not prepared. She did not know that this

would be on the agenda tonight to vote on this. She has not made a decision so whatever decision comes out of her mouth in a while she doesn't even know it yet.

Mayor Kirkpatrick stated there is a motion and a second on the floor to censure Councilwoman Chess. He asked for a roll call. Yeas, four: Reaster, McCubbins, Fritzsche, and Kirkpatrick. No, three: Allen, Chess, and Stanton.

Councilwoman Stanton stated if they had gone through the process that she discussed and that she thought they had an agreement by the folks that she talked to up here and they had moved beyond that and we did not have a resolution, she would be voting yes tonight, but because she feels like she was slightly bated and switched on this for tonight, so tonight she voted no.

Mayor Kirkpatrick stated the motion passed and Council has adopted a motion to censure Councilwoman Chess.

NEW BUSINESS

OATHS OF OFFICE

Beth Cappelli, Municipal Court Judge, administered the Oath of Office to Brian Dodd, Mary Reaster, and Rodney McCubbins.

ROLL CALL

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

RESOLUTION 59-25 A RESOLUTION COMMENDING ADAM FRITZSCHE FOR HIS DISTINGUISHED SERVICE TO THE COMMUNITY AND THE CITIZENS OF FAIRBORN.

Deputy Mayor Reaster moved to read Resolution 59-25. Councilman McCubbins seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 59-25 in its entirety.

Councilwoman Chess had no questions or comments.

Councilman McCubbins did not have any questions except for don't change your phone number as he will be calling. He stated it has been a pleasure working with Adam for the

last few years and getting to know him. He knows Adam does not present himself as your typical polished politician when he comes up there and speaks. He will say that it has been a real treat to get to know Adam. He is definitely an out-of-the-box thinker, and he has learned a lot from Adam in the last four years. He hopes the friendship will continue in the near future. Thank you, Adam.

Councilwoman Stanton agreed with everything Council McCubbins stated. She is going to miss Councilman Fritzsche for many reasons including that and also including that he was the other person who ran on environmental sustainability and has an extensive knowledge of it. He can expect to hear from her about that and other things as well. She will miss having him here.

Deputy Mayor Reaster stated at the last meeting that he was the quiet one and that is without a doubt the truest of true statements, but he is incredibly brilliant and kind. It has been her pleasure to serve with him for the last four years. She thanked him for his service.

Mayor Kirkpatrick dittoed what everyone else said. Adam was the quiet one, but a lot of people don't realize that behind the scenes especially in Council work sessions they talk a lot and that is where Adam comes out frequently making statements that the res of them go, why didn't we think of that. He is the thinker of the group. He has been the one that has raised questions and concerns about some of the things that the rest of them haven't thought about. Even though he has only worked with him for the last two years, he has also learned from him, and he wishes him all the great successes in the future. He thanked him for his service.

Councilman Allen and the Councilmembers moved down to the main floor. Councilman Allen stated, Adam, you have completed your role as a Councilmember, four years. He can't say enough about how he served and how he performed in that role. through service, sacrifice and through strength. Your sacrifice was the time spent away from your family as we sat in these long meetings. Also, the time you spend studying and understanding the problem which speaks to your strength and superpower as he would call it. His calm demeanor and his critical thinking skills. Whenever you spoke, you did not speak a lot, but whenever you spoke, they all listened because Adam had some true perspectives about the issue or concern. He ran on sustainability and for that they now have a Sustainability Plan, and they are working to develop that because of him. He presented Councilman Fritzsche with a plaque for his service. The plaque was created by a disabled veteran that works at the Dayton VA for Adam. He also presented him with a plaque and leather portfolio containing the City emblem representing Council's appreciation of his service.

Councilman Fritzsche stated this is the worst part of being on City Council, the public speaking portion of it. He thanked the citizens of Fairborn for entrusting him with the job of being on City Council. He thanked his wife and family for supporting him on this endeavor. He also thanked everyone on Council. There are a lot of different viewpoints, and he loves being able to understand other viewpoints than his own. This was a great place to do that and work through a lot of that. As much as mainstream politics goes it gets kind of depressing sometimes but being on Council and seeing that at least local

government can work very well together in the right setting it was breath of fresh air. He thanked everyone for this experience.

Councilman McCubbins moved to adopt Resolution 59-25. Deputy Mayor Reaster seconded. Yeas, seven: McCubbins, Reaster, Allen, Chess, Dodd, Stanton, and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Resolution 59-25 duly adopted.

PRESENTATION OF HOUSE COMMENDATION

Brian Lampton, State Representative, presented Adam Fritzsche with a proclamation from the State of Ohio House of Representative signed by Mr. Lampton and the Speaker of the House congratulating Adam on his years of service to the City and the citizens of Fairborn. The citizens of the country thank him for his military service as well. He congratulated Mr. Fritzsche.

Mayor Kirkpatrick called for a 20-minute reception break. Mayor Kirkpatrick reconvened the meeting at approximately 8:15 p.m.

Mayor Kirkpatrick welcomed Councilman Dodd to the dais. They are glad to have him as part of the team.

ORDINANCE 35-25 AUTHORIZING THE CITY MANAGER TO EXECUTE RELEASES AND TERMINATIONS OF EASEMENTS FOR E. DAYTON DRIVE ROADWAY EXTENSIONS NO LONGER NEEDED BY THE CITY.

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

Mayor Kirkpatrick set the public hearing of Ordinance 35-25 for Monday, December 15, 2025.

ORDINANCE 36-25 AN ORDINANCE AMENDING SECTIONS 126.04, 126.05, AND 126.06 OF THE FAIRBORN CODIFIED ORDINANCES TO UPDATE PURCHASING THRESHOLDS AND PROCEDURES TO COMPLY WITH CURRENT OHIO LAW; CREATING SECTION 126.12 TO ESTABLISH CYBERSECURITY PURCHASING AND PUBLIC RECORD EXEMPTIONS; AND APPROVING AND ADOPTING THE CITY OF FAIRBORN PURCHASING POLICY AS THE OFFICIAL PROCUREMENT MANUAL.

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

Mayor Kirkpatrick set the public hearing of Ordinance 36-25 for Monday, December 15, 2025.

RESOLUTION 60-25 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN OPTION AND LEASE AGREEMENT WITH AT&T (NEW CINGULAR WIRELESS PCS, LLC) FOR CITY-OWNED PROPERTY LOCATED AT THE REAR OF 2200 COMMERCE CENTER BOULEVARD).

Councilwoman Chess motioned to read Resolution 60-25 for the first time by title only. Deputy Mayor Reaster seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 60-25 by title only.

Mike Gebhart, City Manager, explained Resolution 60-25 is to authorize a Lease Agreement for an area behind Station 2 at 2200 Commerce Center Boulevard. Many of them may remember that way back when in 2014, 2015 and 2016 there were rumors that we were negotiating with AT&T for a cell phone tower in this very location. Those of you who have AT&T know that the signal is terrible over on the east side of town particularly around the Dayton Yellow Springs Commerce Center area. It is absolutely terrible. If you are in Kroger's, you can't get signal. So, AT&T wants to correct that problem. They re-engaged us after going silent after 2016 earlier this year. They are bringing forward the proposed Lease that the City Solicitor has worked on and the key items in that lease again that is an area behind Station 2. The tower will be out of their way. It won't be a problem for them. In fact, they are asking them to make some improvements so the Fire Department can have some training in and around that tower in the future. They are working those details out. The initial rent is $3,500 a month. After the first five years it will increase by 20 percent and each five-year term after that. This has an original five years and then three options for five years each after that. AT&T is responsible for all permitting, construction and maintenance. It is a conditional use to have a cell phone tower in the City so they will have to go through Planning Board for a conditional use to place that cell phone tower, but this Resolution asks for authorization for us to go ahead and sign that lease and begin that process because they are very anxious to move on to Planning Board and hopefully get that tower under construction sooner opposed to later to improve their wireless signal on the east side of the City. Staff recommends approval of Resolution 60-25.

Councilwoman Chess asked if this would help with EMS services as well. Mr. Gebhart stated it helps anyone who uses cell phones out on that side of town for public safety or public works will all benefit from that.

Councilman McCubbins asked if we have assurances when they are constructing this that it will not interfere with current operations at Station 2. Mr. Gebhart stated they will look into that. When they originally looked at that in 2014, 2015 and 2016 they were good with that, and they don't think there will be any concerns here. Councilman McCubbins stated that would be concern as they put apartments up in space that used to be vacant so there is not a lot of space around there. Mr. Gebhart stated they would look at the clear fall zone and all of that as well.

Councilman Dodd stated he mentioned that it is going to go through the Planning Board so the City Engineer will be checking their plans. Mr. Gebhart stated Kathleen Riggs and

Manuel Jacobs will have input on that. It is a conditional use, so it goes for final approval just through Planning Board by code. Councilman Dodd is assuming there will be a construction easement. Mr. Gebhart stated at this point he is not sure of the specifics, but he would assume so.

Mayor Kirkpatrick stated this will improve phone reception inside the Kroger. Mr. Gebhart stated if you have AT&T, you should get more than one bar in the Kroger once this is built.

Deputy Mayor Reaster moved to adopt Resolution 60-25. Councilman Allen seconded. Yeas, seven: Reaster, Allen, Chess, Dodd, McCubbins, Stanton, and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Resolution 60-25 duly adopted.

RESOLUTION 61-25 A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROPRIATE CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE BROAD STREET PHASE 4 PROJECT.

Councilman McCubbins motioned to read Resolution 61-25 for the first time by title only. Councilman Allen seconded. Voice Vote. Motion carried. Mike McNamee, City Solicitor, read Resolution 61-25 by title only.

Manuel Jacobs, City Engineer, stated they are walking on the final steps of right of way acquisition and easements for the Broad Street Phase 4 project. It is a very fluid process they are working on getting the perspective property owners in the corridor to sign the necessary easements in order to meet the state mandated guidelines for this process. While we are still going through those steps with a lot of the remaining property owners and they are having good conversations and he believes they are going to receiving those signed easements before even having to have the conversation about appropriations just because the steps for a right of appropriation have to go through certain steps the notice to the property owner that they are going to begin appropriations being step one and that needs Council approval just as a precaution should any of the final negotiations fall or apart or they run into issues or they don't have the time necessary to address their concerns in an adequate manner before we need to have the project certified from a right of way perspective he is requesting four additional addresses to be included into the list of addresses they could potentially move forward with appropriations for. This is just a precautionary measure. They are still having conversations with them. He reviewed the scope of the project. He reviewed the appropriation process. The four additional addresses include: 393 N. Broad Street, which is Wendy's. The next one is McDonald's. 188 W. Hebble is a multi-business office on the southwest corner of Hebble and Broad. There is a dentist's office and financial office at that location. The last one is Bridgestone/Firestone just past the KFC. Resolution 61-25 is requesting to move forward with sending notice of resolution only if necessary. As of today, they are not in a position where they have started going with the appropriations. They are still working every day. Staff recommends approval of Resolution 61-25.

Councilman Dodd appreciates the effort as it is not an easy process.

Mayor Kirkpatrick asked if they foresee any potential problems with this. Mr. Jacobs does not see a problem. There are a number of alternatives they can do. The main pressure into needing to take these steps is because for us to be able to consider the project design finalized the right way across the entire project needs to be certified. Not just by us, but by the State as well. This is one of the many conditions for receiving state funding and federal funds for it. These are heavily regulated processes in order to get these projects constructed. For us to receive that certification appropriations are really the final step. We can have that certification with what is known as a right of entry. If we cannot come into a final agreement with the easements or we are still negotiating, we can request a right of entry which will allow or at least clear that burden from a construction standpoint where they could access the property.

Councilwoman Chess moved to adopt Resolution 61-25. Councilman Allen seconded. Yeas, seven: Chess, Allen, Dodd, McCubbins, Reaster, Stanton, and Kirkpatrick. Nays, none. Motion carried. Mayor Kirkpatrick declared Resolution 61-25 duly adopted.

CITIZENS COMMENTS

Mayor Kirkpatrick opened Citizens Comments.

Patty Gigandet, 226 E. Main Street, wanted to make comments about the censure. She did not see the video, so she is not going to speak on that. She said Fairborn is not a racist town, but a lot of the residents are. In 1972 four boys used to wait for her after class every day because they thought she was not an American. They thought she was a Viatnamese refugee. Every now and then someone would say something. She does not know if it so much racism or ignorance. Some of it is racism. She stated she wanted to be on Tana's focus group because she had already started on a project like that. She is the reason Sylvia thought Jimmy Baker was a Proud Boy. She saw the statement where she thought she he was a Proud Boy because she was the one who made sure every citizen knew that he brought the Proud Boys to our town during the Joe Blidestone rally. Neither one of those two people should have been here. He brought two well known Proud Boys. They are in all of the pictures that you see on the internet when they were trying to identify at least two of them she knew. A lot of them were wearing hats. They have no business in this town, and he had no business introducing the Proud Boys to Fairborn even putting us on the radar. She is the reason that she thought that, and she is probably the reason he did not get on to City Council. She will make sure each year that he does not get on the City Council. The racism in this town is not as bad as it was in the 1970's. In the 70's it was kind of bad. She can go practically anywhere in Fairborn and not run into one of these haters, but they are there. There are some people on this Council that would never know what victimization feels like, never.

Charlie Deer 1819 W. Broad Street stated he had not planned on saying anything; but after listening to her he came to Fairborn in 1965, and his home has been in Fairborn since that time. He left part of 70 and 71 to go to Vietnam and then he came back to Fairborn. This was the 60's and he did not see what this woman just stated. He did not see that kind of racism. He is highly disappointed in the comments that Councilwoman Chess made when she is supposed to represent the citizens. He heard her up there and

he thought she was going to filibuster the way she kept trying to muddy up the water. It is everybody's fault. He never heard of taking any kind of responsibility. It is everybody's fault. That is all he is going to say. It is how disappointed he is in her comments to talk about his town and his people the way that she did.

Kevin Knepp, 1290 Horizon Drive, stated his objective here is just that we all need to think about something. This is not directed at anyone. It is just something to think about. He grew up in Baltimore. He remembers that in 1968 Martin Luther King was in the race riots. He was 12 years old, and he was thinking man, what is wrong with our world and he became very afraid of black people. He apologized if that was not the right word. Prejudices, the Mayor talked about the division in Baltimore. His mom was Polish, and his grandmother did not speak English. He has been called a pollock, heard people being called wop. He is Catholic he received it, but he does not think any of those prejudices and four eyes, but he does not think any of those prejudices are quite what two people up there have felt. When he first came on City Council a few years ago he was introduced to a book called Uncomfortable Conversations with a Black Man. He thought, man, what am I in for sitting up here on the City Council. That six years ago that he had to be directed to that book gave him something to think about. We all need to think about. He does not know where he is going with this, but there is something that they need to think about, we are not where we want to be. We are not where we should be in our relationships with other people.

Donna Johnson, 328 Bowman Drive, stated though she certainly found Councilwoman Chess denigrating Paul Quinn College October 31, 2025, convocation repulsive it honestly comes as no surprise to her. Her well documented history includes deceptive claims of academic credentials of holding a PhD. Submitted to the Ohio Secretary of State as well as on her business social media account. Declaring the success of the Downtown Fairborn trucking industry business when public records denote revocation of this licensure after only one year and past criminal indictments in Texas concerning theft. Mrs. Chess' personal dealing has most certainly served as important to her behavior as an elected official. So, it is Sylvia's conduct carried out in her role as Fairborn City Councilwoman that she believes Mayor Kirkpatrick and Council is grounds for a full extensive interrogation and their ultimate request for her resignation. During her only two-year tenure Councilwoman Chess incurred 11 sales tax liens with the State of Ohio for her delinquency in turning over to the state the tax she had collected from her own customers. So, appropriately after becoming aware of this public record and considering Mrs. Chess oversight of the expenditure of public monies citizens rallied for her resignation, but as opposed to a humble apology to the electorate Mrs. Chess concocted a tale of receiving a racially threatening letter and presented her tale here in an official July 21, 2025 council meeting. As a result of the Councilwoman's official declaration of the receipt of this letter citizens were able to obtain a copy which proved to me an innocuous account of Mrs. Chess' sales tax delinquencies beyond any mention of race and certainly no threats. It is her opinion that based upon Councilwoman Chess' false allegations of racial intimidation contained in that letter Council should have requested her resignation since she made those statements in an official capacity. Then in a foreshadowing of more things to come Councilwoman Chess includes the false claim of contributing her leadership to the Miami Valley Regional Planning Commission in her bio submitted to Paul Quinn College and posted to their web page. Mayor Kirkpatrick, City

Council Clerk, Julie Taylor, and the Assistant to the Executive Director of that commission have all confirmed with her that Mrs. Chess has never served them in any leadership capacity nor at all. During the recent November 3, 2025, Council meeting Mrs. Chess announced to the citizens of Fairborn that she had delivered her Paul Quinn convocation speech. As a direct result of her announcement several citizens viewed the publicly released video. During her convocation speech to the alumni of Paul Quinn College Mrs. Chess claims to have been intimidated and threatened in Fairborn by white supremacists, specifically Proud Boys. Mayor Kirkpatrick and Council she request that due to Mrs. Chess' notification to citizens in the November 3, 2025 Council meeting of her October 31, 2025 convocation speech once again in her official elected capacity that you hold her accountable and request her immediate resignation if she fails to come forth with proof of her severe claims of white supremacy and Proud Boy intimidation toward her in our City of Fairborn. Fairborn City Councilwoman Sylvia Chess you have become so entrenched in your own dishonesty and misrepresentations save her Council the time and in the interest of her hometown immediately render your resignation.

Jimmy Baker, 427 Grant Street, stated first of all you heard the hatred from this lady right here. They just heard this lady step up here with her hatred toward him and that Sylvia Chess is on Council because of her and she will do everything she can to keep him off of Council. He is not a Proud Boy. He did not call the Proud Boys. They came to an event where he provided a building when Joe Blystone was running. That is all he can say about it. It is just more lies and hatred. Charlie Deer has known him his entire life and his family, his entire life. Jimmy's grandfather was in the service. They came from Bary, Italy to Ellis Island and they came to this town in 1950. You are disgusting for what you said against his family and what was said about this town and the people in this town. She needs to go. That is all he had to say.

Sharon Knepp, 1290 Horizon Drive, stated she sat and listened to all these people say that there is no racism in this town and that there really wasn't any at any point. She knows that is not true. She was also born and raised here, except for the few years she traveled with her father as an Air Force brat. Her mother told her stories of when she came here in the 1930's and 1940's about the signs that were in this town. Now, one person has said that she and her mother are lying and that those signs never existed. She has seen pictures of them. She does not have them. She had seen them, and they did say that certain better not be seen in this town after dark. That was what was going on in the 1940's and even the early 50's. She lived here all these years. Her best friend is black, not you and not you. She does not live here any longer. She cannot begin to tell you the number of times when we were in this town just walking around or in town or in stores that things were said to them, not just her, us because she was with her. For her to hear people sit here and talk about this beautiful time that never had any of these problems. It is a bunch of bull because she lived through it. She really does not like what happened here tonight on many levels. Tana, she appreciates the fact that she said there should have been more time and a little bit more people to have time to think about this. She is not saying that the result was not right as she does not know. She is not saying her accusations are correct as she does not know. She was not there. She does know that it has happened and still does happen. Not to a great extent, but it does happen and anyone who thinks it doesn't you are a fool. We need to work on this in this town.

Pam Gayheart, 1201 Artesian Lane, felt compelled to speak this evening because she cares deeply about the Fairborn community. To be completely transparent she had taken out a petition to run for City Council and was not able to run because she did not turn all of her paperwork in at the same time at the Greene County Board of Elections. This was her responsibility to know and understand the process and to be honest about why she was no able to run. To be honest, she believes it is very important to have leaders who can admit mistakes and who are willing to take responsibility. Fairborn is a demographically diverse and strong community. She has worked for Fairborn City Schools for 23 years and she has been very fortunate to be employed in an occupation that she loves for a community that she calls home. We have certainly been through some tough times, yet time and again she sees individuals, community groups, churches, and service organizations step up and meet the challenges we face as a community. This type of community support is very strong in Fairborn. When there is a need. We face the challenge together and together we make a difference and impact change for the better. She wanted to provide some examples of this. Faircreek Church just fed our sixth-grade students and families in the Fairborn City School District as part of their community outreach. Pastor Greg Trout who reaches out on a regular basis is always asking what I can do to help. The Fairborn Fire and Police Departments support our schools with Trunk or Treat and educational programs which allows are students to learn about the departments, how important they are in our community, but most importantly about giving back. The Fairborn Senior Center supports our community in so many ways and includes students from the schools at their events. This is important because they teach our youth about the importance of community, leadership and giving back. The Fairborn Lions Club supports the international organization and efforts locally to grow our community. The leadership is diligently working on a strong goal of 100 members to lead and serve in Fairborn. She and her husband are very proud to be a part of the organization that his grandfather was part of and by the way he never missed a meeting. Christmas in Action, which supports our community by helping families and individuals who need help with basic home repairs both inside and outside the home. Fairborn kids also help with this. These are just a few examples of servant leadership in Fairborn. These groups are diverse in age, viewpoints, ethnicity, and experiences. This diversity makes us stronger as we work together to learn to understand different perspectives and ideas together. Community leaders' responsibility in her opinion is to serve; guide and uplift the people they represent. They are stewards of trust and catalyst for positive change. Community leaders' model ethical behavior and respect for all individuals and demonstrate empathy, fairness, and accountability. Community leaders have to make decisions which should be rooted in the community's best interest, not personal interest.

She had two personal examples she wanted to share. When she was a junior at Ohio University, a long time ago, her twin brother also attended Ohio University he taught her a really valuable lesson. They loved to go out after football games and have a good time. She was serving as president of her sorority on campus. He reminded her that she was president all the time. He said part of serving in a leadership role is that you can't take off that hat and change it at will. She has carried that idea and thought with her throughout her life, both personally and professionally, and it was some of the best advice he ever gave her.

About five years ago Karen Combs, who is not here tonight, commented about something on our district social media, which is part of her day job. She wasn't' happy with her comment and she had a enough, so she deleted her words. She reached out to her and asked what the Board Policy was in regard to this and guess what, we did not have policy at that time.

Chis Gayheart, 1201 Artesian Lane, stated he would finish Pam's speech. He brings up these examples because they highlight that as leaders, we are held to a high standard both personally and professionally all the time. No matter where we are. Community leaders make decisions which should be rooted in the community's best interest not personal interest. Every individual in our community, state and the country has the right to freedom of speech, but yet our community deserves honesty, fairness, and respect from our leaders when misinformation is presented as fact it undermines trust and weakens the community we are working hard to continue to build. Most importantly acknowledging errors when they occur, correcting misinformation promptly and putting the community's well-being ahead of personal interests, this is truly the foundation of responsible leadership. He respectfully disagrees with the comments made by Councilmember Sylvia Chess. In conclusion, when a public figure chooses to speak, they also assume responsibility for the accuracy, impact, and integrity of their words. With influence comes accountability. Freedom of speech protects the right to speak. It does not protect a person from the public, professional or ethical consequences of what they say. Certainly, we want to be a welcoming community for everyone, and it is our shared responsibility to sustain that in all that we do.

JoAnn Collins, 173 Erie Avenue, stated they talk about discrimination and race, but you don't have to black, yellow, green, or blue to be discriminated against. She probably has been asked to leave more cities, more restaurants, been in the mall and been escorted out just because she is a biker. They don't like bikers. They follow you in the store thinking you are going to shoplift. They don't shoplift. They go out and try to do things that are good. She has been in Fairborn for over 70 years. She asked how many have been there that long. She knows Fairborn better than anyone else. She grew up in this town. She went to school in this town. She got married in this town. They tore down the American Legion where she went, and she loves this town. It broke her heart when people talk bad about it. Clint is right, words hurt and people shouldn't ever talk bad about things. She knows veterans who went to Vietnam after school. She lost a lot of her veterans. They were killed, wounded, and brought back in body bags and they were not treated properly. They were not treated respectfully. They were discriminated against. She decided with her husband over 10 years ago that she wanted to make a difference in our town that we said was a military town. So, instead of just cowering down to it she and her husband talked to the bikers and the church, and they said we are behind you, start it up. She went before the Council and asked if they had any plans at the time they did not. Then Dan Kirkpatrick contacted her about three weeks later and asked if he could co-chair. Her husband said a Mayor, hey, that will be a little bit of help. She appreciates all the veterans who wanted this. The citizens who wanted this. They have stepped up, and the memorial is almost done. Of course, it has taken longer than to build two schools, but they are getting there. Also, the Police, how many police officers are called pigs or people pick them over. They break the law. They don't like being caught so they get mad at them. Hey, they broke the law, or the cops wouldn't be needed. They get discriminated

against too, but they don't ditch the town. They support the town, the job, and the citizenry. She worked at the schools for teachers with disabled kids there was many times when the parents were mad that their kids had messed up and they came in and they were told please be a witness for this teacher because if you are not they can be brought in and said because something was said that they said. They were discriminated against. Then you have the religious people that are out there after the Jews and all the other things. You have people that just don't understand. Her bikers have no color. They have brothers and sisters. They have for over 35 years. She is blessed when they found out that people didn't really like us this much because they didn't know us. They wanted to be known so they started the garden program. They started planting flowers. The title on the paper was "Bikers get dirty in Fairborn." Another thing they did was join the Fairborn Christmas Project. Thirty-Five years they wanted seniors because seniors get forgotten. They went out and did fundraising with 100 percent of the money going to Kroger's and they keep the refrigerator items in the refrigerator and the frozen items in the freezer, and they come back the next day and they get it. The Sunday before Christmas you will see the bikers out singing We wish you a Merry Christmas, off key, but they will be giving the groceries. They get hugs and thank yous because they care. They want to make a difference in the City and that is what you need to do. Don't criticize it and say oh poor me. She is blonde and no one hears any more blonde jokes than she does. That is a part of discrimination. Red heads are supposed to have a fiery temper. We need to learn to not drag up the past and learn to move forward and also do it with pride, love and caring. She is thoroughly disappointed in Councilwoman Chess thoroughly.

Kyle Fry, 180 W. Routzong Drive, stated he did not really plan on speaking tonight, but this has been his town for 40 years. He does not agree with a lot of people on this Board. He thinks a lot of people know that. He has been very vocal about where he came from and what he says. What he heard tonight is he sees a town that is separated. He sees a sign behind the Mayor that says a City in Motion, but we have done nothing but walk backwards tonight. We are not moving in the right direction. Going down to Texas and bashing our town the way that she did failed to move us in the right direction. He works with children all the time. Rodney McCubbins will attest to that. He has coached sports team for this town. He grew up in this town. He gave back to this town because the people before him gave to him. Greg McDuffey, a black man in this town, is one of the reasons he continues.to coach because he poured into him and he owed it to him. She says that no one saw anything that he went through, but he watched Clint lose his business here. He watched Clint take one foot, put it in front of the other and keep walking. He didn't go and make comments about our town. As we set here tonight, you said that you continue to forgive and to love, but when given the opportunity you were the one Council person who did not give Adam Fritzsche any word on the way out because he disagreed with you and he gave you a no tonight. You had an opportunity to tell him how he did a great thing in this town and when you spoke you kept saying I have done all this. He is part of the generation of we who killed the racism in the 90's and early 2000's. He is a part of the generation that walked beside anyone of any color. It did not matter to him. He has been all through this state delivering furniture and being who he was. He has been a sales rep and been taught how to read people and tonight when you had an opportunity to address the citizens, you blamed the citizens for their feelings Rodney said it best, can we trust them. He has a hard time trusting anybody in this town because he has seen what has

happened in our town over the years and years and we want to continue to fight about race and black and white. There are so much bigger problems in our town than black and white right now. Jimmy Baker should not have to worry about running for election and people saying the things that they said about him. He does not know Jimmy. This is the first time he has ever met him face to face. He does not know him. But he did watch this lady right here hand you an envelope right before she spoke and he knew things were going to go south. He has disagreed with Mary Reaster on a lot of things, but he commends her for what she said tonight and pulling it forward and standing on ground on business in Fairborn. This is his town. He has an 18-, 17- and 15-year-old that he wants to raise his grandchildren here. He left his senior year and went and played baseball in Vandalia. He went to a school that maybe had five black people. The diversity wasn't there. He moved back home right after that because diversity meant something to him. To go out there and say Proud Boys that hurt because he did not see that growing up. He knows that she, he, and Clint have much different lives and that racism is a real thing and it is everywhere. It is not just white on black. It's black on white. It is white on Asian. It is in every direction. Everybody is dealing with racism. But if this was a table turned and Rodney McCubbins went and said something like that they would be calling for him in this place. If our Mayor went and said something like that they would be calling for him in this place. He is 40 years old and has a lot of life here and he wants to stay here. He can't keep his family in a town that wants to argue about black and white and he won't. The schools are growing. The town is moving forward. This is going to take us nowhere, but we can't have people on our City Council going outside of our walls and speaking about our town the way they have because that is all people will ever know of Fairborn is exactly what she said. Those people that know Fairborn know that is what they know us as. They don't know them as what she called the 99 percent. They don't know us as the Deer who goes out gives away meals for holidays. They don't see the churches that are pouring out, and they don't see the food that was given out to the less fortunate. All they have a description of now is who she made them out to be. That is unfair to our town, our children and that is unfair to our community. Clint said it best, words matter. He has watched what Mr. Allen has done. The reason Clint has so much respect in this town is even in the adversity and what he went through in his business, he put one foot in front of another, and he gained everyone's respect. Mrs. Chess has a choice tonight you can either put one foot in front of the other and take some self-evaluation and quit blaming everyone else for what you said and take some accountability for what she said that day. It did hurt our community. He does not know her from anyone, and he has been a person raised inside the church. He believes in forgiveness and second chances. He believes she has the opportunity to make this right. She can do it as Councilwoman Stanton said and wait, or it can be handled tonight, and she could address the City as she would please. He thinks there is an obligation to address the town.

Dean Gillespie, 1512 Glendale Drive, thanked Charlie Deer publicly for God's work he has been doing with the turkeys this year. He applauds him for that. He receives no recognition. He applauds Mrs. Chess for using her constitutional right of freedom to speak. He travels the world speaking. Her attitude and swagger and the words she chose were not by mistake. They were not to be misconstrued. They were done in a tactful form. He was always brought up with this in his mind given to him by his dad. A drunk mouth is a sober mind. That was a lot of drunk mouth going on there about this town. It really upset him to the point of coming to the meeting. This has been a military town for

a long time. We have accepted diversity from all over the world. Every race, color, and creed since the Air Force Base has been here. Her calling herself the first black-owned business in Fairborn is absolute disrespect for the black owners of businesses in this town. It is absolute disrespect for those people who forged that way. For her to say that she has helped facilitate opening 14 new black owned businesses in this town. He grew up his whole life, and he has drove up and down these streets looking for these places. He has not seen one here in this town unless they are PO boxes at the post office on Hebble Drive. He is here to demand her resignation. A sanction is not enough for the disparity that she put on this town. He agrees with this man 100 percent this Council stuff has been going on for a few years. We are supposed to be a City in Motion, travelling backwards so fast it does not make sense. We have to get this settled. We have to have this hatred removed from our community and we need to move on to make this town what it should be. We have a humongous Air Force Base right here. We should be leaders in a lot of things around here. With the attitude we have right now it is not going to work. He was very glad to be here tonight to find out where this craziness came from with Jimmy Baker and this Proud Boy thing. He has known Jimmy Baker his entire life. That man has never been a racist nor will he ever be. He was a Dayton Police Officer dealing with all types of people for years. He is not a racist. He was glad to find the source of that. You are getting a paycheck from this town to represent the citizens in a professional manner. To go publicly, privately or in the bathroom speaking such disparaging comments about this community is appalling and to be paid for it is appalling. Nothing short of her resignation will do. Anyone who is tip toeing around this right now you have seen the video, you heard the speech, you seen the attitude, you seen the words that were used there is nothing to misconstrue here. This woman said these things for self-promotion and moving herself forward. You have to go. We don't need this in this town. We do not need this on this Council. We need to move forward and get this Council garbage done and start building this beautiful community that we all live in.

James Chess, 455 Coronado Drive. stated he is a graduate of Baker High School in 1977. His mother is 93 years old and still living. So don't tell him what he has experienced in this town in 1977 is a lie. He knows everyone has different backgrounds and has experienced different things. But do not tell him that what he has experienced in this town is a lie. Now, he has been back here for six years. He was gone for 40 years on purpose because of what he experienced, but being back in these last six years he sees a City in Motion. He does see it through his eyes and what he has experienced and what his family has experienced. Don't tell him that they did not receive letters in the mail from organizations that threatened our house from various organizations. Do not tell him that. In a publication dated March 10, 2024, attorneys Brandon Hall and Benjamin Yonder titled Citizenship Civil Liberty dealing with difficult residents, staff and elected officials stated, "there is not a public servant, employee or trustee who does not have a war story regarding an unruly public meeting or hearing gone wild." Perhaps it was a quirky public comment. Maybe it was a viral comment from a public official, however with increasing frequency public servants are experiencing angry, irate, down right the outbursts from the public their colleagues and their elected officials. To him this is strange, he has been to almost every City Council meeting in the last two years. This is the biggest crowd he has ever seen and stayed at that. It does not seem that this agenda just happened to pop up, and all these folks are here. That is very unusual to him. Was that a set up right there?

Miss Stanton stated she did not have time to prepare for this. Did any of them know this was coming? It is very unusual, but that is just his thoughts.

Public input is a core tenant to the democratic legislative process and there are numerous times that members of the public can and should interact with their government. Additionally, City meetings are required by Ohio law to be open to the public, however, just because the public are constituents does not mean they should be able to be disrespectful and treat officials and staff as punching bags. However, public comment policies must avoid rules regulating the content or viewpoint of the comments. For the most part Fairborn City policy in Section 9 public participation Citizens Comments of Rules of Council Handbook addresses such things. However, he would like to recommend that it be strengthened by incorporating the following:

#1 Speaker slips must be filled out completely including name, address, organization represented and Ordinance number of item to be addressed. If the individual will be speaking for or against the item, the subject, in non-agenda be filed by the City Clerk electronically via the City Council website prior to 2:00 p.m. on the day of the speaker wishes to speak before the Council The Council encourages individuals to submit their written testimony to the City Clerk on a form provided by the Clerk electronically via the Council website prior to 2:00 p.m. of the day of the meeting and/or contact the appropriate chair person to discuss their concerns. The Council would not entertain incomplete speak slips.

Although he left Fairborn 40 years ago, he does like to see the direction it is going into. He thanked Council for their time and consideration.

Dexter Bailey, 1865 Superior Avenue, stated Councilman Allen was right. Words hurt. Words are important. For the entire Council he wanted to let them know the truth hurts as well and the truth is important. You go to Google and Google sundown towns in Ohio; Fairborn pops up as one. One of the last. He is the first Vice President of the Lions Club, and they have many octogenarians in the club. These are people over the age of 80 years old, and they are of sound mind and body. They have lived in Fairborn for their entire life. Many of them are proud veterans and he is very proud of them. They have told him, you know Dex I remember when there was a time in Fairborn when Fairborn was not kind to people with color. So, when he heard those words that were spoken at the HBCU he thought oh man, that is really something. But you know what the first amendment gives the right to freedom of speech. Does it not? It also gives the right for the City Council if they are not happy about it. It gives them the right to freedom of speech. So, if you are saying we don't really like that it is their right. Maybe this was supposed to happen because if you look in books and look at all the City Council meetings, no one ever even talks about it, but people know it happened. Now, we know there is some truth that we have to deal with. The truth may hurt. He is the first vice president of the Lions Club and maybe she came in to look and see what people who were talking about her did. If you want to see what is going on in the Lions Club, he will tell you they have purpose, pride, and passion for serving this beautiful City of Fairborn. He is talking to the residents and the City Council as well. He has seen Councilwoman Chess give back to the community. He has seen her clean up the community. If she misspoke, he heard apologize tonight and as a Lion he accepts her apology. He knows we all have the ability

to say things and we may not be proud of everything we say, but in the end, we can't always make it look like we have never done anything wrong, especially in this City. Even the Romans didn't want people to know they did anything they did wrong. That is why you hear all the battles they won. They only had a little footnote for our buddy in the Bible. What he wanted to come here and say is that he is glad we now have record of this. This is a part of the City they are not proud of. He knows if it happened, he knows they are not proud of it. But when he thinks of being one of the last sundown towns in Ohio, he thinks of how far they have come. Look how far we have come. He gives a hug to Jimmy Baker. Everyone he sees is a friend here in the good city of Fairborn, but he knows it hurts and it is the truth. Words hurt; words have power and the absolute truth hurts. We have to look at it and deal with it and build from it.

CITY MANAGER COMMENTS

Mike Gebhart, City Manager, congratulated the milestone recipients. He announced the Christmas Tree Lighting will be held this Friday, December 5, 2025, at 5:00 p.m. He thanked the people of Bath Township for donating the Christmas Tree for this year. He believes the lighting will occur somewhere between 7:30 and 8:00 p.m. and Santa will be downtown.

He had the opportunity to attend the opening of the new Gene Fischer Justice Center last week. He thanked them for the invitation. It is a wonderful facility.

Friday, December 12, 2025, there will be a swearing in ceremony in this room at 9:00 a.m. for several new officers in the Fire Department. He would encourage everyone if you have not been able to attend a swearing in ceremony for the Fire Department and the Police Department, please come it is at 9:00 a.m. in the Chambers. They will be promoting a new assistant Fire Chief along with a new Fire Marshall, a new Battalion Chief and two new lieutenants. If you are able to attend, please do so.

Christmas and New Year's hours, the City offices will be closed on Wednesday and Thursday, December 24th and 25th for the Christmas holiday and then again on Wednesday the 31st and Thursday January 1st for the New Years holiday. Public safety will be on their regular schedule.

COUNCIL COMMENTS

Councilwoman Chess thanked everyone for their commenrts. She congratulated the milestone recipients. She thanked Ms. Riggs for answering her questions. She has learned a lot of things from her while she has been on Council. Also, this is national Aids Awareness Month. Several of our families have been affected by members who have aids or any kind of disease. As she said before she thinks that many of them know she is dealing with Breast Cancer herself. Diseases are diseases and cancer is cancer. We deal with it on a daily basis with many of our family members. It has been a trying time, but we can get through with our families. Remember those who have any kind of disease that could affect their families. They also know it is cold outside. Please be mindful when you cough with other people in the room.

Concerning tonight and things that have been said tonight out of anger or disappointment and things like that she is going to reflect on some of the things you all have said. She is going to review the tape from tonight's meeting and listen to everyone again. She will come back to Council on the next one and provide her thoughts and opinions. She has already shared some. She has also given the Lions Club a letter as well. So that has been submitted, and she read it tonight. She is sorry that some of them cannot accept what she said, but she does understand that words do have consequences about things they say, especially as elected officials. To side note that she knows this does not matter, but she was speaking to a group of HBCU alumni and students about what takes place in these kinds of environments whenever things have been brought up against you that are not normal. So therefore, she will take that time out to do that and she hopes all of them come back in December so that they can hear that. She stated she will see everyone at the next meeting and you will hear that. She thanked everyone for their time and their comments because their comments do matter.

Counciman McCubbins thanked Penny Davis for providing the refreshments during the brief intermission. He also thanked Judge Cappelli for coming down to administer the oaths tonight. He thanked Representative Lampton for taking time out to come down and recognize Adam Fritzche. Public service is tough. They have to make some tough decisions up there. Sometimes it is six of one and half a dozen of the other. Sometimes you just have to take all the information you have at hand and make that decision and hope that it is the right one and will move the City forward and what is best for the citizens of Fairborn and try not to exclude a class. It is very difficult to sit up here and make these decisions. He gladly accepts that responsibility and takes it very seriously. He thanked the citizens of Fairborn for re-electing him and allowing him to continue on this journey. He left with that he lives on Maple Avenue, and the last month has been very noisy. Lots of emergency sirens going off in the City, particularly the ones that occur this time of year residential fires. It is the nature of the beast. It is that time of the year with the heating. In the State of Ohio residential structures cause about 8.4 deaths per 1,000 fires and 34 injuries in 2023. Nationally, the average was only 5.8 deaths and 19.7 injuries per 1,000 fires so you can see the environment we live in we are at a higher risk of having fires. Seventy-five percent of those fires usually occur in a residential area. There are 1,146 Fire Departments that report into this database annually every year. So far in 2025 unfortunately we have lost 4 firefighters on duty doing their jobs to save our lives and 78 home fire fatalities. In 2024 there were only 92 so we have seen some improvements. What was the cause of that he really does not know. He would like to think it is partly due to the efforts of Chief Ryan and getting out into the schools. He knows one of his main tenants when he took over the Chief duty was getting out into the public light with education and in the schools. He would like to think that it was. If you have not checked your smoke detectors, please check them and change your batteries in them because we don't want you to become a statistic on this website.

Councilwoman Stanton congratulated the milestone recipients on another year of service with the City. She welcomed Brian Dodd. It was exciting when Rodney came to Council because he had served on the Planning Board as well and had some extra insight on that as well. She stated it is nice to have Mr. Dodd here as she knows he served on Planning Board and many other boards. She thinks he will do a great job. She appreciates

everyone's comments tonight. She said she thought she had been baited and switched because she did not know this was going to be on the agenda, but she wanted to point out that the accurate process was followed tonight.
Councilman Dodd congratulated the miestone recipeints. He had worked with Kathleen for quite a while and those were some great milestones. He congratulated Adam Fritzsche who did a great job in this position. As he told him, he has big shoes to fill. Next, he thanked the citizens of Fairborn for their trust and giving him this opportunity to serve on the City Council. He takes this position very seriously and he will always be truthful and work for the citizens of Fairborn. As a Councilmember they should always be the loudest positive voice there is. He was also truly amazed at how the local citizens and businesses helped each other during the government shutdown and the recent Thanksgiving food activities. It makes him proud to be a part of this City. With that said, volunteering for a City Board is also a great way for citizens to get involved. Having citizens volunteers is a vital part of what makes Fairborn what it is.

Councilman Allen thanked everyone for being here tonight. It is very important that we hear the citizens' thoughts and concerns. They come up and share their hearts. In the wake of all of this he thinks they have taken the first step in healing. He truly believes if we go back and look at what was said tonight, how it was said and who said it. We have taken the first step in healing. We don't get there by walking past each other. We get there by having a conversation. Having a dialogue, having a back and forth. Hearing and seeing each other, talking, and discussing. He is so proud of everyone who stayed and endured the meeting. They started at 6:00 and it is now 9:34 p.m. He truly loves this City. He loves what they do and what they produce. He loves how we move forward and win. Brian Dodd has already expressed how we reach out and help one another. He welcomed Brian to the City Council. He truly thinks as they walk out of here tonight, remember this is the season for giving and cheer. This is the season for hope, love, peace, and joy. He asked everyone to take an opportunity to think about some of this, but tonight and moving forward after we have taken the first step. Don't take anything personal. What a person says or does truly has nothing to do with you. Always do your best.

Deputy Mayor Reaster thanked the milestone recipients. She thanked everyone for attending and speaking their mind. Mr. Fry, you are right, we are not always going to agree and Clint mentioned and we have all said it before, but this seat up here is important. They run a business, and you can't take business things personal. If you do it is going to be a very long row to hoe. They have a business to run. She wished everyone a very short ride home and a very peaceful restful night.

Mayor Kirkpatrick congratulated Mary Reaster and Rodney McCubbins for their re-election and re-appointment to Council. He welcomed Brian Dodd as the newest Council member. He thanked Adam Fritzsche for his four years of service. He thanked the milestone recipients. It is important to recognize them. Last Wednesday before Thanksgiving the City had a Thanksgiving event here in the building and there were two people that played a huge role in making that happen. Penny Davis was the first one. Penny is one of the people that works in the office and is the person who keeps Mike Gebhart out of trouble. The reason he mentions Penny is because she was the one behind putting the Thanksgiving celebration together. The other person was Mike

McNamee who provided all of the turkeys. He thanked him for feeding well over 200 people that day. He came back to Julie Taylor, who coordinates a lot of what goes on around here. She tries to keep him out of trouble. Mike Gebhart mentioned the jail tour last week. That was project that went with Gene Fischer's guidance and direction for many years. That is why it is named after him. When he was the Mayor before Gene Fischer gave him a tour of the jail and it was disgusting. The new facility is a wonderful place. If you get a chance to take a tour of it, please do so.

Next week on December 9, 2025, Chuck Stout has arranged a Breakfast with the Mayor event at 8:00 a.m. at the Fairborn Senior Center. It is an opportunity for people to come and ask questions and make comments. Please come if you have questions or concerns about the City. On November 25, 2025, they have already mentioned Charlie Deer and what he has done for the City, but he, his wife Pam, along with Kassie Lester and himself had to opportunity to hand out 100 hams in the drizzling rain. He thanked Kassie for her assistance. He publicly thanked Charlie and his wife for providing those hams to the citizens.

It is cold outside, please watch out for your neighbors. We have a lot of people who maybe aren't taking good care of their heater and maybe the heat isn't working in their home. Be aware of your neighbors and reach out and help them where you can. This community is the most diverse and welcoming community he has ever lived in. This is a wonderful community. Look for the best in this community and let's focus on that. We are a City in Motion. We are fixing up streets and new buildings and businesses are going in.

ADJOURNMENT

Councilman Allen made a motion to adjourn the meeting. Deputy Mayor Reaster seconded the motion. Yeas, seven: Allen, Reaster, McCubbins, Chess, Dodd, Stanton, and Kirkpatrick. Nays, none. Motion carried. The meeting was adjourned at 9:45 p.m.

MAYOR

CLERK, CITY OF FAIRBORN