# CITY OF FAIRBORN
# COUNCIL WORK SESSION
# January 5, 2026, at 5:00 p.m.
# Police Training Room

| 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 | ☒ | ☐ |

## STAFF MEMBERS PRESENT

Davis, E. Gay, Gebhart, M. McNamee, Petty, Schell, Taylor, and Williams.

Mayor Kirkpatrick welcomed everyone to the temporary new facility while the Fire Training Room is going through some renovation and storage issues. We will be meeting in the Police Training Room for the next meeting as well.

## CYBERSECURITY PLAN UPDATE

Mike Gebhart, City Manager, briefly discussed the cybersecurity plan. He explained this is required by the State of Ohio now. House Bill 96 last summer that was part of the budget plan is requiring that all municipalities have a cybersecurity plan in place by January 30, 2026. Staff wanted to make sure we fell within those limits. It is interesting that they did not get anything from the state for quite some time as a template or a guideline. Each of the departments have done significant work on this plan. This is a 40,000-foot level view because at the end of the day we are not divulging any of the software that we use for our firewalls and for other internet security. There is a first reading of the Ordinance tonight on the agenda and then the public hearing will be at the Tuesday, January 20, 2026, meeting before consideration which will allow us to adopt it prior to January 30, 2026.

Ultimately, they did receive a template from the state. They have incorporated that into our plan. This is similar to what other communities around the state are going to put into practice. Avon Lake and the City of Avon have already adopted a plan which was partially the model for the state. This plan establishes a city wide policy framework for managing cybersecurity risks, outlines how the City will respond to cybersecurity incidents and meet state reporting requirements, sets expectations for cybersecurity awareness training for employees, addresses cybersecurity and considerations related to vendors and insured services and supports the continuity of City operations and the protection of City data. That is ultimately what the plan covers. Again, under Ohio Revised Code Chapter 9.64 requires municipalities to adopt a plan. It establishes expectations and employee training

and also talks about how cyber ransom would take place. He discussed the issue at Huber Heights where the cyber attack was significant. It is his understanding it was totally by accident when one IT director left, and another one was taking over they wanted to make sure they had the most complete software and looked for some quotes and estimates from others and they opened the wrong email and then they were hacked. They were held for a significant sum to resume use of their data. He does not think that actually took place. It is his understanding that the link that was sent by the people in a foreign country was broken and so Huber Heights created the model starting over from square one. They had compromised some of their accounts related to online water bill payments and things like that. He believes that was one of the last straws for the state and it became a driving force and why they wanted everyone to have a cybersecurity plan.

In the proposed legislation there is an exemption allowed by state law to keep the plan out of the public spotlight as we don't want anyone who would potentially hack us to have access to the plan. He stated it would be on the agenda for a second reading and public hearing on Tuesday, January 20, 2026.

Councilman McCubbins asked if there is an insurance policy for this in the budget. Mr. Gebhart stated yes, the City does have that. Councilman McCubbins asked if they are required or should it be in best practices to have someone like the director of IT bonded in the event, they decide to become nefarious since they are the keeper of the keys. Mr. Gebhart stated the Finance Director and he is also bonded, not to the extent that the Finance Director is, he will talk with Mike McNamee and Hilary Browning to get their opinion on bonding because Jon Petty, our IT Director, would be the primary point for updating and keeping this plan.

Councilwoman Stanton asked if they could explain the difference is between him being bonded and not bonded. Mr. Gebhart stated bonding is like an insurance policy for that individual as the keeper of those records. For instance, Hilary Browning is bonded for several million dollars as the Finance Director for the City. Should there be any issues that bond would help pay for any problems that occurred in the budget? So, this would be similar to that. Councilwoman Stanton asked how that is different from when a company gets insurance for ransomware versus having one person be bonded. Mr. Gebhart stated he would get the answer to those questions and as part of the presentation at the January 20, 2026, meeting.

Councilwoman Stanton asked if there is someone lined up to help us if we were to be attacked. Jon Petty, IT Director, responded yes. Mayor Kirkpatrick asked who would be bonded, all the directors or just Mr. Petty? Mr. Gebhart responded they will find that out before the January 20, 2026, meeting.

Councilman Dodd stated it says in here conduct an annual cybersecurity risk. He asked if the employees go through that. Mr. Gebhart stated they will go through it with the directors. He and Jon will do some desktop exercises to make sure that we are prepared for that in case it happened.

Councilman Allen asked if it would be the State Auditor who would come in and do the evaluation. Mr. Gebhart stated yes, that would be one of the questions they would ask

for during the audits each year since it is based on the one the state has used, he believes they will be in good shape.

## APPOINTMENT OF DEPUTY MAYOR DISCUSSION

Mayor Kirkpatrick explained the Deputy Mayor position is usually selected among Council members so tonight he would like them to talk about it so that it could be voted on at the next meeting. He has spoken with several of the Council members about the Deputy Mayor position. Basically, that position fills in for the Mayor when he can't be in attendance for certain things. It is not a real active position typically. This last year Mary Reaster, existing Deputy Mayor, has attended several things for him. He missed a council meeting in 2025 for a funeral for a friend. Clint Allen filled in during that instance. Mayor Kirkpatrick stated he has some regular meetings for MVRPC that Mary Reaster covered for him this past summer. They do need to have someone in the position who understands how to run meetings and fill in. He opened up the discussion.

Councilman Allen stated during the previous work session he mentioned that he would consider the role at the time. He had a conversation with Mayor Kirkpatrick, and he stated he would step back from consideration of filling the role because Rodney McCubbins and Mary Reaster expressed their desire to do that. He stepped back just to allow the opportunity. He will help out where he would be needed. He appreciates and thinks anyone on Council could serve in that role based on the way Mayor Kirkpatrick teased it out.

Councilman Dodd asked if Councilman McCubbins would be able to leave the VA hospital when needed. Councilman McCubbins stated it is 20 miles away so he would need a heads up. It is a good 40-minute commute.

Mayor Kirkpatrick discussed the MVRPC meetings where Deputy Mayor Reaster covered for him every other month during the summer. MVRPC meets at the Dayton Realtors Building. The meeting starts at 9:00 a.m. and typically goes to 11:00 a.m. and we must have representation at those meetings. There have been other events that Deputy Mayor Reaster has filled in for him as well. The other things they encourage the Deputy Mayor to attend the new police officer and fire fighter swearing in ceremonies. Mike Gebhart, City Manager, stated they are probably doing 10 ceremonies a year.

Deputy Mayor Reaster asked Councilman McCubbins how much notice he would need to be able to attend. Councilman McCubbins stated it depends on if he needed to come back to Fairborn. At that time of day, it is a 30-minute drive. Deputy Mayor Reaster stated for the ceremony today they received notice a week early. Would that be sufficient for him? Councilman McCubbins stated, yes. Mr. Gebhart stated he would love to have all of Council present for the swearing in ceremonies. Councilman Dodd stated he was going to make that a priority. Councilwoman Stanton stated there have been some changes where it was harder before, but this year she will try to make those events. Mr. Gebhart stated depending on the number being sworn in the ceremony tops would take 30 minutes.

Mayor Kirkpatrick stated they would talk some more and make a decision at the next meeting.

## COUNCIL APPOINTMENTS FOR 2026

Mayor Kirkpatrick began with the Regional Planning and Coordinating Commission of Greene County. The current delegate is Sylvia Chess, and the alternate is Tana Stanton. He asked if there was any discussion. He asked Sylvia how often she attended a meeting. She responded it was once a month. At the end of the year, they would cancel due to holidays. She also attended the workshop they had. She explained Tana Stanton goes whenever she cannot. It is a monthly meeting. The meetings are held in Xenia.

Councilwoman Stanton stated she would like to volunteer to be the delegate this year. Councilwoman Chess agreed to flip with Councilwoman Stanton so that Councilwoman Stanton could be the delegate. Councilwoman Stanton stated she should not have any issues.

Mayor Kirkpatrick moved on to the FDC. As the Mayor he is a member of the FDC. Adam Fritzsche is no longer on Council, so they do need to replace Adam on the FDC. Brian Dodd expressed his interest in being on the FDC if possible. Deputy Mayor Reaster stated she would like to serve on the FDC. Mayor Kirkpatrick asked if Mr. McCubbins would be ok with coming off of the FDC. Mr. McCubbins agreed to come off the FDC.

Councilman Allen asked to remain on the Tax Incentive Review Council.

Council reviewed the suggestions made by staff for the remaining board vacancies.

Mayor Kirkpatrick suggested Council push to get more people to volunteer and then relook at the list.

Mike McNamee, City Solicitor, reviewed his tentative legal opinion that he passed out to council. He emphasized that the legal opinion was a tentative opinion as research is ongoing. He will have a complete opinion by the next meeting.

## CITY MANAGER COMMENTS

Mike Gebhart, City Manager, made no additional comments.

## COUNCIL COMMENTS

Councilwoman Stanton stated when they get to the Charter Review one thing she is going to bring up is that the censure process that was done could use some improvement. She would have preferred a public comment section before people vote so Council has the opportunity to hear. She knows it was fine under the rules the way it was introduced, but if it is possible to have it be introduced then it happens on the next agenda so people could come speak on it. Mike McNamee, City Solicitor, stated the retreat would be a perfect setting to discuss everything she just mentioned. That could all be handled through edits of the Rules of Council.

Councilman Dodd stated he would be out of town all next week in Iowa.

## ADJOURNMENT

Deputy Mayor Reaster moved to adjourn the meeting. Councilman Dodd seconded. Yeas, seven: Reaster, Dodd, Allen, Chess, McCubbins, Stanton, and Kirkpatrick. Nays, none. Motion carried. The meeting was adjourned at 5:55 p.m.

MAYOR

CLERK, CITY OF FAIRBORN