

**City of Fairfield
Minutes
Regular Meeting of City Council
December 4, 2023**

Council-Manager Briefing

A. None.

Business Meeting Call to Order

Mayor Rhodus called the meeting to order at 7:00 PM.

Prayer/Pledge of Allegiance

Councilmember Brill led in prayer and Pledge of Allegiance.

Roll Call

Councilmembers present included:

Attendee Name	Title	Status	Arrived
Tim Meyers	Councilmember, At-Large	Present	
Matt Davidson	Councilmember, At-Large	Present	
Gwen Brill	Councilmember, At-Large	Present	
Leslie Besl	Councilmember, 1st Ward	Present	
Dale Paullus	Councilmember, 2nd Ward	Present	
Terry Senger	Councilmember, 3rd Ward	Present	
Adam Kraft	Councilmember, 4th Ward	Present	
Mitch Rhodus	Mayor	Present	

Agenda Modifications

None.

Executive Session Requests

Councilmember Meyers, seconded by Councilmember Davidson, moved for Executive Session to discuss the status of collective bargaining with public employees regarding their wages, hours and other terms and conditions of their employment. Roll call vote. Motion carried 7-0.

Special Presentations

a. Parade of Lights Community Award

Councilmember Brill announced the Community Award winner for the Parade of Lights as BHI General Contracting.

Citizen Comments

None.

Council Reports

Public Hearing(s)

2024 Operating Budget Public Hearing

Mayor Rhodus opened the public hearing at 7:10 PM. Clerk Wilson read the hearing notice. Vice Mayor Meyers thanked staff for the level of preparation that went into the 2024 Operating Budget. Mayor Rhodus closed the public hearing at 7:13 PM.

Approval of Minutes

The Regular Meeting Minutes of November 27, 2023 were approved as written and submitted.

OLD BUSINESS

Development Services

Councilmember Matt Davidson

Resolution adopting the 2023 revised edition of the City of Fairfield Tax Incentive Guidelines, establishing policies and procedures for tax incentive programs, and superseding all previous tax incentive guideline documents and policies.

Recommendation:

It is recommended that City Council approve this resolution to adopt the revised Tax Incentive Guidelines.

Councilmember Davidson presented the third reading of this resolution.

RESOLUTION NO. 13-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Public Safety

Councilmember Dale Paullus

Motion to amend Exhibit A of the ordinance.

Councilmember Paullus made a motion to amend the exhibit on the ordinance to include a 9-month moratorium instead of an indefinite ban.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Councilmember Paullus presented the second reading of this ordinance.

Councilmember Brill stated that she read the new law several times and there is a lot to digest out of it. She feels that it is best to give the state time to put its regulations in place before the city takes action on allowing dispensaries.

Councilmember Davidson presented slides to support his opinion that the voters have already spoken on the issue and the city has no right to ban dispensaries - see attached. He stated that he has read the legislation, as well. He said he also did his own research by posting on Facebook and speaking to the people he interacts with to try to get an idea of what everyone wants. He said that anyone he spoke to or that commented on his Facebook posts that voted Yes on Issue 2 wants a dispensary in Fairfield. He said the people that told him they did not want a dispensary are the ones that voted No. He said that given that Issue 2 passed by a 58% vote in Fairfield, which is no where near right down the middle and is a statement of what the citizen want, he does not feel that it is appropriate for Council to make legislation banning dispensaries in the city. He stated that the amount of tax revenue is subject to change, however, there is no doubt that there will be tax revenue that the city would benefit from unless the city has a ban in place to prohibit dispensaries. A prohibition will not stop residents from going to other municipalities to get marijuana, so why would the city give that revenue to another jurisdiction? He went through a list of reasons that he has heard about why the city shouldn't have marijuana, as well as his rebuttals to those reasons, which are listed in the attached slides.

Councilmember Meyers stated that he appreciated the well thought out argument from Councilmember Davidson, however, local control was part of Issue 2 and those that voted Yes voted in favor of the city making regulations on what would be allowed or not allowed in Fairfield. He stated that he applauds Council for taking this issue seriously and speaking to residents about their opinions. He said the uncertainties are why he believes a moratorium is an appropriate action to take at this time. He stated that at least five of the six other cities in the state that he has information on have also instituted a moratorium to take the time necessary to evaluate the specifics of the new law. He stated that a dispensary does not line up with what residents told him they want to see in the city during his campaign for office; he said they want restaurants and entertainment. He also does not see how a dispensary lines up with the strategic goals that were developed at the retreat earlier in the year.

Mayor Rhodus explained changes that have been introduced today at the state level that would completely change the way the issue develops in the state.

Councilmember Besl thanked Councilmember Davidson for the presentation and asked that residents step up to the mic and let their opinion be heard because many on Council have not heard from people on the issue. She stated that her opinion is that passing Issue 2 is different than saying people want it in their back yard and until she hears from more residents, her thought is that taking a 9 month period to evaluate the issue is a good idea.

Councilmember Paullus stated that he asked for a temporary ban to give time to find out what the state is going to do.

Councilmember Senger asked for a show of hands from the audience that supported open use of marijuana and how many supported a ban. The majority of people supported the ban. He stated

that during his military career, he saw numerous military members ruin a career for testing positive. He stated that he feels he needs more justification to make marijuana open for use.

Councilmember Kraft stated that he would like to see more preparedness from the state before putting issues like this in front of people. He said that he feels the state put the city at a disadvantage by not giving more information prior to the new law being put out in front of voters. He sees this issue from the federal level down and it is a source of frustration for him and others.

Councilmember Davidson stated that the show of hands of those in favor of open use has already been established by the vote. He stated that those that raised their hand that they support a ban are not the ones that voted Yes on Issue 2. He stated that he did his due diligence by posting on Facebook for feedback and talking to people he is around on a daily basis. He said that it's going to be here no matter what the vote is because Issue 2 passed. He doesn't think the changes at the state level will be enough to change any of the yes voters' minds about marijuana being legal. He stated that no one disagrees that residents want more restaurants and entertainment, but this does not prevent that and will clean up blighted areas.

Councilmember Meyers stated that yes, Issue 2 is done and no one disputes that, however, part of Issue 2 includes what the city is doing tonight and that is making decisions on whether or not to allow it in the city.

Robert Kramer, 5690 Genevieve Place - he stated that this is the best of times in the City and there is brilliance in the City Manager's Office and he doesn't want to see it messed up by selling marijuana in Fairfield. He doesn't want to see more impaired drivers in Fairfield.

Terry White, 20 Travis Walk - stated he appreciates everything Council is doing. He shared his concerns about societal cost and would like City Council to not allow recreational marijuana in the City. He stated that we should not have the shops because it may be a gateway drug, it poses risk to adolescents, adverse effects of mental health and anxiety, driver impairment, risk of early heart and stroke issues, increased emergency room use, risk of those using at a younger age with memory. Why would the city want to put young people at risk?

Dona Canaan, 5073 W. Scioto Drive - the ban will not affect her day-to-day life, however, the voters have spoken and she feels it sends the wrong message that the City would silence them. She does not feel it is an emergency situation since it could be 12 months before the state has anything in place. She feels that silencing the vote will hinder future efforts for public safety and school levies.

Gail Sinclair, 1576 Congress Hill Lane - resident for over 40 years; Issue 2 passed by 57% and 35 of 37 precincts supported it. She is in full support of a dispensary in the City and it is Council's responsibility to listen to their constituents. She stated that Council is voted for by the majority of residents, just as Issue 2 was.

Will Arlidge, 626 Casey Court - he voted No on Issue 2 because of the constitutionality of it. He stated that based on the regulations, he would not be included in the people eligible to grow and sell marijuana. He stated that he is convinced that most people only voted Yes because it would

legalize marijuana but he doesn't know if we want that in Fairfield. He would like to see the City invest in rehab centers.

Jennifer Delahaney, 5417 Chateau Way - mother of 3 young kids and a nurse; she is against it here. She moved back after a divorce and will not live here if it is brought to the City. She stated that it will bring the city down.

Michael Best, 130 Hidden Hills Drive - he is here to make sure the vote is honored. He doesn't like the vote but it should be honored. He is in support of taking a pause and minimize the impact as much as possible.

Scott Lepsky, 7 Carousel Circle - he feels it is important, as a long-term volunteer for the City's planning and zoning divisions, that the City has time to put restrictions in place because they do not currently exist. It is important to evaluate what we do know and have time to learn what we do not know. He stated that staff needs time to put restrictions in place, just as is done with every other business in the City.

Mike Deffinger, 435 Gregorian Drive - was on a drug task force as a police officer and has seen what drugs can do to people. He said he agrees with people in the audience and he voted against Issue 2. He does not want to see it sold in Fairfield.

Nancy Terrell, 120 Hidden Hills Drive - has done research on the adverse effects, especially on youth. She doesn't want to see something like this in Fairfield that could ruin the lives of young people and adults in the City.

Jeff Butterfield, 7394 Bales Street, Liberty Township - Fairfield business owner of Butter Buds. He thinks it is important for people to educate themselves on the good and bad that the plant can do to people's lives. He understands there are a lot of what-ifs and that Columbus did a terrible job at presenting it. His opinion is that it is the worst written bill in all 24 states that have legalized it.

Daniel Williams, Fairfield Township - graduate of Fairfield High School; he thinks the biggest consideration is where is this coming from? He thinks the legalization is coming from the people whose lives are being ruined just for having it. He is not in support of a ban or moratorium.

Councilmember Besl stated that she spoke to her daughter and her daughter's friends and was surprised to hear that they do not want to see marijuana dispensaries in the city.

Councilmember Meyers stated his son does not want to see cultivation in the city and a dispensary should be owned by a resident.

RESULT:	CARRIED [6 TO 1]
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
NAYS:	Davidson

Ordinance to amend Chapter 739 of Ordinance 166-84, the Codified Ordinances of Fairfield, Ohio relative to Medical Marijuana and Adult Use Cannabis Control and declaring an emergency.

Recommendation:

It is recommended that City Council adopt an ordinance to amend Chapter 739 of the General Offenses Code to enact Adult Use Cannabis Control. Suspension of the rules is requested so that the amendments can be effective prior to the effective date of O.R.C. Chapter 3780. Legislation sponsored by Councilmember Tim Meyers.

ORDINANCE NO. 160-23. APPROVED 6-1.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Terry Senger, Councilmember, 3rd Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
NAYS:	Davidson

Public Works

Councilmember Terry Senger

Ordinance to authorize the City Manager to enter into a contract with Choice One Engineering for engineering services needed for Winton Road Improvements Project – Resor to Oak Tree

Recommendation:

It is recommended that the City Council authorize an appropriation of \$64,800.00 be made from the Street Fund and that Council authorize the City Manager to enter into a contract with Choice One Engineering for the engineering services needed to perform the Winton Road Improvements - Resor to Oak Tree.

Councilmember Senger presented the third reading of this ordinance.

ORDINANCE NO. 161-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Terry Senger, Councilmember, 3rd Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

NEW BUSINESS

Councilmember Besl, seconded by Councilmember Kraft, moved to read all New Business by title only. Motion carried 7-0.

Development Services

City Manager Scott Timmer - Report

Councilmember Matt Davidson

Motion to Suspend Second and Third Readings

Councilmember Davidson presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to authorize the City Manager to execute a Development Agreement with Kevin S. Ashcraft relative to façade improvements at 5120 Pleasant Avenue within Fairfield’s Town Center area, and declaring an emergency.

Recommendation:

It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

ORDINANCE NO. 162-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Councilmember Davidson presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to authorize the City Manager to execute an Economic Development Agreement with the Cincinnati Center for Autism, to provide a forgivable loan to support the reoccupation of a vacant building at 100 Commercial Drive within the Route 4 corridor, and declaring an emergency.

Recommendation:

It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

ORDINANCE NO. 163-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Public Works

City Manager Scott Timmer - Report

Councilmember Terry Senger

Motion to Suspend Second and Third Readings

Councilmember Senger presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Terry Senger, Councilmember, 3rd Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to authorize the City Manager to enter into a contract with Insight Pipe Contracting LLC for the 2023 Storm Sewer Lining in the Lighthouse-Roesch-Route 4 Area and declaring an emergency.

Recommendation:

It is recommended that funding be appropriated in the amount of \$126,322.00 from the Capital Improvement Fund for the various lining of storm sewers. It is also recommended that City Council direct the preparation of legislation authorizing the City Manager to enter into a contract with Insight Pipe Contracting, LLC. for the 2023 lining of storm sewers.

ORDINANCE NO. 164-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Terry Senger, Councilmember, 3rd Ward
SECONDER:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Finance & Budget

City Manager Scott Timmer - Report

Councilmember Tim Meyers

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this resolution.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Matt Davidson, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Resolution establishing the Active Transportation Fund (Fund 415) and declaring an emergency.

Recommendation:

It is necessary for City Council to pass a resolution in order to establish the Active Transportation Fund in order to account for all revenue and expenditures generated by the implementation of the Fairfield Connects Plan.

RESOLUTION NO. 14-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Matt Davidson, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to establish salaries and hourly rates for certain salaried and hourly employees of the City of Fairfield, Ohio and to authorize and limit the numbers and types of certain employees, to repeal Ordinance No. 58-23 and all amendments thereto and declaring an emergency.

Recommendation:**FINANCIAL IMPACT:**

Funding is provided under the auspices of the approved 2023 Operating Budget.

BACKGROUND/SYNOPSIS:

The labor agreements IAFF Local 4010 expired March 31, 2023. An agreement was recently reached and the Collective Bargaining Agreement (CBA) was signed. The CBA provide for a general wage increase for all members of the bargaining unit a 1% increase in base wages effective April 1, 2023.

The CBA also called for a reorganization of the Fire Department staffing structure with the addition of three positions: Fire Apparatus Operator, Battalion Chief and Life Safety Inspector. The new ranking structure provides for three (3) Battalion Chiefs, three (3) Captains, three (3) Lieutenants, Nine (9) Fire Apparatus Operators, Forty-Five (45) Firefighter/Paramedics and One (1) Life Safety Inspector. This will provide greater flexibility for the Fire Department to address the needs of the community..

RECOMMENDATION:

It is recommended that City Council approve this Ordinance, suspending the rules and declaring an emergency to allow for the expeditious implementation of the new rates and allow the reorganization of the positions described above.

ORDINANCE NO. 165-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

An Ordinance to make estimated appropriations for the expenses and expenditures of the City of Fairfield, Ohio during the period beginning January 1, 2024, through December 31, 2024.

ORDINANCE NO. 166-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Matt Davidson, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to amend Ordinance No. 155-22 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2023, and ending December 31, 2023.”

Recommendation:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 167-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to amend Ordinance No. 155-22 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2023, and ending December 31, 2023.”

Recommendation:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 168-23. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, December 11 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, December 18 - Oath of Office, 6:00 PM
- C. Monday, January 8 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

Council recessed to Executive Session at 8:55 PM.

16. ADJOURNMENT

The Regular Meeting adjourned at 9:18 PM.

ATTEST:

Clerk of Council

Mayor's Approval

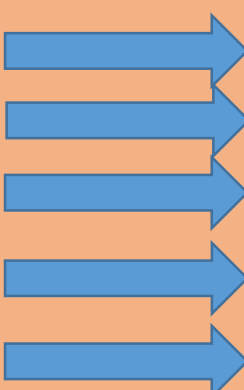
Date Approved_____

Why Council Should Support the Will of the Voters

Precinct	Ballots Cast	Registered Voters	State Issue 2			
			Yes	Yes %	No	No %
FAIR1WD1	179	456	87	49.4%	89	50.6%
FAIR2WD1	367	1,137	200	58.1%	144	41.9%
FAIR3WD1	273	922	182	68.7%	83	31.3%
FAIR4WD1	262	796	173	68.1%	81	31.9%
FAIR5WD1	257	651	164	66.7%	82	33.3%
FAIR6WD1	278	1,082	208	75.9%	66	24.1%
FAIR7WD1	322	729	206	65.6%	108	34.4%
FAIR8WD1	185	666	106	59.9%	71	40.1%
FAIR9WD1	261	511	129	52.0%	119	48.0%
FAIR1WD2	391	791	230	62.7%	137	37.3%
FAIR2WD2	322	705	213	68.7%	97	31.3%
FAIR3WD2	296	782	167	58.2%	120	41.8%
FAIR4WD2	158	738	99	64.7%	54	35.3%
FAIR5WD2	289	732	151	55.3%	122	44.7%
FAIR6WD2	300	770	168	59.4%	115	40.6%
FAIR7WD2	273	911	179	68.6%	82	31.4%
FAIR8WD2	70	382	50	72.5%	19	27.5%
FAIR1WD3	346	631	175	54.3%	147	45.7%
FAIR2WD3	327	865	201	63.4%	116	36.6%
FAIR3WD3	381	644	190	51.2%	181	48.8%
FAIR4WD3	374	643	187	54.2%	158	45.8%
FAIR5WD3	469	891	256	57.4%	190	42.6%
FAIR6WD3	344	694	183	56.0%	144	44.0%
FAIR7WD3	387	761	209	56.8%	159	43.2%
FAIR8WD3	275	652	151	60.9%	97	39.1%
FAIR9WD3	294	857	193	67.5%	93	32.5%
FAIR10WD3	350	710	203	61.7%	126	38.3%
FAIR11WD3	462	761	173	40.5%	254	59.5%
FAIR1WD4	278	612	164	61.4%	103	38.6%
FAIR2WD4	553	1,112	261	51.0%	251	49.0%
FAIR3WD4	376	804	183	51.5%	172	48.5%
FAIR4WD4	375	1,023	192	53.9%	164	46.1%
FAIR5WD4	398	768	202	53.4%	176	46.6%
FAIR6WD4	459	857	221	49.9%	222	50.1%
FAIR7WD4	389	777	239	63.7%	136	36.3%
FAIR8WD4	428	767	248	60.2%	164	39.8%
FAIR9WD4	397	702	198	52.4%	180	47.6%
FAIR10WD4	410	738	175	44.8%	216	55.2%

- 34/38 Precinct's voted in Favor of Issue 2
- Only two Precinct's decided by less than five votes. Those were two of the 4 voting against.

State Issue 2 - Summary

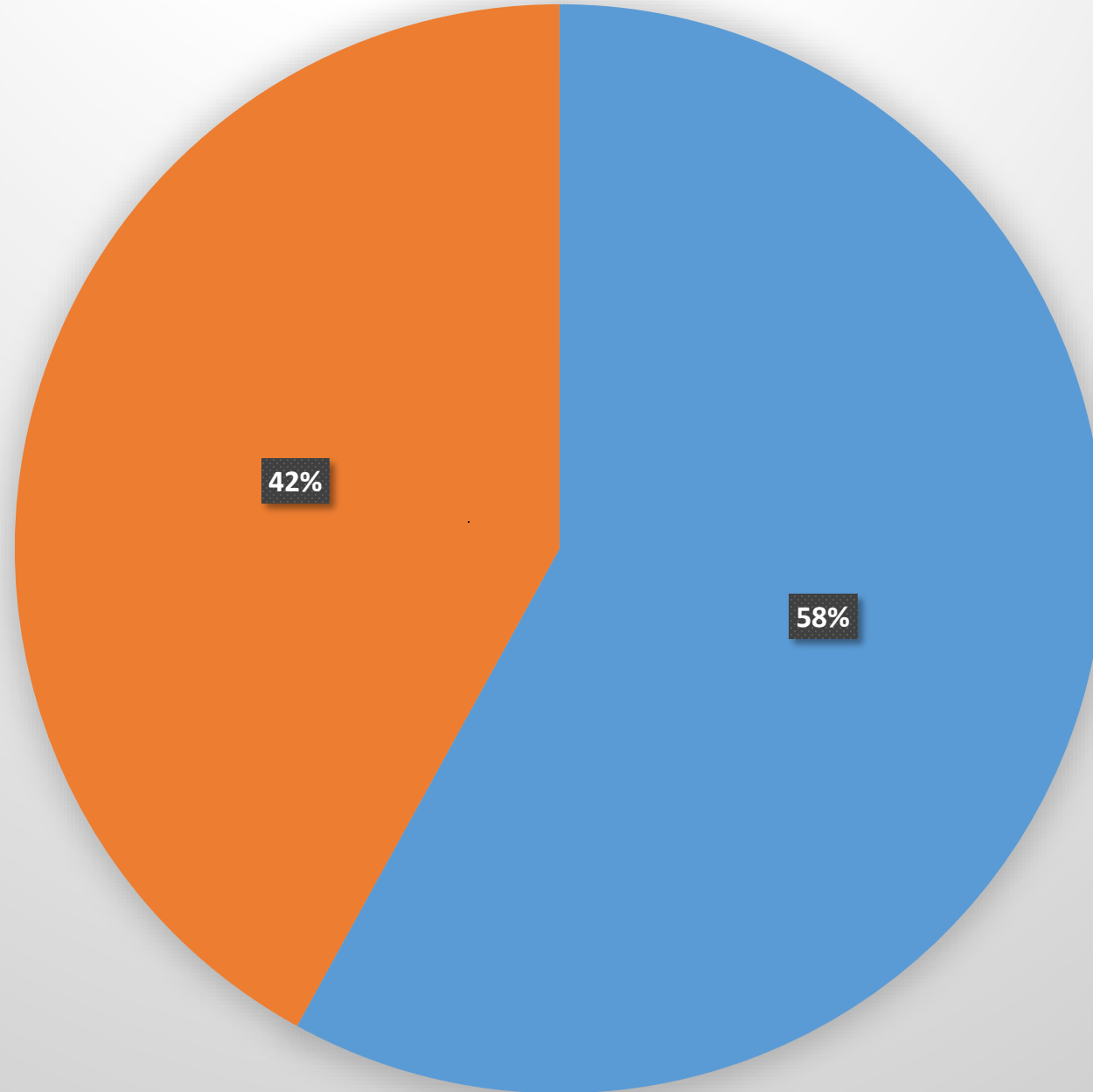


	Yes	No	Yes (%)	No (%)
Ward 1	1,455	843	63.3%	36.7%
Ward 2	1,257	746	62.8%	37.2%
Ward 3	2,121	1,665	56.0%	44.0%
Ward 4	2,083	1,784	53.9%	46.1%
Fairfield	6,916	5,038	57.9%	42.1%
Hamilton	8,405	4,880	63.3%	36.7%
Middletown	6,401	3,736	63.1%	36.9%
Monroe	2,725	2,079	56.7%	43.3%
Oxford	2,240	962	70.0%	30.0%
Fairfield Township	4,231	3,621	53.9%	46.1%
Liberty Township	8,918	7,762	53.5%	46.5%
Ross	1,704	1,729	49.6%	50.4%
West Chester Township	12,410	9,811	55.8%	44.2%
Butler County	64,223	48,410	57.0%	43.0%
State of Ohio	2,183,734	1,649,384	57.0%	43.0%

VOTES

■ Approved By VOTERS

■ What Council Supports



Tax Revenue

- This is the specific language for the host community fund created under the state treasury in [ORC 3780.22](#):
- *“(2) Thirty-six per cent to the host community cannabis fund for the benefit of municipal corporations or townships that have adult use dispensaries, and the municipal corporations or townships may use such funds for any approved purpose. Distributions to municipal corporations or townships shall be based on the percentage of adult use tax attributable to each municipal corporation or township”*

*The amount of tax revenue is subject to change.

- This fund, as currently established through the language passed in Issue 2, would provide funding **only to municipalities and townships with operating adult use dispensaries within their jurisdiction**, based on the percentage of adult use tax attributable to retail sales at the dispensaries.
- In the event a community exercise their right to pass resolution prohibiting operation of adult use dispensaries within their jurisdiction, then the community will cease generating the retail sales upon which the host community funding is based and forego their eligibility to receive state support under the fund.
- **A prohibition on retail sales on marijuana in a community would mean they receive \$0 in host community funding. A prohibition with a certain community would not disallow residents from purchasing marijuana in another jurisdiction. In this case, the taxed proceeds from their retail activity would go toward the host community funding allocation of the municipality or township in which the marijuana was purchased.**

- Ohio State Moritz College of Law projected: “While predicting future tax revenue is always subject to unforeseen circumstances, our center estimates that by year five of operation, Ohio could see between **\$276 million to \$403 million in annual tax revenues** if the tax structure is not altered by the General Assembly.

Reasons I have heard for a Prohibition

1. No More VAPE stores
2. Don't want them on every corner
3. No More Blight
4. None of that Stinky stuff on our streets
5. Harmful to the kids
6. Don't want that stuff in our city
7. Higher Crime Rates
8. Cash only
9. Will bring "Druggies"
10. Uncertainties

1. No More VAPE Stores

2. Not on Every Corner

- Vape Stores are not regulated at the State, Federal or Local level. That is why there are so many, and why they are able to be fast and loose with their operations.
- Issue 2 created an entire new government agency called the Division of Cannabis Control, which will put very strict regulations and control on dispensaries.
- There will only be 50 Dispensary only Licenses provided throughout the ENTIRE STATE of Ohio at the onset.
- We as a City can pass an ordinance allowing only ONE.

3. No More Blight











12.B.3.a

Attachment: Why Council Should Oppose a Ban S.T.12.4 (160-23 : Adult Use Cannabis

4. None of that Stinky stuff on our streets
5. Harmful to the kids
6. Don't want that stuff in our city

- **A prohibition within a certain community would not disallow residents from purchasing marijuana in another jurisdiction.**
- **Regardless of our vote tonight. It will be legal to grow Marijuana Plants in ones own Home on Wednesday in the City of Fairfield.**
- **It will be legal to possess up to 2.5 Ounces of Marijuana in the City of Fairfield, regardless of our vote.**
- **It will be legal to consume any form of Marijuana in the City of Fairfield, no matter how we vote.**

7. Higher Crime Rates

- Monroe, Ohio
- Seven Mile, Ohio
- Lebanon, Ohio

Those three cities have Medical Marijuana and have no statistics showing an increase in crime. Again, if the crime increases because of legalization, that means nothing to what action we can take as a council.

There is no statistical data showing a correlation between a dispensary in a city and increase crime.

8. Cash Only

- Because of legalities with Marijuana being illegal Federally, all locations will be cash only. This causes fear of those dispensaries having large amounts of cash and the possibility of being robbed.
- Are we going to outlaw banks in the City of Fairfield?
- The operations will have secured locations because of this, and they will move their money through secure means.

9. Will Bring “Druggies”

- Again, Issue 2 passed in Ohio. Marijuana will be legal everywhere, no matter a ban in the City of Fairfield.
- I’ve personally spoken with officials in Cities from other States who have said after having a dispensary in their City, they have zero data showing an increase in hard drug users within their city, they have actually seen a decrease in Court cases involving drug use.
- What is sold at a dispensary will not be “cheap”

10. Uncertainties

- An argument for a prohibition has been the uncertainties with the law.
- This is not a reason to take action prohibiting businesses from our city.
- If a potential company began looking for a place to open a dispensary, they would not bother looking to a city that has already taken action to hold off on allowing any dispensary or one with a current ban. It will be difficult enough to obtain a license from the state, therefore they will not deal with a city government who opposes the will of its own citizens.

Lastly

- Our political System is a Representative Democracy. Voters elect legislators to make policy decisions and enact laws on our behalf, which the legislators do by taking action during open public meetings. Except through the exercise of initiative and referendum the citizens do not practice direct democracy. The essence of the legislative process is the give and take of different interests and the search for compromises acceptable to the majority.
- This is what we are elected to do and what we practice on a biweekly basis at our meetings.
- This situation tonight is atypical, as the citizens of Fairfield exercised the power of initiative and referendum to practice direct democracy and we are attempting to usurp their voices.
- Voting in favor of a prohibition, a ban, or a moratorium of any kind, would simply be telling the Citizens of Fairfield: Your Vote Doesn't Count and Doesn't Matter.