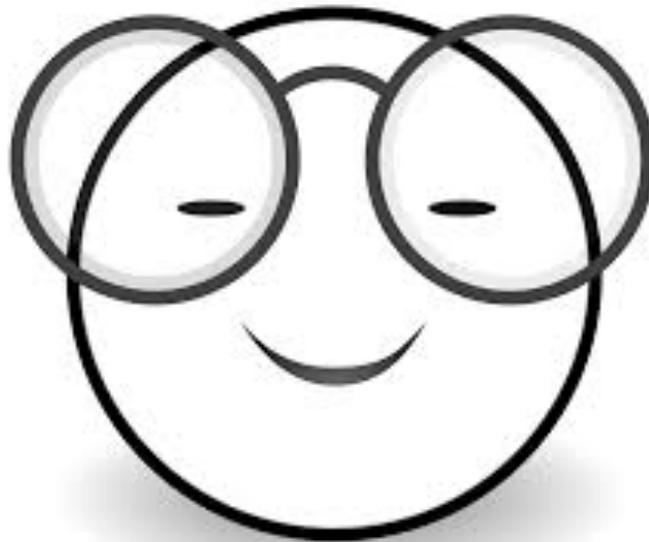




**Boxholder
Dayton, IN 47941**

Important Information about Dayton's Future Enclosed



“Democracy is not a spectator sport.”

Lotte Scharfman.

**For more information, see
www.daytoncommunity.org**

IMPORTANT MEETING

**The Regular Monthly Meeting of the Dayton
Town Council will be held Monday,
March 5th, 2018
at 7 pm at the Dayton Town Hall.**

*A possible agenda item could be the Rezone Petition
for M & C Development.*

TAX INCREASE MEETING

**A Public Hearing has been called for Monday
March 12, 2018 at 6 pm
at the Dayton Town Hall for the purpose of
re-establishing and increasing the tax rate for the
Cumulative Capital Development Fund
(CCD Fund).**

*The town council interprets your absence at all
meetings as tacit approval of any decision made.*

**Please watch the Dayton Watchdog on Facebook
for updates. www.facebook.com/daytonwatchdog**

Dayton Area Community Coalition

A Letter from our Board of Directors

(As published on the Journal & Courier website jconline 11/17/17 .)

We have learned many things in 2017 about our Dayton, Indiana community. We have learned that a widespread passion exists for protecting the community we hold dear. We have learned that we cannot take our small town quality of life for granted, and that there are some things in life worth fighting for. We have learned that we can't always count on our elected officials to represent us, and that sometimes we have to step up, stand up, and speak up for what we value and believe in.

We are residents of the Town of Dayton and the extended community, and we recognize the danger profit-centered growth and development presents to our very way of life. We are in favor of growth for the town, but only on the condition that it causes the town and its residents no harm, offers demonstrable benefits, and will serve to complement and enhance our small town atmosphere.

Knowing we have a big job ahead of us, we have formed the Dayton Area Community Coalition. We are a 501(C)(4) nonprofit corporation dedicated to preserving and protecting our hometown. We support our school, churches, local businesses, first responders, and most of all, we support the sense of community that makes us special.

We hope all who have a connection to Dayton, whether you live here or nearby, or are connected through our school, churches, or businesses, will join us by signing up at www.daytoncommunity.org. We need your help, advice, and moral support. Please help save our small town.

Board of Directors
Dayton Area Community Coalition
Jen Manago
Jaimie Wheeler
Cindy Marsh
Carla Snodgrass
Wendie Vanette
Gordon Hardebeck

We are aware that many Dayton residents do not use Facebook, and a surprising number do not have access to the internet. We feel it is imperative that ALL Dayton residents be made aware of what is happening in our town, so we are including relevant facts and information. Please contact any of our Dayton Area

www.daytoncommunity.org

Community Coalition Board Members if you would like additional information, or call Cindy Marsh at 765-714-2119.

Things you need to know and how we got here:

First of all, know that on Wednesday, February 21, 2018, the Tippecanoe County Area Plan Commission sent a recommendation to the Town of Dayton to approve the Rezone Petition by M & C Development to rezone 54 acres south of Dayton from AW to R1 zoning. The Dayton Town Council will approve this Petition very soon, most likely at the March 5th regular meeting of the Dayton Town Council. After that, the developers will begin the subdivision approval process before the Area Plan Commission. We intend to protest and fight it every step of the way.

Who among us is willing to allow our town to be destroyed by self-serving individuals who are exploiting our utilities for personal gain? Who among us is willing to pay more in taxes and utilities? Who among us doesn't think a subdivision with fewer houses is better suited to Dayton. Who among us will work to save our small town?

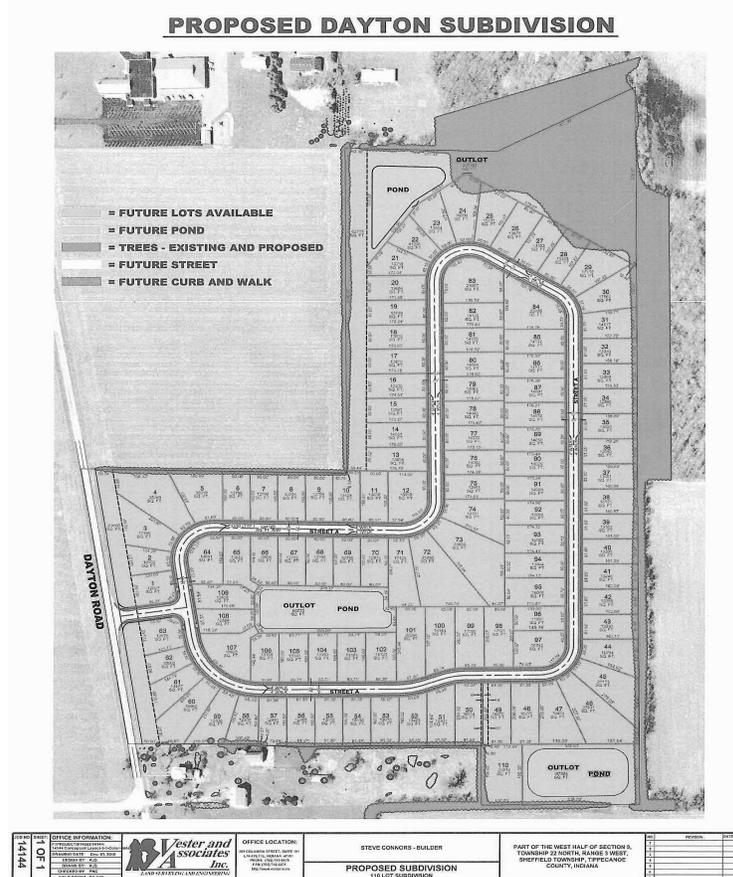
We can be sure Dayton's council will approve the Rezone petition, which not only will allow for the 110 house subdivision that's been shown for over a year, but opens the door for the developers to plan the maximum number of houses that R1 zoning will allow. The 110 house subdivision could turn into a 189 house subdivision, thanks to actions by our town council. The council has the power to stop that atrocity of 110 houses or more, but have NOT ONCE stood up for the people of Dayton against the manipulative developers.

Relevant Information:

12/7/15 We'll start at the beginning. In December of 2015, the town's attorney, whose law firm represented builder/developer Steve Connors, informed the council that Mr. Connors was inquiring as to what Dayton's requirements would be to allow for the development of the Jan, Inc property on the east side of Dayton Road past the Dayton United Methodist Church. The council scheduled a public work session on the issue for January 9th, 2016.

1/9/16 At the January 9th meeting, 4 council members (Ashley Stevenson, Tammy Nice, Tyrone Taylor, and Ron Koehler) **agreed that one acre lots would be required**, along with 2500-3500 square feet houses and miscellaneous other requirements. Council member Mike Harris did not attend this meeting, but met the very next Saturday with the realtor for the landowner, Alan Orr. (See the video on our website for the 1/9/16 meeting.)

12/5/16 The next we heard (that we know of) from Steve Connors was when he, his new partner Greg Milakis, and attorney Dan Teder presented a plan for a 110 house subdivision. Teder described a process where the developers would request the land be rezoned, and eventually ask the town to annex it to provide water and sewer service. (The video for the meeting is available on our website.) This is the plan they presented:



At this point, we must fill in the rest of 2016. After the January 2016 meeting when the council, which included Ashley Stevenson, decided to require one acre lots. Here's what happened in the months after that meeting:

2/29/16 – Milakis Homes obtained a building permit for a home on property located at 7400 Wesleyan Drive owned by Ashley and Lisa Stevenson. (The building permit can be viewed on our website.)

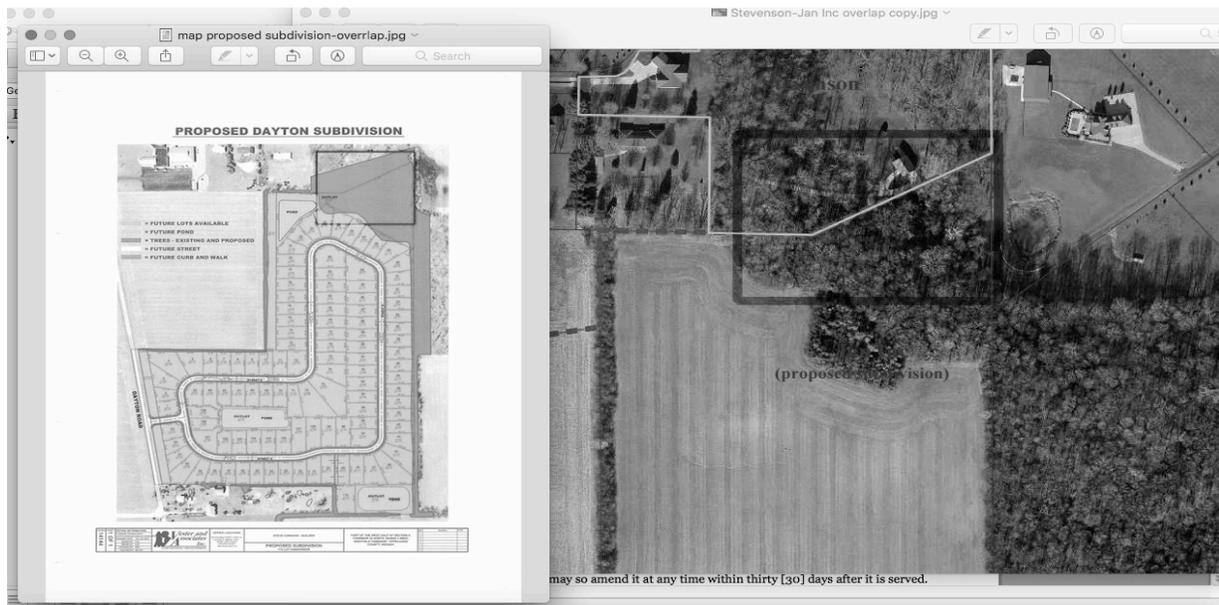
3/16/16 Council member Ashley Stevenson and his wife executed a Quit Claim deed transferring property at 7400 Wesleyan Drive to Milakis Homes, owned builder/developer Greg Milakis. (See documentation on our website.)

10/26/16 A Sales Disclosure Form was filed showing the transfer of property from Milakis Homes back to Ashley and Lisa Stevenson. (The Sales Disclosure Form

can be viewed on our website.) On the same day, Milakis and Connors joined forces.

10/26/16 Greg Milakis and Steve Connors registered a new company, M & C Development, LLC, with the Indiana Secretary of State, and filed their Articles of Organization. (The information from the Indiana Secretary of State can be found on our website.)

12/5/16 So we're back to the meeting first mentioned on page 3. Significant details of the plan presented by attorney Dan Teder on behalf of Greg Milakis and Steve Connors are that the lots are much LESS than one acre (more like 1/4-1/3 acre), and the "green space" in the subdivision borders the southern edge of the Stevenson property. The green space is next to the location that the Stevensons have a cabin and a pole barn very near the property line. This is the side by side map:



The videos of all the meeting videos are available on the Dayton Watchdog youtube channel. There are a number of items to note:

- The council was repeatedly pressed for a Comprehensive Impact Study. They declined.
- The council is repeatedly asked to allow the residents to vote on this proposal. They refuse.
- A petition with over 250 signatures was ignored because signers "might have been lied to or tricked."
- The developers and the council do not want to discuss future developments they have planned for the west side of the road. The same landowner owns over 200 additional acres, and the developers currently have a right of first refusal on that land. This is only the beginning, folks, but we can't talk about it.

-Requests for compromise and fewer lots are denied. The developers insist it's not "economically feasible" to compromise.

-A website administered by relatives of elected officials was created to slander opponents and promote the subdivision.

-The council was advised by the sole council member opponent to use the utilities as bargaining chips, and not to annex until we had a contract for a subdivision which would benefit Dayton, with bigger lots. They annexed anyway, guaranteeing our utilities would be available. *This subdivision is only possible with Dayton's utilities.*

-The council adopted a "Fiscal Plan" for the annexation, which is required to provide "itemized and detailed estimates" of extending services to the area, but only stated that "[A]ssuming the annexation and project goes forward, the Town, Developer and adjacent property owners will establish a plan to extend the existing water main to the new area." The council adopted it anyway.

-The council annexed the land over widespread opposition.

-The Dayton United Methodist Church, being the only "adjacent property owner" sent a letter to the council in June 2017 making clear they did not have an obligation to pay for utility extensions. The letter went unmentioned and unacknowledged.

-The Church sent a 2nd letter in January 2018, again explaining that they would not be paying for utility extensions. This time, they asked for a written response. The council, to date, has not responded.

-Statements were made implying that the Church had an outstanding obligation to extend utilities to their property line. One example was from the council president who, on 3/6/17, stated that "I'm not in favor of paying to extend water and sewer lines out there. That technically should be the church's thing but that's a whole 'nother fight." The Church has no obligation. See the town's "Cost Recovery Program" which makes that point clear. It can be found on our website.

-The attorneys for the developers have made conflicting statements about who is responsible for utility extensions. They have said "its too early in the process to have the engineering on that yet", the cost recovery fees "are more than sufficient to pay for any water or sewer extensions...", and then at the APC Hearing, "the cost of the extensions of the water and sewer would be negotiated as part of the subdivision process." The fact is, if ANYONE knows who's paying for the extensions, they're not saying.

-The town council is allowing a lawsuit rather than say the town will NOT pay to extend the utilities. You can bet the people of the town will be paying all or part of the utility extension. Every dime we pay, the developer doesn't have to, making the development even more profitable.

-Three members of the town council sent a letter to the APC saying "The fiscal plan details the intent to serve the property with public water and sewer once the developer has extended them **at their own expense.**" This statement is an outrageous lie, especially considering there has been a lawsuit since July trying to get them to say just that. The people of Dayton are paying attorneys to defend the fact that the council will NOT say that. Like we said, you and I will be paying.

- The Fiscal Plan says this: "The CCD Fund currently has a tax rate of \$0.0192 but could be increased to \$0.05 with Council action to re-establish the fund. The timing of this adjustment could be done after the Town's AV increase from the annexation builds up the tax base to the extent that the total corporate tax rate would still not increase. For example, adding this additional \$0.03 to the CCD rate in 2020 will increase the revenue for this fund by an estimated \$16,000 but not increase the total corporate tax rate paid." Already a Public Hearing has been called for increasing the CCD tax rate. It is scheduled for March 12th at 6 p.m.
- The town council never misses an opportunity to try to slander and accuse the sole opponent councilmember of improprieties for standing up for taxpayers and residents of Dayton. As recently as the APC Hearing, the town's APC representative tried it again.
- The developers patronize and insult opponents, and routinely try to ridicule our representative on the council.
- The council and developers continually allege that "there's just a few" people against the subdivision, in spite of overwhelming evidence to the contrary.

Reprinted from 4/11/17 Journal & Courier:

Dayton Community Wants Justice

During the 2015 municipal election in Dayton, the issue of annexation was not a consideration. The current town council was elected to conduct the routine business of the town and resolve issues as they arise. For example, the council just approved a "horse ordinance" which was a year in the making. Last year, a "golf cart ordinance" was passed after more than a year of deliberations. Even with the thorough consideration given to these ordinances, a future council may see things differently and change them. The issue of annexation and subdivision approval currently before the council is different. An ordinance or policy can be changed at the next election, but once land is annexed and a subdivision is built, there's no turning back. The entire future of our town is at stake with this decision.

In February 2016, upon the death of Supreme Court Justice Scalia, Republicans announced that President Obama would not be allowed to install a new Supreme Court justice. Too much was at risk, they said, and the people needed to be allowed a voice. Borrowing from the Republicans' playbook, we contend that we need to place this annexation idea on hold until the people have a chance to speak at the next election of the town council. Barring that, let's put it to a vote of the residents right now.

We, the people of the Dayton Community, do not currently have a voice in this issue, as much as we try. Our petitions, letters, and phone calls are ignored as the council follows the bidding of the developers. Where less permanent decisions are given months or even years of deliberations, the council is moving forward with the required steps of the annexation proposal that was only introduced in December. Profit for a few seems to supersede the concerns of the community.

Most of the town approves reasonable development that would create a semi-rural subdivision with large lots. We want to avoid at all costs turning the south part of Dayton into the south of Lafayette. Abundant housing on tiny lots exists around Lafayette and West Lafayette for those who prefer that type of housing. We want to see development that keeps Dayton's unique, semi-rural feel and our small town charm.

What the town really needs is time to create a vision and plan for growing our town that considers our values, our identity, our history, and our culture. We need a vision to guide us in creating a long-term growth plan. The only thing standing in the way of this idea is the current subdivision proposal and annexation request. Most of us have an idea of what we would like to see south of town, and it definitely is not this. We believe compromise could be reached, and the division in the town healed, if we could move past this highly controversial and contentious proposal.

The next municipal election is currently scheduled for 2019. A more immediate election could be called if the current council resigns, which seems unlikely. A more realistic alternative is to let the community have a say. Since our petition is ignored, a vote seems the only option. The logistics of such a vote could surely be worked out to the approval of both sides. There has to be a way to do this, formally or informally through independent, unbiased parties. Perhaps a special election could be called for the “Local Public Question” of this annexation and subdivision proposal.

Members of the Dayton community who live outside the town limits are as alarmed as Dayton residents. This decision impacts them as much or more as it does us, yet the council dismisses their concerns and input as well. It seems paradoxical that the council will consider annexing land currently outside its jurisdiction yet ignore input from those living near that land because they didn't elect them. If the issue is put to a public vote, those living within a certain radius of the proposed subdivision should be allowed to participate. Alternately, it is incumbent on Dayton residents to consider the concerns of their neighbors outside town limits when casting their votes.

Too much is at stake for our small town of Dayton for the people NOT to have a voice in this. The very essence of our town will be changed forever with this decision. Like the Republicans with the Supreme Court, we call on the Dayton Town Council to delay any decision until we can elect officials who will represent our views. The only other option is to put the issue to a public vote.

Cindy Mead
Rick Stingley
Lynn Stingley
Lorne Koehler-Marsh
Rita Rogers Neel
Tom Neel
Chad Neel
Misty Kemp
Jerod Kemp
Wendie Vanette
Jason Vanette
Kathy Cox
GordonHardebeck
Cathie Hardebeck
Carl Cox
Philip Burket
Wilhelmina Burket
Terry Foley
Bill Foley

Alan O'Brien
Gabe Livengood
Amber Livengood
Reneé Siefers
Michael Siefers
Jane Nobis
Steve Nobis
Lanny Hahn
Paula Hahn
Stan Kyger
Sue Kyger
Cindy Marsh
Jan Ewing
Bob Ewing
Rob Perkins
Kyla Perkins
Dale Hayes
Norma Hayes
Cory Hayes

Connie Sorensen
Scott Sorensen
Don Koehler
Bryan Thomas
Lee Ann Thomas
Kathy Burris
Bob Burris
Nancy Brand
John Brand
Susanne Cox
Josh Cox
Larry Nydegger
Florence Nydegger
Barbara Stansbury
Kim Bledsoe
Angela McMurray
Dave McMurray
Sherry Million

Heartfelt letters such as this, as well as phone calls, emails, messages, and comments at public meetings fell on deaf ears. Our council feels no responsibility to us, the citizens of Dayton, and less than that to the Dayton Community.

www.daytoncommunity.org

How You Can Help

- Bravely and proudly display the enclosed sign in a prominent window.
- If you don't have a Keep Dayton Small sign in your yard. Please request one. Email Dayton@daytoncommunity.org or call Cindy at 765-714-2119.
- Volunteer to help maintain the signs.
- PLEASE ATTEND THE MEETINGS! The council interprets your absence to mean you're in favor of the subdivision.
- Contact each of your council members (see below) and make your opposition clear.
- Even if you previously contacted Area Plan members, do it again for the subdivision process. Contact information can be found on our website.
- Never, ever give up. The very survival of our small town depends on people who care.
- Run for a council seat in 2019. Vote in 2019. If you're not registered to vote, register now. We can help with that. Call Cindy at 765-714-2119.

"The limits of tyrants are prescribed by the endurance of those whom they oppress." - Frederick Douglas

Only Ron and Tyrone shared personal contact information. Contact information for the others was obtained from public sources.

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**KEEP
DAYTON
SMALL**

WWW.DAYTONCOMMUNITY.ORG