

*Democracy is not a spectator sport, it's a participatory event. If we don't participate in it, it ceases to be a democracy.* Michael Moore

## 2018 Dayton Council Regular Meetings

Meetings begin at 7 pm.

July 9

August 6

September 10

October 1

November 5

December 3

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## DEMOCRACY DIES IN DARKNESS

The Washington Post has a catchy slogan on its masthead: “*Democracy Dies in Darkness*”. It means that “sunshine”, or transparency, ensures government is held to democratic standards.

Well, in Dayton, Indiana, "democracy has been killed in broad daylight". There isn't even a pretense of transparency as 4 of the 5 council members conspire, collude, and make decisions outside of the public scrutiny Indiana law requires.

July 5<sup>th</sup> marks the one year anniversary of our lawsuit requesting “declaratory judgment” against the town because of the Fiscal Plan they adopted for the annexation that *DOES NOT* enumerate all expenses, again as Indiana law requires. Specifically, it does not say who pays to extend the utilities and other required improvements. We knew before we began that we were fighting an uphill battle, because citizens of an annexing town do not have any legal rights in the process. While dismissing our first attempt at the lawsuit, the circuit court judge illuminated our path forward in his decision. When he was set to retire, though, he dismissed our second attempt without comment. The case currently sits in the Indiana Court of Appeals.

You need to know that now, more than a year after the flawed Fiscal Plan was adopted and the property south of Dayton was annexed, *the Dayton Town Council still refuses to disclose who is paying to extend the utilities to the annexed area. Informal estimates predict costs could reach \$500,000, and the people of Dayton will most likely bear all or part of the expense. No wonder they want to hide it!!!!*

**The important “take-away” from the anniversary of the lawsuit against the town is this: *The Dayton Town Council is costing the town untold legal fees for an ENTIRE YEAR to defend itself against a lawsuit SO THEY DO NOT HAVE TO TELL THE CITIZENS OF DAYTON WHO IS PAYING TO EXTEND UTILITIES AND PAY FOR OTHER IMPROVEMENTS.***

**The town council is deliberately and consciously hiding details from the people of the town, and costing the town tens of thousands of dollars in the process. In the meantime, the developers are merrily going about the business of subdivision approval, surveying, and other details of the development the taxpayers and utility customers of Dayton will be subsidizing.**

## ***THINGS YOU NEED TO KNOW***

*(continued from the February 2018 mailer- see [www.daytoncommunity.org](http://www.daytoncommunity.org) for part 1)*

**March 5, 2018 – As expected, the Dayton Town Council approved the developers' Rezone Petition, in spite of the lack of commitments or guarantees that they would pay to extend the utilities. Video of the discussion can be found on the Dayton Watchdog Facebook post from March 6th.**

**Since the council approved the rezone, the developers have been proceeding with their plans. They have submitted subdivision plans to Area Plan, they're surveying, and they will be trying to acquire the necessary utility easements.**

**There is an existing sewer easement on the east side of the road on land owned by the Dayton United Methodist Church that extends to the town limits. The church owns a parcel of land south of town limits that requires an additional easement.**

**A water easement is also required. The water utility runs on the west side of Dayton Road, and an easement is needed on land owned by Ron Koehler and Cindy Marsh.**

***Look for the developers to underhandedly attempt to put both utilities on the east side of Dayton Road, which would require an extra wide easement to be approved by the church. We would hope the church would not participate in such a contemptible plot that would render the feelings and beliefs of Dayton citizens as irrelevant.***



## **AN OPEN LETTER TO THE DAYTON COMMUNITY**

**If you've ever driven south on Dayton Road, crossed over the railroad tracks, and gone past a four acre field dotted with inviting shade trees, you might have noticed a toll house sitting on a charming little lane leading into a quiet neighborhood. Shade trees, split rail fence, and nostalgic shaker lights line Shady Lane as you wind your way down the quiet road. It's a beautiful setting, and one that's loved and appreciated by those who live here.**

**At the April 2nd meeting of the Dayton Town Council, councilman Ashley Stevenson revealed his plan to "improve" Shady Lane, the quiet road that residents will tell you has no need for his "improvement". His plan calls for moving the Shady Lane intersection with Dayton Road to be right in the middle of the beautiful four-acre field.**

**His "improvement" project doesn't end there. Shady Lane now ends in a small cul-de-sac, which he wants to extend through a private lawn to connect with Wesleyan Drive, the next road south.**

**It's not coincidence that both properties councilman Stevenson wants to put roads through belong to vocal opponents to his pet annexation/subdivision project (me and my husband, councilman Ron Koehler). It's not coincidence that his road "improvement" connecting two roads passes through property that joins his. It's not coincidence that such a road would give the illusion that he owns more land than he does. Stevenson's accommodating council cohorts approved \$10,000 of Dayton taxpayer's money for preliminary engineering plans for this personal vendetta / personal benefit project.**

**The complete presentation made by Stevenson at the meeting can be seen on the April 2nd meeting video found on the Dayton Watchdog, and a link is provided to a Dropbox containing the handout showing the map.**

**Retaliation and vindictiveness – the symptoms of the cancer of self-dealing and self-serving that Dayton residents are protesting with their Keep Dayton Small signs. We'll fight this "improvement" to save what we value. It's why we fight to save our small town, and it's why we will continue to carry on. Besides the Dayton Watchdog, see [daytoncommunity.org](http://daytoncommunity.org) for more information.**

**Cindy Marsh  
Dayton**

