



Civic Chatline

Be Aware! Be Alert! Be Informed!
Founded : March 1962 CCCA is Cape's oldest civic organization



Volume XI Issue IV

Happy Spring

April 2010

**Thank you City Manager Carl Schwing
Keynote Speaker at Civic last month**



Civic would like to thank City Manager Carl Schwing who was our keynote speaker last month. Carl did this after having a full day at the office, then having a rare Tuesday evening city council meeting from 5-7 p.m. and then making it down to Civic shortly after 7:30.

We also want to thank civic board member Bob Dudley for providing us with a fill-in on what he and his group of volunteers have been doing to help clean up the Cape in light of the many, many foreclosures that blight our neighborhoods. We understand that they have now cleaned up approximately 200 properties which is saving the taxpayers money.

Carl answered several of Civic's questions that were submitted to him regarding the city financial status about which some people, including a city council member, seem to think that the city is "broke." As Carl stated when you're broke you can't pay your bills and that simply isn't the case with the city.

When it comes to the aquatic center aka "Concourse Cape Coral" the city administration has submitted a "doable plan" to the city council. This item will be voted on at the April 26, city council meeting. If the April 19 council meeting is a hint of things to come we can only imagine what the next council meeting will be like with the rancorous comments that came from the council dais regarding the swim center.

Another issue is the city Land Use amendments in advance of Proposition 4. The city has changed a number of properties to commercial and commercial activity center that if approved by the state will increase the commercial property from about 8% to about 22%.

Speaking of the April 26 city council meeting there are a number of other items that will be discussed at this meeting. The council agenda includes administrative discussion items such as the Kessler Audit, the Waste Pro contract, the Swim Center and the discussion of the city manager selection. Mr. Schwing was just appointed City Manager on March 1 to a one year contract and now some on this council seem to be in a rush to get the city manager selection process going.

We wonder if this process is being rushed because of the possibility of Eric Grill returning to council.

Congratulations new Italian American Club Board

Civic extends its best wishes to the new board of directors at the CC Italian American Club and their new President, Rita Marcolongo Doyle.

**At Civic April 27, David Scott and City Engineer
Oliver Clarke to Discuss No. Spreader EMA**

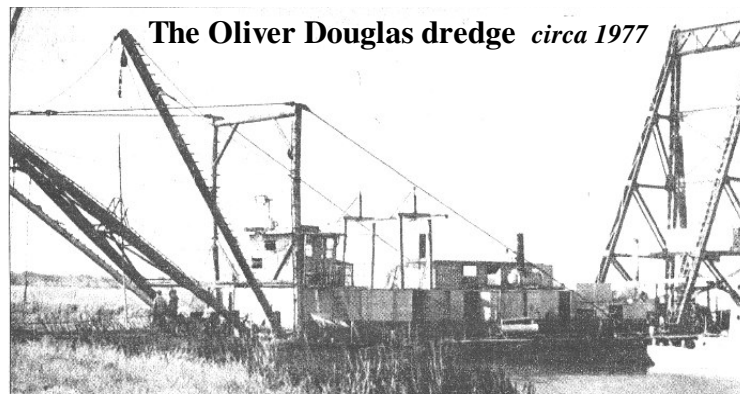
Civic is pleased to announce that Civic member David Scott, who is a professional geologist, will be our keynote speaker for this month's meeting. David along with City Engineer Oliver Clarke will summarize the technical findings to date as well as present **an aerial pictorial history of the area** and discuss what the North Spreader was designed to do and what happened to it over the last 40 years.



In addition to being a Trustee with LCEC, David has also been a co-investigator on numerous research / restoration projects with mangrove forests in Lee and Charlotte Counties since 1999. David has served as a technical consultant to the No. Spreader EMA committee since it was formed to study the issue.

The North Spreader Ecosystem Management Agreement consent order modification is nearly two years old. This process is a collaboration between Federal, State, County and City governments as well as environmental and neighborhood **stakeholders**. It was initiated to explore alternatives to replacing the barrier/boat lift, at the southern end of the North Spreader canal, which was breached catastrophically in 2006. This caused the city to be in violation of a consent order which in part stated that we could not have direct connection to saltwater in the spreader system. The process is attempting to do what DEP terms a "holistic" enforcement approach to an environmental violation. The core of the issue is a decision to replace the barrier or commit to a series of other projects which would collectively have a greater Net Environmental Benefit (NEB) than replacing the barrier. Replacing the boat lift will cost the city tens of millions of dollars if this is the route that is ultimately decided.

There is also a very real possibility the boat lift/No. spreader canal issue may ultimately have a direct effect on the **UEP expansion North of Pine Island Road**.





Politics in Paradise

A look at bureaucrats and elected officials

Rosado in the News

It was reported in the news recently that former City Council member Mickey Rosado will likely have to pay a \$7,500 fine stemming from a years-old ethics complaint. The state Commission on Ethics upheld the recommendation of an administrative law judge who set the fine in mid-January. Gov. Charlie Crist will ultimately have to sign an Executive Order imposing the fine. Rosado said he would "strongly consider" appealing the decision.



City Codes back on council agenda?

Four years ago this is what Civic had to say about an ordinance that at the time was being sponsored by then council member Mickey Rosado.

"Stop Messing with our Residential Neighborhoods."

It's still the same message to Council member Rosado. Unfortunately this council member just doesn't get it even when it's right there in his face. A Majority of Cape residents want Rosado to stop messing with our neighborhoods especially since Ordinance 02-06 does not benefit the **MAJORITY** of our homeowners!"

It appears that this current council is being urged by the few who think nothing of the laws (codes) that were written to protect our residential R-1 neighborhoods from looking like N. Ft. Myers. This issue needs watching since R-1 residential codes do not need to be further relaxed.

The following excerpts were written by Tom Haden and appeared in the News-Press on March 14, 2006. "It's always amazing to me that we can't get Cape Coral residents out to vote, but when an issue literally hits them in their backyard, people swarm to a city council meeting like fire ants to an ankle."

"Such was the case last Monday at a city council meeting when 130 people showed up and about 36 stood at the microphone and gave impassioned pleas representing both sides of proposed changes to the much-debated boat ordinance."

"Council member Mickey Rosado proposed a new ordinance, basically allowing people to park boats, trailers and RVs along the sides of their homes as long as they are hidden from sight. This particular ordinance and meeting were interesting from a number of fronts."

"Overwhelmingly, residents were against changing the ordinance that currently allows boats to be parked in backyards. Then, for almost two hours, people discussed their concerns about changing the ordinance and how it would be enforced. In the end, after hearing all the criticism, Rosado withdrew his plan, but he said he'll put a new-and-improved one back out there for discussion in about a month."

Rosado didn't back any changes which many believe was the best decision he ever made.



President's message, April 2010

Hello Members and Friends,

It's pretty safe to put away our snowsuits for now. This is the first Spring I can remember happening since I arrived here 12 years ago. Usually it's 50 one day and 90 for the rest of the summer. I really enjoy this weather.

Coming up is rainy season and a good number to know is Mosquito Control, 694-2174. I walk my dogs 3x's a day and sometimes I have to put a space suit on just so I don't get carried away. These county workers are very good and very responsive when they are called. When they arrive they find where the insects are and actually talk to you. If it's bad enough, they come out that night and treat the area. Thank you Mosquito Control.

Tuesday, April 27 is our next general meeting. Our speakers will be David Scott, and city engineer Oliver Clarke. They will discuss the issue of NW Spreader, the boat lift and the possible impact on the sewer and water utility expansion North of Pine Island Road.

I would like to thank our City Manager, Carl Schwing, for his time and sharing his thoughts about the future of our city.

I would like to thank all the members who came to the meeting and encourage more to attend. Attendance at each meeting has been greater than the one before. I would like to see this continue.

We have our meetings and invite speakers who will help us understand what is going on in our city. Even if the subject matter is not in your immediate area chances are that it has an impact on the quality of life of our city. We continue to watch the ongoing sagas unfolding in our city, the U.E.P., Kessler's return, the North Spreader, and any other item which may have an impact on our members. Also, Civic expressed an opinion to the mayor and council regarding Kessler's return. Civic is opposed to any additional cost that will be borne by the utility rate payers only.

This summer Civic will go dark in May, June and August. We plan to meet in July so that we can present a candidates forum for Lee County school board and County commissioner who will be in the primary elections on Tuesday August 24.

Hopefully after the summer, we will again start inviting council members to our monthly meetings to share with us how it feels being on the other side of the dais.

In closing, Thank You for being part of Civic, and invite others in your community to our meetings so they can learn more about what makes our city run.

Sincerely,

Anthony "Tony" Farina, President

"The Association is for the betterment of Cape Coral"

Please Support Our Advertisers

On the advertiser's pages there is a note that asks; **"Patronize our Advertisers. They help pay the bills."** In 2009 Civic expenses were **\$2,317.29**, most of which were for the CC Yacht Club hall rental fees.

Without our advertisers Civic would be forced to increase dues. So please remember, when you 'help' a Civic advertiser you are in effect 'helping' Civic. If you have an advertiser for Civic please let us know.....



There will be No Civic meeting in May, June or August. Have a safe and enjoyable summer!

Committee of the Whole (COW) UEP Rate Meetings

As a response to the “sticker shock” of the rate increase last October, City Council decided to have bi-weekly COW meetings to focus on ways to reduce or eliminate future planned rate increases. These increases are scheduled to be 15% for the next three years followed by 3.5% increases (rate of inflation) into the future. These rate increases are the product of the Rate Study done by Burton and Associates, and are the result of having to provide debt coverage for the bonds taken out to fund the Facilities portion of the Utilities Expansion Program.

The first meeting was held on February 17, 2010. This meeting generally consisted of housekeeping as to how to format the meeting, whether or not to have Citizen’s Input, and televising the meetings. There was a discussion of the mayor’s proposal to charge all lots not already on utilities a “nominal” amount, perhaps \$200-\$300 per year to pay for the Kismet RO plant, the logic being that we have sufficient capacity at the SW RO plant for current users, so the Kismet plant was built for future users. This is similar to the plan put forth by Mayor Kempe. Bond Council and City Attorney staff did not believe this was possible. Council requested that Burton and Associates attend the next meeting to review how the rates were calculated.

The next meeting was on March 3, 2010. Michael Burton and Andrew Burnham presented the rate model, and reviewed the relative influence of different factors on rates, primarily that adding more rate payers was more effective than reducing debt. This is because more rate payers are forever, and the added cost for each new rate payer is very small, while reducing the debt does little to influence rates, unless the reduction is large. This is like getting \$10,000 off a \$300,000 mortgage. While it seems like a lot, the payment is reduced very little. Burton left with the plan to construct a table showing the effect on rates for debt reductions of \$50 million, \$100 million, etc.

On the 23rd of March, 2010, representatives of our Bond Council, Nabors, Giblin & Nickerson, were present to discuss the mayor’s proposal. In short, they were not sure if it would fly, and finally recommended trying it in a small area to see what happened. They were of the mind that some, or all, of the owners in that small area would sue, and that it might be that the court would side with the City, thereby validating the idea. It appears that N G & N were not confident, hence the small area idea. This idea is not likely to go much further, but will still be brought back up by the mayor repeatedly.

Burton returned on April 7, 2010, to discuss the Debt Reduction table asked for earlier. Council members expressed dismay that reducing the debt in increments was so ineffective, even though they had been shown this before. There was a discussion of timing to solve this problem, and one council member suggested simply postponing the October, 2010 rate increase. This cannot be done, due to the covenants on the bonds, something that was quickly pointed out by the City’s Financial Adviser. The mayor said he wanted a solution by October, and others thought it would take much longer. At the rate Council gets things done, several Octobers may well pass before any action is taken. We all recall how decisive they were regarding the Lee County Animal Control situation.

In the next edition, we will review some of the more sound and obvious ways to address this situation. Council knows what they are, but does not want to own up to the inevitable.

City Clerk Potter, to Retire this Month

Civic congratulates City Clerk Bonnie on her retirement with the City of Cape Coral after 35 years.



Civic recognized Bonnie for her 30 years of service in September 2005 and it’s hard to believe that almost 5 years has transpired since that meeting.

We understand Bonnie is working on her book; “If These Walls Could Talk” that is scheduled to be finished by the end of this year.

City Manager, Carl Schwing appointed Rebecca van Deutekom as Cape Coral’s new city clerk and we wish her much success in her new role. Civic will have to schedule both Bonnie & Rebecca at a future meeting.

So Who Were They?

Last month at Civic we were unable to give you the names of the first Mayor and council. We promised that we would find out that information. So here goes; The first Cape Coral City Council consisted of: Cleo Snead, Dist. 1, Paul Fickinger, Mayor/Dist 2, J. Chandler Burton, Dist. 3, Robert South, Dist. 4, Gordon A. Berndt, Dist. 5, Lyman Moore, Dist. 6 and C.F. Jablonski, Dist. 7.

They were administered the Oath of Office on 12/3/1970.

Excerpts from the Breeze 11/ 5/1970

Approximately 500 spectators were on hand and filled every available seat at the Yacht and Racquet Club to hear the candidates speak. In the invitation to them, the Civic association Board of Directors asked that they respond to two questions (1) why they were running for Cape Coral City Council, and (2) if elected what they would do for Cape Coral.

Civic Association President Gordon A. Berndt, a candidate for District 5 stepped aside as did his first vice president, J. Chandler Burton, a candidate for District 3, and the chair was turned over to Tom Gray who monitored the talks of the candidates limiting them to four minutes each. All of the candidates were well received. Only a couple exceeded the time limit and had to be reminded by Chairman Gray that their time was up.

Of the 22 candidates seeking office as councilmen, five were absent. Max Fishman, candidate in District 7, was present in early evening, but as his turn came up to speak, it was announced that he had become ill and had to leave. Donald J. Graf candidate in District 2, did not appear, and it was announced that he was ill. The last candidate Artie Watkinson, candidate in District 5 was unable to appear because of a minor accident.

Also absent were Ralph Santos, candidate in District 4 and Wates Signor candidate in District 1.

At the close of the meeting Berndt announced that a dedication had been made to grant all candidates who did not appear at the October meeting an opportunity to be heard at the November meeting provided they were successful in their primary bid.

The meeting on November 24 will be the last for 1970. There is no meeting in December, because the regular date would fall close to the Christmas holiday.

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Cape Coral Civic Association

P.O. Box 152171

Cape Coral, FL 33915 - 2171

Next General Meeting: Tues. April 27 @ 7 p.m. CC Yacht Club

Chatline is a publication of the Civic Assn. and intended solely for the education and enjoyment of its members. Civic Web Page: <http://www.capecoralcivicassociation.org>

2009-10 *CCCA* Board of Directors

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