



Civic Chatline

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



Volume XI Issue III

Happy 48th Anniversary CC Civic

March 2010

With Our Deepest Sympathy

City Manager Carl Schwin, Keynote Speaker
at Civic this Month March 23

The Cape Coral Civic Association is deeply saddened by the loss of County Commissioner and Civic Member Bob Janes. Bob was a lifelong public servant who was passionate about the environment and human services. His dedication, smile and wisdom will be missed in Lee County. Civic expresses our sympathies to his wife Lynda, and daughters, Sandra, Mary and Susan.



A memorial fund for Commissioner Bob Janes has been set up through the Conservation 20/20 Program. Donations will be used on the Bob Janes Preserve, a 5,620 acre preserve named in his honor.

Donations may be sent in care of Cathy Olson, Conservation 20/20 Program, 3410 Palm Beach Blvd., Fort Myers FL 33916. Checks should be made out to "Lee County Board of County Commissioners." Please don't forget to note: **"Bob Janes Memorial Fund"**

Civic is pleased to announce that our newly appointed City Manager Carl Schwin will be Civic's keynote speaker. On March 1, Carl officially became the City Manager on a 4-3 vote of council. He was given a one year contract until February 28, 2011. Carl has served as "Interim" city manager since November 2009. Carl was originally hired in 2002 for the position of DCD Manager. In 2005 Carl was appointed to the position of Assistant City Manager. With his eight years experience one would think Carl is well versed to serve as the CM however, this city council has decided to do a SE US search for a city manager.



There are a number of issues that Carl is being asked to address including: a) The financial state of the city and the projected 2011 budget. b) North Spreader EMA status c) The Swim Center aka "Concourse Cape Coral." This item will be voted on April 26. note: If it is rejected by council we should then remind Commissioner Judah that Cape Coral is part of Lee County since Ray stated to Civic in January, "the county would be interested in the *Swim Center* should the Cape fail to move forward with it."

d) **"Finishing"** the Kessler Audit. It is Civic's understanding that the Kessler Audit was completed and he was "paid in full" for his work as contracted. The Civic Board voted to express our objection to council the spending of additional water & sewer rate payer funds, up to \$60K, to further fund an audit that has the appearances of being a vendetta on the part of certain elected officials. The Civic Board has no objection to Kessler returning as part of his original \$130K audit contract and his providing proof of his allegations of "wrong doing" and "bid rigging" that he claimed in July 2006.

e) Large scale land use changes that may effect some 30,000 property owners. How Prop #4 hinders Cape Coral growth.

Final Dues Notice

Believe it or not we still a few people who have not paid their 2010 dues. This will be our final dues notice. Without your renewal we will have to assume that you are no longer interested in Civic and this will be the last newsletter that will be mailed to non members.



This month marks Civic's 48th year of providing a public service to Cape Coral & Lee County. It is only through the generosity of our members, past and present, that this is possible.

Your dues may be paid at the general meeting or mailed to the return address listed on the mailing page of Chatline. Please make your check payable to "CCCA" today.

Remember the strength of an organization is measured by the quality and quantity of its members. Civic also appreciates your help in recruiting new members.

Civic dues are still **only \$20.00** per family, per year.

Civic values your membership!

Civic thanks City Utilities manager Chuck Pavlos & Council member Kevin McGrail



Civic expresses our thanks to Chuck Pavlos and Council member McGrail for speaking at Civic last month. As soon as Civic receives answers on the utility questions asked, we will publish them.



Politics in Paradise

A look at bureaucrats and elected officials

Beware the "Ides of March"

Wow, all the interest for an appointment to the District 5 City Council seat. On March 15, seventeen people applied for a seat that was filled by appointment during a special city council meeting that was scheduled from 4 to 4:30 p.m. The special council meeting continued beyond 7:30 p.m. So much for time management and planning ahead.



Civic member and Road Ahead Contract signer Erick Kuehn emerged as the winner. Kuehn garnered 4 votes on the first go round, all from fellow Road Ahead contract signers. Interestingly, even though Council member Deile nominated Cheryl Peppers and Mayor Sullivan nominated Charlene Campbell neither voted for their "nominations."

Civic member Gloria Baron, who placed second to Grill in 2007 with 6920 votes, received votes from members Donnell and McGrail who nominated Aimee McLaughlin. As it stands council remains an all male body. Civic congratulates Council member Kuehn on his appointment to city council.

Inaccurate comments rebuked in the media

We continue to hear reckless comments and statements made by members of our esteem elected body. One such statement was made by Council member Leetz on March 1, when he proclaimed during a council meeting that the "city is broke."



According to the city manager; "The City is NOT broke. We have a balanced budget as required by law. We have debt service payments budgeted and are being made on time." However, we do wonder what this sort of statement does for our property values and the marketability to potential investors.

During Council Workshop, March 8, Leetz provided a video showing us the "Pristine Nature" of Academic Village as part of his reluctance to move forward with the Swim Center. In the News-Press on March 12, Tom Giles, President of Avalon Engineering stated; "Although the 165-acre site does include wetlands, the lake on the city-owned property is actually a rock pit and man made." Pristine Nature it's not.

Last Month We Reported, "Survey Defeated"

On February 8, council defeated (3-5) the mayor's wish to have a Survey conducted at a cost of approximately \$10,000.

On the March 15, council agenda Council member Deile had the item back on the agenda for reconsideration. Deile originally voted against the survey, the prevailing side.

In order to make a **Motion to Reconsider**, one must be on the prevailing side and it must be done at the same voting meeting or the next voting meeting of the city council.

It seems Deile was confused about the number of voting meetings since February 8. Council could also "*suspend the rules*" and then vote to reconsider, which they, including Deile, declined to do.

We also heard from the newly appointed Council member Kuehn that he too was in favor of having the survey. So with Deile's reversal and newly appointed council member Kuehn there would have been a 5-3 reversal on the vote had they chosen to suspend the rules to reconsider the vote.

President's message, March 2010



Hello Members and Friends

I think it is safe to say we are emerging from our ice age, and I believe what we experienced this week was the redistribution of water. All that melting ice in the polar regions had to go somewhere. That's just my theory.

I would like to thank our speakers at last month's meeting for their presentations. Kevin McGrail touched a number of topics. Chuck Pavlos answered a lot of questions for us and was gracious enough to take home questions that he didn't get to during the meeting, answer them, and send them back to us. Thank you both again for your time.

This month we have our City Manager, Carl Schwing, as our keynote speaker. We are compiling a list of questions for him. If any members have any queries that they wish answered, submit them to our website. We will try to get them answered.

In the past, we had an open mic policy at our meetings, where our members and guests could come up and ask questions. I would like to bring it back, so our attendees could find answers or information that they need. Some people showed up and used this opportunity to vent their anger, frustration, or further their agenda. As president, we invite these speakers into our house to gather information and treat them as our guests. We may ask some hard questions, but they should not be abused. If we start up the open mic again at our meetings, and someone tries to use it as a bully pulpit, they will be asked to leave our house. Members, what are your thoughts. We have a web site, with an e-mail link. Please give us your thoughts.

There are a lot of things happening around the city. The UEP talks are starting up. The feasibility for a swim center is going on. I hope our elected officials have the wisdom and courage to do the right thing for our city. I feel that there are decisions to be made which will be unpopular, but beneficial to our city. While the government was elected by the people, our elected officials have a duty to put the wellbeing of our city first.

On a lighter note, this month we are celebrating the 48th anniversary of our organization. I would like to invite our members and the public to come and attend our meeting, have some cake and coffee. We have these meetings for you. Come down and bring a friend. Relax and enjoy an informative night.

We have a new member on our board, Robert Dudley. We welcome him and thank him for his interest in Civic. 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 hall rental fees at the Yacht Club.

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

Civic Association Formed

3-8-62

Note: The meeting was held Thursday March 1, 1962. The Cape Coral Breeze only printed once a week, this article appeared the following week.



Nominating Committee: L-R H. L. Tex Weinberg, C. "Butch" Duffala, Ron Tolles, Frank Jackson, Kay McClure, Prof. William Hartshorne, Mrs. Lowell Mills

114 Members Join at Meeting

The Cape Coral Civic Association is off to an excellent start with 114 members signed up at last Thursday's community meeting. The meeting was held at the Cape Coral Shopping Plaza with a near capacity crowd in attendance.

H. L. "Tex" Weinberg, Chairman of the Organization Committee, called the meeting to order shortly after 7:30 P.M. He explained the purpose and hoped for objectives of the new organization and the evenings business.

Constitution Approved

A brief discussion and question answer period followed Weinberg's opening introductory remarks. Registration of members took place after the discussion period, followed by a vote of approval of the Constitution and By-Laws, drawn up by the Organizational Committee. The Constitution and By-Laws were approved as written subject to the subsequent appointment of a Constitution and By-Laws Committee from the membership to make a complete study and report at the next regular meeting.

Committee Elected

Election of a Nominating Committee was the next order of business. Elected to the Nominating Committee were Prof. William Hartshorne, C. "Butch" Duffala, Frank Jackson, Ron Tolles and Mrs. Lowell Mills. Mrs. Mills, receiving the most votes, is Committee Chairman. Appointed as a Constitution and By-Laws Committee

were Verne Schiegel, Dr. Robert Ross, Mrs. J.C. Topley, John Ferguson and Kay McClure.

Mrs. Mills pointed out that Nominating Committee could not possibly be acquainted with the qualifications of all potential candidates. "We would like to ask that any member having knowledge of an Association who he considers well qualified for a post in this new association furnish the individual's background to the Nominating Committee." Mrs. Mills stated, "Your association will only be as effective as its officers. Let's nominate the strongest slate of officers possible."

Splendid Response

Tex Weinberg closed the meeting after expressing his appreciation for the tremendous interest and splendid turnout for the meeting. It's most gratifying to see the interest our Cape Coral residents have displayed in this Civic Association. We hope to have an Association that will really represent every resident of Cape Coral.

The next regular scheduled meeting of the Association is scheduled for Thursday April 4, in the Shopping Plaza. All Cape Coral residents are cordially invited to attend.

Cape Coral's Longest Serving City Employee Retires

Civic congratulates Cherrie Curran on her retirement and 38 year tenure with the City of Cape Coral. Talk about someone who has seen changes in the city.

Cherrie is the daughter-in-law of Joe Curran who has been a Civic member for many years.

In reading the *On the Move* article we see that Cherrie spent 36 years in the CCPD. Somehow we get the feeling Cherrie probably kept Detective Roger Butler in check back then ; -).

North Spreader

Eco Management Agreement (EMA)

The North Spreader Ecosystem Management Agreement (NSEMA) consent order modification is near completion after two years of hard work. 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 which was breached catastrophically in 2006. Alternatives which offer a greater Net Environmental Benefit (NEB) than replacing the barrier have been identified. The list of NEB's include a fertilizer ordinance for Cape Coral, installing water/sewer utilities west of Burnt Store Road at a building density of 35%; a 45% density east of Burnt Store Road, providing for options for a natural shoreline rather than a vertical seawall and providing for Storm Water Treatment Areas.

The data generated during this effort, a collaborative effort between governmental and consulting engineers, hydrologists, geologists, biologists and a host of fishery experts have compiled and modeled all available data. This always indicates the need for more data but we do know this: the North Spreader system is completely tidal and not capable of storm water retention due to the nature of the low elevations and incompetent soils west of the Spreader. The spreader failed due to seawater tidal exchanges, not storm water inflows. Four decades of measured increased tidal datum has slowly exacerbated the problem to a tipping point.

A consensus may be reached within another month, if so, the agreement will then have to be approved by city council and the BOCC. If a consensus is not reached, the city will be required to submit an application for permit to construct a new barrier and lift at a location approximately 800' North of the old barrier location. While this may sound like an easy alternative to the burdens of the NSEMA, it will bind the city to devise an extremely costly (40 to 70 million dollar) engineering solution to a very formidable problem, extreme tidal forces; a fools errand. With the NSEMA we have the opportunity to cost share with the Water Management Districts, County, State and Federal governments.

It is very clearly to the Cape's advantage to find alternative solutions and cost share with these other entities.

D.C. Scott P.G.

Consulting Geologist Inc.

Technical Advisory Committee to the NSEMA.

(Co-Investigator, numerous research/restoration projects with mangrove forests of Lee and Charlotte Counties since 1999)

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Cape Coral Civic Association

P.O. Box 152171

Cape Coral, FL 33915 - 2171



Next General Meeting: Tues. March 23 @ 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 CCA Board of Directors

Phone: (239) 542-6768

e-mail: CapeCoralCivic@yahoo.com

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City Council member directory:

Council Office Phone: 574-0437

Mayor:	John Sullivan	jsullivan@capecoral.net
Dist: 1	Marty McClain	mmcclain@capecoral.net
Dist: 2	Pete Brandt	pbrandt@capecoral.net
Dist: 3	Bill Deile	bdeile@capecoral.net
Dist: 4	Chris Leetz	cleetz@capecoral.net
Dist: 5	Erick Kuehn	ekuehn@capecoral.net
Dist: 6	Kevin McGrail	kmcgrail@capecoral.net
Dist: 7	Derrick Donnell	ddonnell@capecoral.net

Council email: council@capecoral.net
Cape Citizen's Action Center: 574-0425
City Web Page <http://www.capecoral.net>