



# The Fort Myers Beach TIDELINES

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JANUARY  
2012  
EDITION

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## Special Report

# THE MONEY HOLE

Island's bursting water lines  
costing us \$55,500 a month

By Lee Melsek

Story on pages four and five

# Weatherman got it right - another snowless Christmas

By Lee Melsek

The weatherman got it right again. We didn't get snow for Christmas.

Near as I can remember, that's 54 years in a row of no snow for us.

Back in 1957 some flakes fell in Fort Myers. People went nuts. Now, some places truck in the stuff for snowball fights.

Hard to believe but I know people who have never seen snow. Born here, grew up here, haven't traveled much.

Tourists love coming to this island for visits just to escape the stuff, and I can't blame them. But those of us who've lived here a long time know something they don't: It's even better as the place to come home to.

As a reporter, I got to run around America on a big newspaper chain's money. Seems a lot of it came during the coldest times of the year. I chased stories from the snow covered high Sierras to the frosty forests of Maine. And just about every bone chilling spot in between.

I followed serial killer Robert Dale Henderson's bloody winter time killing path from Wyoming to Charleston in 1981 for the News-Press and Cincinnati Enquirer. I spent a Christmas week chasing a con artist fleeing Southwest Florida librarians and farmers as she lured them deep into the icy outback of the Arkansas Ozarks. I checked into the mysterious winter time death of a contra fighter from Naples in the suburbs of Los Angeles days before he was to testify before a U.S. Senate committee. It was so cold out there in the alleged City of Angels I had to buy a big winter coat on Wiltshire Boulevard that I never wore again after I got back to Estero Bay.

I followed a Florida congressman from a sunny Key

West to a snowbound D.C. to ask him questions he didn't want to be asked. I waited all night on a frozen Park Avenue sidewalk for a Fort Myers murder suspect to emerge from his opulent apartment.

Sometimes, I even got to work in the warm Florida sunshine. In 1978, I spent 10 months in planes, trains and automobiles going to every wide spot in the road in Florida covering the gubernatorial campaigns of Democrat Bob Graham and Republican drug store magnate Jack Eckerd.

There have been a lot of rental cars, hotel rooms and Waitress Wanted cafe's for me around Christmas time. Being home for Christmas now is a very big deal with me.

Chasing stories across America, seeing so many places and meeting so many different people, made it clear to me I'd picked the right profession but the wrong time to chase stories north of the Mason Dixon Line.

Putting it behind me in retirement, the habit was hard to kick. But I remember something that always tied those trips together - the good feeling that would sweep over me each time those planes touched down on a Lee County runway coming home to Fort Myers Beach. Back home, I knew I was living the right place. A warm place.

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## OUR MISSION

The Fort Myers Beach Civic Association is the island's largest home-based organization. Our mission is to make Fort Myers Beach the finest community in the Sunshine State. We do that with a single minded commitment to protect the environment, promote civic pride, support our town's comprehensive plan and vigorously insist on accountability in our town government. We are a non-profit association, have no affiliations with special interest groups and exist only to benefit all of the residents of our island.

# THE YEAR THAT WAS - HEROES AND GOATS

Another year full of heroes and goats. Our island has both and it's time again to recognize some of the biggest among them.

**Thumbs up:** To the folks who created our island's new animal rescue organization - Find A Home, Give A Home. What a great service to our island and it's needy little critters.

**Thumbs up:** To the local library board, who continued to turn the other cheek to their accusers and forged ahead with their long planned building addition. It's almost up and it's all but paid for - only \$..... left to pay back.

**Thumbs down** to that small klatch of people whose attempts to discredit the library board have, themselves, been discredited. Their allegations about the expansion and its financing have all been found by the state to be baseless.

**Thumbs up** to Community Development Director Walter Fluegel and his staff for finishing the last touches to our signage law and getting to the point of some serious enforcement beginning this month. It was only about 12 years in coming. Now, let's make it work and get on with improving the appearance of Estero Boulevard.

**Thumbs down** to the former Build A Pool Foundation, which promised a continuing process of raising donations to maintain our swimming pool but didn't deliver. Instead, our taxpayers have been stuck with the mounting costs of maintaining the pool, which wasn't supposed to happen.

**Thumbs up** to Town Manager Terry Stewart for making some significant personnel changes at the troubled Mound House, and for making a serious effort to attack the problems at Bay Oaks. He created a Parks

and Recreation Department with a full time director who will be responsible hopefully for cutting expenses and increasing memberships.

**Thumbs down** to the Town Council for savaging our Local Planning Agency by tossing three members who disagreed with the council over spreading alcohol consumption along our bathing beaches. And a very big thumbs down to Councilmen Alan Mandel and Bob Raymond for their bone headed vote not to recover \$25,000 in taxpayer money from a code violator who took the town through every appeals hoop in sight and still lost his case.

**Thumbs up** to Councilwoman Jo List for bringing civics into Beach Elementary School. Teaching our children the mechanics and function of government is something that is lacking in too any schools today. Thanks to Jo that's not the case at our very special school. But **thumbs down** to her claim that fixing the broken water system is no longer a priority of the council now that it's in the hands of staff. The council should be watching closely and questioning the staff regularly, making sure there is progress. The council should be very involved in seeing that the system gets fixed sooner rather than later.

**Thumbs up** to the county for creating a nice looking park where beat up old buildings used to stand at Times Square. The sandy park is coming alive with lots of activity. But **thumbs down** to the county for looting our island's tourist tax collection and brushing aside our pleas to send more of it back here where it belongs.

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# Residents get soaked as council dawdles on water system

## Public funds keep washing down a hole

Years of indecision by the town council has cost taxpayers \$2 million to keep the island's broken water system flowing to homes and businesses.

From March 2008 through 2011 water line breaks have cost the town treasury an average of \$55,500 a month in repairs, public records show. And that doesn't include the amount of water we've paid the county to send us and then lost down holes and into our streets. The dollar losses for that is anyone's guess.

And an end isn't in sight. The lines continue to need constant maintenance because the town failed for years to act on the voters' 2007 mandate to borrow the money and replace the system. Instead of acting, the council became mired in arguments and indecision over process. Although a court ruled last year the replacement could proceed, construction bids still haven't been let and the town still doesn't have a plan for how to proceed.

Since March of 2008, when a majority of this council came together, there have been infrequent discussions on what to do about the water system. One thing was always clear: It had to be replaced. Voters had given the town permission to borrow the money in a 2007 referendum. More than 95 percent of those who voted told the town to borrow the money and fix the system. It was the most lopsided voting landslide in our town's history.

The council that created that referendum then left office and new members came into Town Hall. Mayor Larry Kiker and council members Jo List, Bob Raymond, Herb Acken and Tom Babcock were now in charge.

But from the beginning, as the water breaks grew more frequent, they bickered over whether the referendum was valid, whether they should seek voter permission to borrow for more projects, whether to seek a court ruling on the 2007 referendum and bantered about estimates over how much the work would cost. One town attorney gave them one opinion on the referendum, another gave a different opinion. Year after year for three years the arguments went unresolved. They seemed to be validating what some had been saying about them – that they just couldn't make decisions.

### Pleas fell on deaf ears

Civic Association members and others pleaded with them to take the referendum question to a judge. Then-Councilman Herb Acken agreed with them and urged the council to do so. But the council declined to do it.

Meanwhile, water lines kept exploding all over the island, pouring water into holes, under sidewalks, onto the streets and even across the Times Square business district. Neighborhood streets flood from the breaks and shut off valves had to be installed to prevent greater water losses.

Finally, in 2011, the town's new attorney, Jim Humphrey, told the council the same thing the Civic Association and others had been telling it. The town, he said, should seek a judge's ruling. He said it was his opinion the referendum was valid and a judge would say so.

Humphrey was right. Last April, a judge validated the 2007 referendum, allowing the town to proceed with financing and construction planning. But in the nine months since, little has been done.

Continued on Page 5



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# Leaks continue as supply grows more expensive

## Replacement progress slow

During a council workshop earlier this month council members agreed their work on a replacement for the water system was finished and it's now up to the staff to get it done.

"It's not a priority in terms of what we need to do," Council member Jo List said after Town Manager Terry Stewart said it was now in his staff's hands.

Last April, immediately after the hearing validating the election, Stewart said that he and his staff "will sit down and come up with a recommendation where to begin our work and make decisions about the methodology for construction. Then, we will get that all back to the council."

So far, little has been done on replacing the system.

### Fixes are frequent, costly

Instead, the council focused on raising water rates and conducting yet another rate study. They also discussed coordinating the replacement with what they hope will be a county-financed replacement of Estero Boulevard. But construction funds for such a job could be years away, if the county funds it at all. So far, only money for design studies of the road have been approved, and that money

may be at risk because the county needs to trim its budget by at least \$35 million this year.

The town's rate hike to residents and businesses was a response to Lee County's rate hike for the water it sells in bulk to the town. The county raised the rate from \$3.20 per thousand gallons to \$3.46 this year. And the rate goes up again next October and again in October 2013.

In the nine months since the referendum was validated untold thousands of gallons more have washed into the streets with almost every break in the old copper pipes, water that taxpayers paid for but never saw in their homes and businesses.

And with every break, beach taxpayers are paying hundreds of dollars an hour to a contractor and his crews, and hundreds more for equipment and materials to stop the leaks from the broken, ancient copper pipes.

Meanwhile, no one seems to be able to say when the job will begin and when it will be completed.

*Scott, Kathy and Family are back at the*

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# Please vote no on \$7 million for New Town Hall

The town has decided that it needs as much as \$7 million to buy a new town hall. It has set a referendum vote on the matter for the end of this month.

We're not sure how, when or where the details of this proposal were put together and voted on in a public meeting. We're not even sure there are any details. If there are any they haven't been made available to the residents of our town.

Huge questions surround this referendum:

The first one is why? What's wrong with the building they're in? Simply declare it a public need and file eminent domain. Then get three appraisals and let a judge decide the final price. We're pretty sure it would cost a lot less than \$7 million and probably take much less time. Even Town Manager Terry Stewart favors this option. He told Tidelines on Monday "if they asked me I'd recommend eminent domain."

There's plenty of time to work on this option. The town has two years left on its lease.

Let's remember, if they borrow \$7 million through a bond issue, our residents will be repaying a heck of a lot more than \$7 million. And by the way, how was the \$7 million figure arrived at?

Where are the plans showing us what we'd need in square footage, office spaces and building capacities? And just what do they want to buy, and where? An existing building? An empty lot?

Have all of these things been decided in a dark room? And if they haven't been decided, why weren't they decided before asking voters to approve a \$7 million plus interest debt?

Let's remember voters, we gave the town permission in 2007 to borrow money for a very valid cause – to fix our broken water system. That was five years ago. But this council dawdled for five years and still hasn't gotten that project started. It's been estimated it will cost upwards of \$13 million. If we approve this town

hall referendum we are putting our tiny town at least \$20 million in debt in the middle of bad economic times.

Why do they need a bigger town hall? Are they planning to continue expanding this small town's government, payroll and workforce, which will mean higher taxes? It smells that way.


There's more than a bit of hypocrisy in this proposal. This council that spent a year helping a small group of residents criticize our local library board for extending its building and claiming it didn't need an extension. But remember, the library board did so the old fashioned way – it put money into savings to someday achieve the addition, then borrowed only \$2 million of the \$8 million they needed, a loan that is almost paid off. But now the town wants to commit taxpayers to up to 30 years of debt for a new building it hasn't shown a need for. Meanwhile, the money to fix our water system still hasn't been obtained.

Hopefully, the voters on January 31 will say no to \$7 million for a town hall. After all, it's obvious we weren't given any details or invited into any public discussions on this expensive proposition before it was placed on the ballot.


Instead of borrowing for a town hall, we should be insisting – demanding - that these public servants get off their butts and give us all what we really need -- a new water system.

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Opinions in the page two For The Record column and in Island Voices are those of the writers and not necessarily those of the board.

# ISLAND VOICES

To the editor:

I wish to give special thanks to the FMB Civic Association Board of Directors for their special effort in trying to keep the town informed of happenings at Town Hall. It is difficult to believe the behavior of council members who were elected to represent the residents of the island. Having sat in those council positions I know how important it is to keep your perspective at all times when dealing with issues.

How many times have resident beach front property home owners wanted to control the sand between their property and the Gulf? None. They have been openly free with sharing and realizing that it is controlled by the federal, state and county governments.

But ever since the beach became a town certain business people have gradually crept into the sandy environmentally critical zone. All governments have policies to keep these areas clear of all obstructions.

I know of no home owner on the Gulf who has proclaimed that all of the sandy area to the Gulf waters belongs to them. An the same be said of some businesses? I am afraid not. One bar after another wants to move their services all the way to the sandy public area of the beach.

The Town of Fort Myers Beach is a family community and many of us would to keep it that way. It is hoped that business owners will continue to make money within the confines of the property that they purchased and not infringe upon the public part of the beaches. That space is the domain been for the use of the public. It is hoped

that he residents will let their thoughts be known to the council in their opposition to the this plan to spread alcohol across our beaches.

Please plan to attend the council meetings when this plan comes up for public hearings.

## *We're still growing*

The Fort Myers Beach Civic Association's membership numbers 250 households and well over 600 individual members. We mail Tidelines to each of those households and also to the five town councilmen, the five Fort Myers Beach Fire District Commissioners and the five Lee County Commissioners.

We Also put Tidelines in 30 beach businesses for distribution to the general public.

New memberships are coming in all the time and the board of directors hopes to reach 800 members by this winter. Our membership is open to all Fort Myers Beach Residents and Families. If you would like to join an organization whose members are diverse, civic minded and entergetic as volunteers please fill out the membership form at the bottom of this page and send a check for \$25. That's all there it to it.

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