

MINUTES OF THE CONTINUATION OF A
REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF GOLDEN BEACH, FLORIDA

February 26th, 1954

A continuation of a regular meeting of the Town Council of the Town Of Golden Beach, Florida, called for Thursday, February 25th, 1954 and was postponed one day, due to the absence of the Town Attorney, Mr. Francis M. Miller, was held on Friday, February 26th, 1954 at 9:30 o'clock in the Town Hall. Upon roll call the following members were found to be present, constituting all of the Members of the Council.

Mayor
President
Councilmen

-Mr. Robert H. George
-Mr. Burt Hengeveld
-Mr. Edward F. Guenther
-Mr. Howard G. McIlvried
-Mr. Anthony J. Gocking
-Mr. Charles C. Koch

Also Present: Town Attorney
Building Inspector

-Mr. Francis M. Miller
-Mr. William E. Viton

Two Residents attended the Meeting as Visitors, Mr. Nicholas Berkos and Mr. R. H. Higginson.

The Meeting was called to order by the President, Mr. Burt Hengeveld, who acted as Chairman of the Meeting and Mrs. Laurita Chapman acted as Secretary.

The President, Mr. Burt Hengeveld stated that he would like to advise the Council of an act of heroism performed by Patrolman James Bryant of the Golden Beach Police Force in the rescue of two persons, who were caught in an undertow off the Beach at the Loggia and were unable to return to shore. The Mayor, Mr. Robert H. George, stated that Patrolman Bryant risked his life in this endeavor and that in performing this duty, he ruined his wrist watch and he suggested that a wrist watch be purchased and given to Patrolman Bryant on behalf of the Town and that money for this purchase be taken from the Unanticipated Revenue Fund. Thereupon a motion was made by Councilman Edward F. Guenther, seconded by Councilman Howard G. McIlvried and unanimously carried that a wrist watch suitably engraved be purchased for Patrolman Bryant and that a letter of commendation from all the Members of the Council accompany this gift. It was also agreed that a letter of commendation be sent to Mr. I. D. Richards a member of the Miami Fire Department for his assistance in this rescue.

The matter of the filling in of lots was brought up for discussion and the Town Attorney, Mr. Francis M. Miller, advised the Council that he had been informed that a subpoena was to be served on the Town Of Golden beach and that he would take care of all necessary legal action in this regard as it pertained

to a Class Suit Bill Of Complaint to enjoin Town Of Golden Beach from enforcing Resolution No. 58. The Council President, Mr. Burt Hengeveld, stated that Attorney, Mr. G. S. Miller, who was representing the Plaintiffs in this Class Suit Bill Of Complaint had sent a second letter to all Property Owners whose lots required fill outlining the course of action that he is planning to take with a request that all interested parties contribute a certain amount for his efforts on their behalf. The Town Attorney, Mr. Francis M. Miller, stated that he is securing data to be used as evidence, if and when this matter is brought to Court, that Mr. Stutz of the Dade County Pest Control Bureau was going to submit a written report on the condition of lots that require fill and that witnesses could be secured to testify on the Town's behalf.

Since it had been decided by the Members of the Council that an election is to be held granting the Residents the privilege to vote on whether the Town of Golden Beach shall issue Certificates of Indebtedness to cover costs of major improvements in the Town Of Golden Beach and bonds for the construction of seawalls, the Town Attorney, Mr. Francis M. Miller, presented the following Resolution No. 60, which upon motion by Councilman Anthony J. Gocking, seconded by Councilman Charles C. Koch, and unanimously carried, was passed and adopted.

"RESOLUTION NO. 60

"A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH DETERMINING TO CONSTRUCT SEAWALLS, THE ISSUANCE OF BONDS FOR PAYMENT OF THE COST OF SUCH IMPROVEMENT, THE IMPOSITION OF A LIEN ON THE PROPERTY TO BE BENEFITED, DESIGNATING THE PORTION OF THE SHORE LINE TO BE PROTECTED BY SEAWALLS, WHAT PORTION OR PART OF THE EXPENSE IS TO BE RAISED BY SPECIAL ASSESSMENT AND WHAT PORTION OF THE EXPENSE IS TO BE RAISED BY AD VALOREM TAXES.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA:

Section 1 The Town Council of the Town Of Golden Beach hereby declares the determination to construct seawalls and issue bonds under the provisions of the Charter of the Town Of Golden Beach, being Chapter 14066, Special Acts of the Legislature of the State of Florida, 1929, as amended by Chapter 27575, Special Acts of the Legislature of the State of Florida, 1951, which said seawalls shall be constructed along that portion of the shore line of Golden Beach of the intracoastal waterways and connecting waterways, as will more fully appear by the plat of said shore line attached to the original copy of this Resolution and made a part hereof.

Sec. 2 The plans and specifications for such improvements are now on file with the Town Clerk and an estimate of the cost of such improvement is likewise on file with the Town Clerk and it is estimated that the cost of the proposed improvement to be protected by seawalls will be \$98,984.00, and of said total cost \$87,884.00 shall be raised by special assessment against abutting property and \$11,100.00 shall be raised by ad valorem taxes to be levied against all of the taxable property of the Town, which portion is that part of the improvement

Sec. 3 The Mayor and Town Council are hereby authorized to proceed for the construction of such improvement and to do such further acts and things as required by the Charter and Ordinances of the Town to complete the bulkheading of the lots as shown in the plat attached to this Resolution.

PASSED and ADOPTED by the unanimous vote of the Town Council this 26th day of February, 1954."

(Signed) Burt Hengeveld
President, Town Council.

ATTEST:

(Signed) Gladys P. Kuiken
Town Clerk

APPROVED:

(Signed) R. H. George
M a y o r

The Town Attorney, Mr. Francis M. Miller, thereupon presented Ordinance No. 61 entitled " AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, DETERMINING THE AMOUNT OF MONEY NECESSARY FOR THE CONSTRUCTION OF SEAWALLS IN THE TOWN OF GOLDEN BEACH; PROVIDING FOR THE ISSUANCE OF INTEREST BEARING BONDS TO PAY FOR SAID IMPROVEMENT; AND PROVIDING FOR THE IMPOSITION OF SPECIAL ASSESSMENTS AGAINST THE ABUTTING PROPERTY SO IMPROVED; AND CALLING AN ELECTION OF THE FREEHOLDERS IN THE TOWN OF GOLDEN BEACH TO VOTE UPON SUCH IMPROVEMENT." This Ordinance was read by the Town Attorney, Mr. Francis M. Miller and upon the reading of this Ordinance a roll call was made as follows:

Council President	- Mr. Burt Hengeveld - aye
Councilmen	-Mr. E. F. Guenther - aye
	-Mr. Howard G. McIlvried - aye
	-Mr. Anthony J. Gocking - aye
	-Mr. Charles C. Koch - aye

Thereupon this Ordinance which was unanimously approved passed its first, second and third readings at this Meeting and was declared adopted by the President of the Town Council.

Resolution No. 62 was then read by the Town Attorney, Mr. Francis M. Miller, as follows:

"RESOLUTION NO. 62

A RESOLUTION OF THE TOWN OF GOLDEN BEACH CONCERNING THE FILLING OF THE STREETS, HIGHWAYS AND PROPERTY OF THE TOWN SO THAT THE SAME MAY BE FILLED TO THE LEVEL OF THE LOTS AS REQUIRED BY RESOLUTION NO. 58 PASSED BY THE TOWN COUNCIL ON NOVEMBER 24, 1953, AND AUTHORIZING THE ISSUANCE OF CERTIFICATES OF INDEBTEDNESS TO PAY FOR SUCH IMPROVEMENT; TO AUTHORIZE THE REPAVING OF THE STREETS AND HIGHWAYS OF THE TOWN AND THE ISSUANCE OF CERTIFICATES OF INDEBTEDNESS TO PAY FOR SUCH IMPROVEMENT; THE CONSTRUCTION AN AUXILIARY BUILDING ON LOT "A", SECTION "F" WHICH IS OWNED BY THE TOWN

FOR THE PURPOSE OF PRESERVING AND PROTECTING THE TOWN'S MACHINERY AND PROPERTY AND THE ISSUANCE OF CERTIFICATES OF INDEBTEDNESS TO PAY FOR SUCH IMPROVEMENT: THE ISSUANCE OF CERTIFICATES OF INDEBTEDNESS FOR THE PURPOSE OF ADDING AN ADDITIONAL ROOM TO THE TOWN HALL: AND THE SUBMITTING OF THESE ITEMS FOR THE OPINION OF THE ELECTORATE OF THE TOWN AT AN ELECTION TO BE HELD ON THE 6th DAY OF APRIL, 1954.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA:

Section 1. (a) There is on file with the Town Clerk plans and specifications for the filling of the streets, highways and property of the Town which is required to be filled in so that the same will be of a proper grade to conform to the requirements of the lot filling determined to be necessary as shown by Resolution No. 58 passed by the Town Council November 28th, 1953. The cost of such improvement is estimated to be the sum of \$11,200.00.

(b) The Mayor and the Director of Health and Sanitation be, and they are hereby appointed a Committee to carry out the provisions of this Section of this Resolution and to let any contract or contracts to the lowest responsible bidder or bidders so that said lands may be filled in.

Sec. 2. (a) There is on file with the Town Clerk plans and specifications for the re-paving of the streets and highways of the Town so that the same may be paved to a proper grade after the filling in of the public lands of the Town, as described in Section 1 of this Resolution. The cost of such improvement is estimated to be the sum of \$44,800.00.

(b) The Mayor and the Director of Streets, Sewers and Lighting be, and they are hereby appointed a Committee to carry out the provisions of this Section of this Resolution and to let any contract or contracts to the lowest responsible bidder or bidders so that said streets and highway may be paved.

Sec. 3 (a) There is on file with the Town Clerk plans and specifications for the construction of an auxiliary building on Lot "A", Section "F", Golden Beach being lands owned by the Town and it is determined by the Town Council that such a building is necessary so that the machinery, trucks, property and equipment of the Town may be adequately housed and protected from the elements. The cost of such improvement is estimated to be the sum of \$12,000.00.

(b) The Mayor and Director of Parks and Public Buildings be, and they are hereby appointed a committee to carry out the provisions of this Section of this Resolution and to let any contract or contracts to the lowest responsible bidder or bidders so that said building may be constructed.

FOR THE PURPOSE OF PRESERVING AND PROTECTING THE TOWN'S MACHINERY AND PROPERTY AND THE ISSUANCE OF CERTIFICATES OF INDEBTEDNESS TO PAY FOR SUCH IMPROVEMENT: THE ISSUANCE OF CERTIFICATES OF INDEBTEDNESS FOR THE PURPOSE OF ADDING AN ADDITIONAL ROOM TO THE TOWN HALL: AND THE SUBMITTING OF THESE ITEMS FOR THE OPINION OF THE ELECTORATE OF THE TOWN AT AN ELECTION TO BE HELD ON THE 6th DAY OF APRIL, 1954.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA:

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(b) The Mayor and the Director of Health and Sanitation be, and they are hereby appointed a Committee to carry out the provisions of this Section of this Resolution and to let any contract or contracts to the lowest responsible bidder or bidders so that said lands may be filled in.

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(b) The Mayor and the Director of Streets, Sewers and Lighting be, and they are hereby appointed a Committee to carry out the provisions of this Section of this Resolution and to let any contract or contracts to the lowest responsible bidder or bidders so that said streets and highway may be paved.

Sec. 3 (a) There is on file with the Town Clerk plans and specifications for the construction of an auxiliary building on Lot "A", Section "F", Golden Beach being lands owned by the Town and it is determined by the Town Council that such a building is necessary so that the machinery, trucks, property and equipment of the Town may be adequately housed and protected from the elements. The cost of such improvement is estimated to be the sum of \$12,000.00

(b) The Mayor and Director of Parks and Public Buildings be, and they are hereby appointed a committee to carry out the provisions of this Section of this Resolution and to let any contract or contracts to the lowest responsible bidder or bidders so that said building may be constructed.

Sec. 4 (a) There is on file with the Town Clerk plans and specifications for the addition of a room to the Town Hall for the purpose of adding additional facilities so that the postoffice may be enlarged and a meeting place may be available to the Town Council and the Public. The cost of such improvement is estimated to be the sum of \$3,000.00.

(b) The Mayor and Director of Parks and Public Buildings be, and they are hereby appointed a Committee to carry out the provisions of this Section of this Resolution and to let any contract or contracts to the lowest responsible bidder or bidders so that said room may be built.

Sec. 5. (a) The total estimated cost of the improvements described in this Resolution is the sum of \$74,000.00 and that as evidence of the total amount to be paid for said improvements certain notes or Certificates of Indebtedness shall be issued by the Town Of Golden Beach, through the Town Clerk, Director of Finance and Mayor to the contractor or contractors in payment for said work, or said Certificates shall be sold, as the Town Council may hereafter direct, and said Certificates shall bear date the first day of May, 1954, and bear interest at the rate of 4% per annum, payable semi-annually, and said Certificates shall be due as follows:

8 Certificates aggregating \$4,000.00 on or before May 1, 1955
10 Certificates aggregating \$5,000.00 on or before May 1, 1956
10 Certificates aggregating \$5,000.00 on or before May 1, 1957
10 Certificates aggregating \$5,000.00 on or before May 1, 1958
10 Certificates aggregating \$5,000.00 on or before May 1, 1959
10 Certificates aggregating \$5,000.00 on or before May 1, 1960
10 Certificates aggregating \$5,000.00 on or before May 1, 1961
10 Certificates aggregating \$5,000.00 on or before May 1, 1962
10 Certificates aggregating \$5,000.00 on or before May 1, 1963
10 Certificates aggregating \$5,000.00 on or before May 1, 1964
10 Certificates aggregating \$5,000.00 on or before May 1, 1965
10 Certificates aggregating \$5,000.00 on or before May 1, 1966
10 Certificates aggregating \$5,000.00 on or before May 1, 1967
10 Certificates aggregating \$5,000.00 on or before May 1, 1968
10 Certificates aggregating \$5,000.00 on or before May 1, 1969

The form of the first Certificate shall be as follows and the other Certificates shall be identical except as to number and amount and the due date shall be as above set forth:

"TOWN OF GOLDEN BEACH
DADE COUNTY, FLORIDA

May 1st, 1954

MUNICIPAL IMPROVEMENT
CERTIFICATE OF INDEBTEDNESS
No. 1

\$500.00

This certificate is an acknowledgement by the Town of Golden Beach, Dade County, Florida, that it is indebted to the registered Bearer hereof in the sum of \$500.00 by a Resolution passed and adopted by

STANDARD B & P "NOTEAR"

It is further provided for by the Town Council that the said Town of Golden Beach agrees to pay the said sum of \$500.00 to the registered Bearer hereof at the Miami Beach First National Bank in Miami Beach, Florida, on or before the first day of May, 1955, with interest at the rate of 4% per annum, payable every six months after date, and any unpaid interest shall be payable at the maturity date of the principal sum or when this Certificate may be called for redemption.

The full faith and credit of the Town of Golden Beach is hereby pledged for the prompt payment of this obligation and the Town of Golden Beach will assess and levy taxes against the taxable real estate of the Town of Golden Beach for the prompt payment of this obligation.

TOWN OF GOLDEN BEACH, DADE COUNTY, FLORIDA

By (Signed) Burt Hengeveld
Director of Finance

ATTEST: (Signed) Gladys P. Kuiken
Town Clerk

ATTEST: (Signed) R. H. George
Mayor

(SEAL)

Sec. 6 There is to be held a Special Election in the Town Hall on April 6th, 1954, for the purpose of issuing bonds for the construction of seawalls and it is therefore determined that the propositions for improvements as set forth in this Resolution be submitted to such electors at the same time so that such electors may have the opportunity of separately expressing their opinion thereon in order that the Town Council may be guided by the majority desires of such electorate.

PASSED and ADOPTED BY THE MAJORITY VOTE OF THE Town Council this 26th day of February 1954.

(Signed) Burt Hengeveld
President, Town Council

ATTEST: (Signed) Gladys P. Kuiken
Town Clerk

APPROVED: (Signed) R. H. George
Mayor

A considerable discussion followed the reading of this Resolution by the Town Attorney, Mr. Francis M. Miller, as to the costs of these improvements, the procedure of advertising and considering bids on bonds, the Residents that are eligible to participate in this election and the condition of the streets during and after heavy rains. Councilman Edward F. Guenther asked what expense the Town would have to assume if legal action is needed to enforce Resolution No. 58 and when advised by the Town Attorney, Mr. Francis

STANDARD B & P "NOTEAR"

costs could not be determined at the present time, a roll call was made as follows:

Council President	-Mr. Burt Hengeveld - aye
Councilmen	-Mr. E. F. Guenther - aye
	-Mr. Howard G. McIlvried - aye
	-Mr. Anthony J. Gecking - aye
	-Mr. Charles C. Koch - aye

This Resolution being unanimously approved was passed and adopted by the Town Council.

Upon motion duly made seconded and unanimously carried the following Resolution was passed and adopted.

"RESOLUTION

For the election scheduled to be held in the Town Hall on Tuesday, April 6th, 1954, the following are hereby unanimously appointed Inspectors and Clerk of election:

Mrs. Dorothy L. Muraska

Mrs. Janina Salez

Mrs. Jean Fitzhugh

I n s p e c t o r s

and

Gladys Kuiken, Clerk

PASSED AND ADOPTED this 26th day of February, 1954.

(Signed) Burt Hengeveld
President, Town Council

ATTEST:

(Signed) Gladys P. Kuiken
Town Clerk

APPROVED:

(Signed) R. H. George
M a y o r

It was further agreed that a Bulletin be sent to all the Residents listing in detail the work that the Town is planning to undertake, the costs of these improvements and their privilege to voice their approval or disapproval of these items by registering to vote in the Special Election to be held on April 6th, 1954 at the Town Hall.

There being no further business to come before the Council at this Meeting, upon motion by Gladys Kuiken, Clerk, the meeting adjourned.

TOWN OF GOLDEN BEACH, FLORIDA

CASH REPORT OF DEPUTY TOWN CLERK - FOR THE MONTH OF FEBRUARY 28, 1954

Cash Balance February 1, 1954

In the Miami Beach First National Bank \$ 35,424.30

Budgeted Receipts

1953 Taxes Collected	\$ 2,361.10	
Less Tax Discount Allowed	<u>26.10</u>	\$ 2,334.91

Other Receipts

Receipts From Property Owners		
For Fertilizer Sales, Etc.	\$ 30.25	
Building Permits	100.00	
Income Taxes Withheld	167.00	
Social Security Taxes Collected	48.40	
Miscellaneous Income: Commissions On		
Pay Telephone	<u>6.09</u>	\$ 351.74

TOTAL

\$ 38,110.95

Cash Disbursements

Budgeted Disbursements	\$ 10,287.72	
Non-Budgeted Disbursements	<u>515.75</u>	\$ 10,803.47

CASH BALANCE

\$ 27,307.48

FINE AND FORFEITURE FUND DEPOSITS

Total Deposits thru February, 1954	\$ 4,041.00	\$ 1,579.00
Less Authorized Expenditures	<u>582.65</u>	
Balance In Fund	\$ 3,458.35	

Cash Balance February 28th, 1954

On Hand in the Miami Beach First National Bank \$ 28,886.48

Percent to
Total

Total 1953 Tax Roll	\$ 59,466.38	100.00%
Taxes Collected thru February 28, 1954	<u>\$ 56,527.59</u>	<u>95.00%</u>
Unpaid Taxes at February 28, 1954	<u>\$ 2,938.79</u>	<u>5.00%</u>

TOWN OF GOLDEN BEACH, FLORIDA

ANALYSIS OF CASH DISBURSEMENTS - FOR THE MONTH OF FEBRUARY, 1954

Budget Disbursements

Landscaping Upkeep - Salaries And Wages	\$ 825.00
Landscaping Upkeep - Other Expense	348.20

Repairs And Maintenance:

Public Buildings	439.46
Streets	56.63

Police Services:

Salaries	945.00
Radio Service	80.00
Police Equipment - Purchases	325.00
Police Equipment - Repairs	143.19

Equipment - Other

Repairs	140.26
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Gasoline	123.58
Insurance	300.47
Lighting	176.80
Postage	36.54
Printing And Stationery	29.80
Rat Extermination	24.99
Telephone Service	18.95
Office Supplies	11.95
Municipal Bonds - Matured	5,000.00
Interest On Bonds	87.50
Waste Service	225.00
Water	249.40
Town Manager's Salary	390.00
Town Clerk's Office	310.00

Total Budgeted Disbursements

\$ 10,287.72

Non-Budgeted Disbursements

Refund: Clean-Up Bond Deposits	\$100.00
Read Damage Bond Deposit	\$200.00
Building Inspection Fees	\$212.00
Expense - Filling Of Lots	\$ 3.75

Total Non-Budgeted Disbursements

\$ 515.75

TOTAL DISBURSEMENTS

\$ 10,803.47