

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

May 18, 1948

meeting of the Town Council of the Town of Golden  
held on May 18, 1948 at 3 p.m. at the Town Hall and  
following members were found to be present, consti-  
the Council:

for  
resident  
councilmen

- Mr. James T. Hennegan
- Mr. Martin L. Pulcher
- Mr. George H. Draper, Jr.
- Mr. R. H. George

present Attorney J. Tillman Pearson, who acted for the  
Mr. Francis M. Miller, who was absent, and Mrs. R. E.  
for the Deputy Town Clerk, Mr. Fred G. Gamer, who was  
ness.

the following visitors:

Mr. Ward Scranton  
Mr. and Mrs. Earl White  
Mr. Arnoff

Mr. Martin L. Pulcher, the President of the Town Council, acted  
for the meeting, and Mrs. R. E. Gamer, acting for the Deputy  
as Secretary of the meeting.

On, Mr. Martin L. Pulcher, thereupon called upon the  
meeting for the reading of the minutes of the regular  
April 20, 1948. After the reading of these minutes,  
the Town Council, Mr. Martin L. Pulcher, when no  
objections were offered, declared the minutes approved

At the close of the meeting, Mrs. R. E. Gamer, thereupon read  
the Clerk's Cash Report for the month of April 1948.

When no objections or corrections were offered, the President of  
declared this Cash Report approved and ratified, and  
added to these minutes.

The situation was then discussed at length. The Mayor, Mr.  
Martin L. Pulcher, made a report on his conferences with the Manager,  
of the Sunny Isles Water Company, and reported that he  
had advised the Water Company to be willing, provided the Town gives  
written authority, to cancel the latest bill of \$555.98 covering charges  
for the period January 1, 1948 to April 1, 1948; that the  
Town should take care of maintenance of the water system from  
now on and assume any of the charges for leakage in the mains.

Mr. Hennegan also reported that in discussing the prospective rate under the prospective franchise, the Water Company's Manager proposed 36¢, while he proposed a rate of 35¢ stating that this rate, in his opinion, would pay for maintenance provided the Water Company would bring in equipment for finding leaks.

He also reported that he had asked the Water Company to prohibit permission for individual water users to put in booster pumps, because the installment of such pumps would reduce the pressure in the neighbors' houses. He also reported that the Water Company would like to have rules and regulations established so they can come to the Council from time to time and take up matters of possible changes in policy, and that they may have a kind of general policy to be guided by.

Mr. Pulcher then reported that he had told Mr. Effner, Manager of the Sunny Isles Water Company, that the pressure was not sufficient to have water on the second floor of houses for showers, and that Mr. Effner agreed to check the pressure.

Mr. Kuiken, the Town Superintendent, then reported that there was 55 lbs. pressure at the Town Hall, and Councilman George H. Draper, Jr. stated that 50 lbs. of pressure should take the water up 100 feet.

Councilman R. H. George then stated that he wanted a clause in the contract, or franchise, which would permit the Town of Golden Beach to cancel the franchise for cause at any time.

Mayor James T. Hennegan then reported on a request by the Telephone Company to change the name of the exchange to some other name than Golden Beach, and that they suggested "North Dade".

Acting Attorney Pearson then advised the Council that if the Telephone Company wished to change the name of the exchange, the Town Council had no rights in the matter.

Councilman R. H. George then suggested that this matter be passed up for this time. The matter was then tabled.

Mayor Hennegan then announced that an Ordinance had been prepared at the request of the Town Council requiring a set back from the property line on each side of ten (10) feet.

Attorney Pearson, acting for Attorney Francis M. Miller, then advised the Council of Mr. Miller's opinion to the effect that a set back of ten (10) feet might not be upheld, and that Mr. Miller thought that a set back of seven (7) feet would be reasonable and could be upheld.

Councilman R. H. George then stated that the Supreme Court of the State of Florida had upheld a set back of ten (10) feet at Palm Beach.

This matter was not any further discussed at this time, and  
his report, and discussed the question of

an Ordinance covering the cost of Building Permits for repairs and additions to houses, and stated to the Council that he had been issuing Permits, the fee depending on whether one, two or three inspections were indicated by the plans.

At this point in the meeting, Mr. Effner of Sunny Isles Water Company entered the meeting.

Mayor James T. Hennegan continued and requested the Council to advise him what to do about charging the proper fee for Building Permits on construction of additions and alterations.

After further considerable discussion, it was moved by Councilman George H. Draper, Jr., and seconded by Councilman R. H. George that plans for such additions and alterations be submitted to Architect Bayard C. Lukens, and that it be ascertained from him how many inspections would be necessary, both engineering, architectural or electrical, and that we then charge the builder with \$5.00 per inspection, plus \$5.00 for the issuance of the Permit, and that a deposit of \$50.00 of Cleanup Bond fee will be charged and refunded when the cleaning up is done, unless all materials are placed within the owner's property.

This motion, when put to a vote, was unanimously carried.

Councilman R. H. George then read to the meeting Ordinance No. 36, prepared by the Town's Attorney, Mr. Francis M. Miller.

This first reading of said Ordinance was seconded by Councilman George H. Draper, Jr., and unanimously passed and adopted.

At this point, Mr. Earl White, who had entered the meeting during the session, asked that his application for Building Permit be considered, and his plans be approved, his plans calling for a set back of five (5) feet on each side. Mr. White was advised that his request would be taken up later in the meeting.

Attorney Pearson, representing the Town's Attorney, Mr. Francis M. Miller, then read Ordinance No. 36 for the second time, which second reading was moved approved by Councilman George H. Draper, Jr. and seconded by Councilman R. H. George, and unanimously passed and adopted upon second reading.

Mr. White then again objected to this Ordinance as coming ahead of his application for Building Permit, which he said had been turned over to the Mayor a week ago, while Attorney Pearson was reading Ordinance No. 36 for the third time. Upon this third reading, Ordinance No. 36, upon motion by Councilman R. H. George and seconded by Councilman George H. Draper, Jr., was unanimously passed and adopted.

Mr. Arnoff also interrupted the reading of this Ordinance on the basis of his request that he be issued Building Permit in accordance with his plans, which also were drawn with less set back from

the side lines than the ten (10) feet provided for in the Ordinance. He stated that he is going to build two houses on two separate lots, having each 55 feet of frontage, that the houses are 40 feet wide, leaving a seven and one-half ( $7\frac{1}{2}$ ) foot set back on each side.

After Ordinance No. 36 had been passed and adopted on three readings, Attorney Pearson, acting for the Town's Attorney, Mr. Francis M. Miller, was then requested to draw up a resolution to cover the special case of Mr. Earl J. White, after the Council had been advised by Attorney Pearson that any such action would not have the effect of establishing a precedent for others to follow if the resolution was properly drawn.

The following resolution was thereupon presented by Attorney Pearson:

"RESOLVED: By the Town Council of the Town of Golden Beach, that a special Building Permit be issued to Earl J. White for the building of a residence on Lot 6, Block F, Section F, Town of Golden Beach, allowing the erection of a house thereon up to but not less than five (5) feet from the side lines of said lot, it being understood that this variation of the Ordinance of the Town of Golden Beach is made by reason of the fact that Mr. White's application for Building Permit had been in prior to the passage of Ordinance No. 36, which provides for setting ten (10) feet as the distance which houses shall be set back from the side lines of lots; this resolution in no way to set a precedent or to waive any other rights of the Town as far as inspections and plans of the building to be erected on said lot is concerned."

Whereupon Councilman R. H. George moved, which motion was seconded by Councilman George H. Draper, Jr., that the foregoing resolution be adopted. This motion was unanimously carried.

Thereupon Attorney Pearson, acting for the Town's Attorney, Mr. Francis M. Miller, was requested by the Council to draw up a similar resolution in the case of Mr. Arnoff, and the following resolution was submitted to the Council by Attorney Pearson:

"RESOLVED: By the Town Council of the Town of Golden Beach that special Building Permits be issued to Mr. Arnoff for the building of two residences on Lot 23, Block 1, Section F and Lot 25, Block 1, Section F, each of these lots having a frontage of approximately 55 feet. The Town of Golden Beach to allow the erection of a house on each one of these lots, with the condition that there is to be a set

feet on each of the two lots whereon houses are to be erected. This resolution to be valid only if Mr. Arnoff begins work on the two houses on the above described property within thirty days from the date of this meeting;

It being understood that this variation of the Ordinance of the Town of Golden Beach is made by reason of the fact that Mr. Arnoff's application for Building Permits had been in prior to the passage of the resolution setting ten (10) feet as the minimum distance which houses shall be set back from the side lines of lots; this resolution in no way to set a precedent or to waive any other rights of the Town as far as inspections and plans of the buildings to be erected on said lots are concerned."

Upon motion made, duly seconded, and unanimously carried, the foregoing resolution was adopted.

The water situation was now thoroughly discussed with Mr. Effner, Representative of the Sunny Isles Water Company.

Mr. Effner called attention to the installation of booster pumps by some of the Town's residents, and upon motion made by Councilman George H. Draper, Jr., seconded by Councilman R. H. George and unanimously carried, it was voted that no booster pumps be allowed in the Town of Golden Beach.

Attorney Pearson was thereupon requested by the Town Council to draw up a suitable resolution to cover a proposal to the Sunny Isles Water Company for a franchise, and the conditions to be attached thereto.

Attorney Pearson thereupon presented the following resolution:

"BE IT RESOLVED, that the Town Council of the Town of Golden Beach authorize its Mayor to make the following proposition to Sunny Isles Water Company; this proposition being based on a letter from the Sunny Isles Water Company dated March 16, 1948, and amended by the Town Council as follows:

A. Water Company to operate and maintain under franchise, now existing system of water mains contained within the limits of the Town of Golden Beach.

1. Town to lease above referred to water system to the Sunny Isles Water Company.

2. Water Company to operate and maintain entire system without cost to the Town of Golden Beach.
3. Water Company to set up a systematic plan of maintenance of system to minimize losses and improve service.
4. Town to give Sunny Isles Water Company franchise for 30 years.
5. Rate to be 36¢ per 1000 gallons according to following breakdown:
  - 30¢ - water service
  - 6¢ - to be set up in special maintenance fund by Water Company against which Water Company can charge only costs incidental to maintenance within limits of Golden Beach.
6. Rate structure subject to review at 3-year intervals on 90 days notice.
7. Town of Golden Beach to lease to Sunny Isles Water Company any equities they may feel they hold in mains outside the Town limits.
8. Water Company to supply water to Golden Beach with average hardness of 68 to 102 parts per million and bacteriological, physical and chemical characteristics to conform with Drinking Water standards as prescribed by the United States Treasury Department on September 25, 1942. Also provided that the Water Company shall maintain a pressure equal to and not less than that maintained by the adjoining communities to the Town of Golden Beach, said pressure to be a satisfactory pressure for the maintenance of toilets and showers on second floor buildings in the Town of Golden Beach.
9. Exceptions: Emergencies - acts of nature - strife civil commotion - mob riot - warfare, etc.
10. Water Company reserves right to make rules and regulations for operating procedures governing charges for connection fees, payment of meter deposit to guarantee payment of accounts, etc. Copies of which shall be furnished to Town of Golden Beach and any changes shall be given to Town at least 30 days prior to change date.
11. No booster pumps for individual properties shall be allowed without the full consent of both Town and Water Company, and only then when plans for such have been approved by both parties."

Thereupon it was moved by Councilman R. H. George, and seconded by Councilman George H. Draper, Jr. that the resolution referring to the water contract with Sunny Isles Water Company be approved. This motion was unanimously carried.

Councilman George H. Draper, Jr. thereupon reported on his negotiations regarding type of construction and prices of building seawall on Intercoastal Waterway and Canal properties, as follows:

Powell Construction Company of Ft. Lauderdale quoted the following on the basis of doing the whole 7000 feet:

For interlocking type - 16 inch	- \$30.00 per foot
14 inch	- 28.00 per foot
12 inch	- 26.00 per foot

For slab type - \$16.00 per foot.

They are not interested in less than the whole 7000 feet.

C. B. Smith of Hollywood, quoted the following on the basis of 100 feet or more:

For interlocking type - \$23.00 per foot

For slab type - 16.00 per foot

It was agreed that the Town go on record as approving the interlocking type seawall for the inland waterway and the slab type seawall for the canal properties.

It was also agreed, and the Deputy Town Clerk was instructed, in answering inquiries of property owners as to the construction of seawall on their respective properties, to specify "interlocking concrete tile" seawall on the main inland waterway, for which quotation has been obtained from C. B. Smith, Contractor of Hollywood, Florida, of \$23.00 per foot; and to specify "slab type construction" for use on the canals, which can be furnished by the same contractor at \$16.00 per foot; both prices being quoted by the Contractor for work of a minimum of 100 feet.

The Deputy Town Clerk was further instructed to draw up a form letter for the purpose of answering inquiries regarding seawalls and which is to incorporate the foregoing specifications and prices, a copy of said form letter to be attached to these minutes and made a part hereof.

Thereupon the matter of interest rate, etc. on the \$25,000.00 proposed bond indebtedness was discussed, and the following resolution was unanimously passed:

"RESOLVED, that the Town of Golden Beach amends its resolution referring to the issuance of Improvement Bonds for the building of a City Hall to direct that

said Bonds shall mature in not more than five years and that said Bonds shall bear interest at the rate of  $3\frac{1}{2}\%$  per annum."

Superintendent Kuiken then reported that the police car radio service contract with the City of Miami was nearing expiration. He stated that he could make a deal with the City of Hollywood whereby the Town of Golden Beach buys its own radio equipment for \$175.00, plus \$25.00 to install it, and that the City of Hollywood would agree to furnish police radio service at the rate of \$25.00 per month for service, plus \$10.00 per month for maintenance, which would mean a saving to the Town of Golden Beach of \$15.00 per month, against the present contract with the City of Miami.

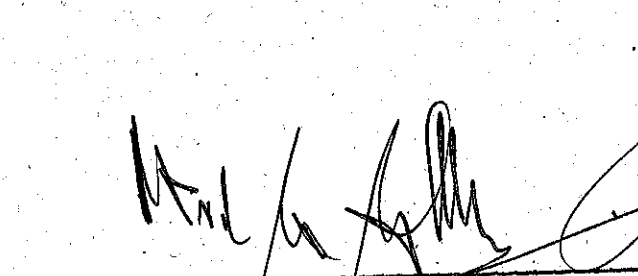
After some discussion, it was moved by Councilman George H. Draper, Jr. that the police radio hookup be changed from Miami to Hollywood, and that the necessary police radio equipment be purchased. This motion was seconded by Councilman R. H. George, and unanimously carried.

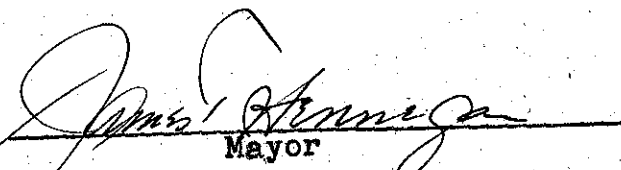
Superintendent Kuiken also requested that the Council set a rental price for the renting of the bulldozer to residents of the Town. After discussion, it was agreed that the rate for renting out the bulldozer be \$3.50 per hour, including the services of a man to operate it.

The gas tank belonging to Mr. W. L. Gilmore, which is now being used by the Town, was then discussed, and it was agreed that the gas tank be furnished with a new hose, and returned to Mr. Gilmore.

Councilman R. H. George thereupon reported that in asking for application for permission for a Post Office in the Town of Golden Beach, he had called up the Postal Inspector in Miami, and had been told what to do, and that the Postal Inspector intimated that while there is no minimum requirement, it took a little political pull to put it over.

There being no further business to come before the meeting, upon motion by Councilman George H. Draper, Jr., seconded by Councilman R. H. George, the meeting adjourned.

  
Deputy Town Clerk

  
Mayor



TOWN OF GOLDEN BEACH, FLORIDA  
 CASH REPORT OF DEPUTY TOWN CLERK - MONTH OF APRIL 1948

Balance -		
In The First National Bank of Miami		\$22,364.13
April 1, 1948		
Cash in Transit as of March 31, 1948	526.02	\$22,890.15
Deposited April 1, 1948		

Receipts - Month of April, 1948		
<u>Budgeted Receipts</u>		\$ 1,002.30
1947 Taxes Collected		

Other		
Pay-as-you-go Tax Withheld	\$ 55.90	
Court Fines	259.00	
Tax Sales Certificates Redeemed:		
For 1945 Taxes	\$ 64.82	
1946	219.72	
Total	<u>\$284.54</u>	
Interest Thereon	46.22	330.76
Building Permits		55.00
Cleanup Bond Deposits	\$100.00	
Less: Refunds	<u>50.00</u>	50.00
Anti-Consolidation		
Contribution	100.00	
Miscellaneous	<u>5.76</u>	856.42
Less: Disbursements		\$ 1,858.72
		<u>3,007.87</u>
		1,149.15
		<u>\$21,741.00</u>

Balance of Cash to be Accounted For

Cash Accounted For		
In The First National Bank of Miami -		
April 30, 1948:		
General Operating Fund	\$11,025.87	
Permanent Improvement Fund	3,268.13	
Water System Fund (1946 and 1947		
Hydrant Rental)	<u>7,447.00</u>	
Total Cash Accounted For		<u>\$21,741.00</u>

		Percent to
		Total
Total 1947 Tax Roll	\$30,741.74	100.00%
Less: Taxes Collected to April 30, 1948	<u>28,486.41</u>	92.66
	\$ 2,255.33	7.34%

