

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

February 19th, 1958

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The regular meeting of the Town Council of the Town Of Golden Beach, Florida, was held on Wednesday, February 19th, 1958 at 9:30 o'clock in the morning at the Town Hall. Upon roll call the following members were found to be present constituting a quorum of the Members of the Council.

Mayor  
Council President  
Councilmen

-Mr. Burt Hengeveld  
-Mr. Joseph R. Missett  
-Mr. Anthony J. Gocking  
-Mr. Ralph E. Hough  
-Mr. N. B. Ornlitz

Also present: Town Attorney

-Mr. Francis M. Miller

Councilman Mr. Fred Zollner, being out of Town, was not able to be present at this meeting.

The following Residents attended the meeting as Visitors:-

Mr. R. H. George, Mr. M. H. Kuryla, Mr. J. Manne, Mr. William Johnson,  
Mr. Norman Nobil, Mr. A. M. Starck, Mr. R. E. Bernson, Mr. B. Elkind,  
Mr. Clyde DiPrima, Mrs. Mae P. Coyas.

The meeting was called to order by the President, Mr. Joseph R. Missett, who acted as Chairman of this Meeting and Mrs. Laurita Chapman acted as Secretary.

The President, Mr. Joseph R. Missett, called upon the Secretary who presented to each Member of the Council; copies of the Minutes of the regular meeting of the Town Council held on January 21st, 1958, and upon review of these minutes by the Members of the Council, a motion was made by Councilman Anthony J. Gocking, seconded by Councilman Ralph E. Hough and unanimously carried that the reading of these Minutes be waived and accepted as is.

The Secretary presented the cash report of the General Fund and a Cash Analysis of the other funds of the Town Of Golden Beach for the month of January, 1958. Councilman Ralph E. Hough inquired if ample funds were available in the Town's Securities Accounts to cover the indebtedness when such obligations become due. The Town Manager, Mr. R. H. Kniken, advised Councilman Mr. R. E. Hough that securities bearing maturity dates for the years 1958, 1959 and 1960 have already been recalled by the Town and that ample funds were still available in these funds to meet any current obligations that may arise. When no further comments were offered, these cash reports, upon motion by Councilman Mr. R. E. Hough, seconded by Councilman Mr. A. J. Gocking, were approved and ordered attached to these Minutes and made a part hereof.

The Town Attorney, Mr. Francis M. Miller, reported that the hearing of the case of the Town Of Golden Beach, vs. Dr. George Menninger for violation of the Town's Building And Zoning Ordinance was held in the Circuit Court of Dade County on Monday, February 17th, 1958, with the Mayor, Mr. Burt Hengeveld, the Council President, Mr. Joseph R. Missett, the Town Manager, and Chief Of Police, Mr. R. H. Kuiken, a Police Officer of the Town and a neighbor of Dr. Menninger being present. When all the testimony was given, the evidence presented and the arguments of both Attorneys were heard, the Court decided not to pass a ruling on this case until further study of this matter could be made. The Council President, Mr. Joseph R. Missett, inquired if the decision is adverse to the Town could an appeal be made. The Town Attorney, Mr. Francis M. Miller, advised the Council President, Mr. Joseph R. Missett, that an appeal could be made, that a transcript of the Court Records could be secured and that no bond is required to make such appeal.

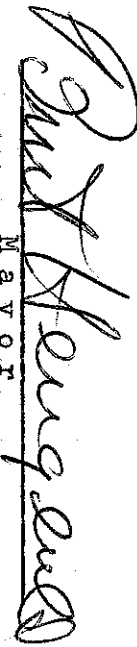
The Mayor, Mr. Burt Hengeveld, reported that during the last heavy storm the fence installed on the beach at the south end of Town was almost completely destroyed, which condition is causing an influx of strangers to enter the Town and use the beach in front of privately owned property. He therefore asked the Members of the Council to make some arrangements to have this fence replaced with material of a more substantial nature so that it will remain in spite of unfavorable weather conditions. A Resident, Mr. R. E. Bernson, asked if strangers could be prevented from using the beaches in front of privately owned properties and the Council President, Mr. Joseph R. Missett, advised Mr. Bernson that it was his understanding that the present law provides that such property is considered private to the mean high water mark and that persons can be arrested for trespassing if they are found on property not beyond this mark. A Resident, and former Mayor, Mr. R. H. George, stated that there has been quite a lot of controversy in the Courts on this subject and the latest ruling was that such property is considered private to the water's edge. The Council President, Mr. Joseph R. Missett, thanked Mr. R. H. George for this information and stated that the Town would abide by this ruling in enforcing the law. The Town Manager, Mr. R. H. Kuiken, stated that the fence on the beach at the north end of Town was also damaged in the recent heavy storm and that both fences are to be replaced with materials that are on hand at the Town Hall.

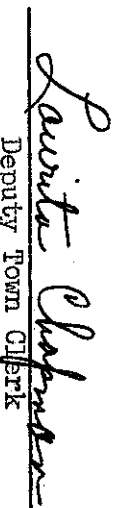
The Town Manager, Mr. R. H. Kuiken, reported that the days for the collection of garbage has been changed from Tuesdays and Fridays to Mondays and Thursdays, thus enabling the Town Maintenance crew to be free on the week-end to clean up all the other debris. The experiment of the placing of trash boxes throughout the Town for the use of the Gardeners who work in the Town for the disposal of their trash is working out very satisfactory and that more such trash boxes are to be purchased for this purpose.

A Resident, Mr. R. E. Bernson, stated that since Gulf Stream Race Track is to open shortly which will greatly increase the flow of motor traffic on Ocean Boulevard, he was wondering if certain residents could not be appointed as Deputies to assist the Police Department in the handling of this traffic. The Town Manager and Chief Of Police, Mr. R. H. Kuiken, stated that due to pending road construction work, traffic will be diverted to the 163rd Street Causeway which is south of Golden Beach, thus lessening the flow of traffic through the Town to the Gulf Stream Race Track. The Council President, Mr. Joseph R. Missett, stated that he certainly could not approve of appointing Residents to act as deputies in the Police Department as he would not want to place the Town in a position where it may be responsible for any mishaps that may occur to any such individual while serving in this capacity.

The Mayor, Mr. Burt Hengeveld, reported that the Metropolitan Government which is now in effect in Dade County, is now going to conduct court hearings in certain sections of the County outside of the Court House, that new Judges have been appointed by the County Commissioners to conduct these hearings and since the election on the amendment to the Metropolitan Charter was postponed, which amendment, if approved, would have guaranteed the autonomy of the Cities in Dade County, it was his opinion that eventually the Metropolitan Government would seek to take over the jurisdiction of the Municipal Court of the Town and in the event that this should occur he would like to have some advice on what action should be taken. The Council President, Mr. Joseph R. Missett, stated that no such action could be taken by the Metropolitan Government unless they had a legal right to do so. The Town Attorney, Mr. Francis M. Miller stated that since very little is known as to what the Metropolitan Government intends to do in this respect that in the City of Miami, the Judges and City Attorney are just as confused as everyone else is, the Cities in Dade County are going to continue to maintain their present powers until they are enjoined by the Metropolitan Government. Therefore it was the opinion of all the Members of the Council that the Town Of Golden Beach shall continue to enforce its present powers until some legal means forces it to do otherwise.

There being no further business to come before the Members of the Council at this Meeting, upon motion by Councilman Anthony J. Gocking, seconded by Councilman Ralph E. Hough, the meeting adjourned.

  
M a y o r

  
Deputy Town Clerk

TOWN OF GOLDEN BEACH, FLORIDA

CASH REPORT OF DEPUTY TOWN CLERK - FOR THE MONTH OF FEBRUARY 28th, 1958

Cash Balance February 1st, 1958	-	GENERAL FUND	
In the Miami Beach First National Bank			\$ 45,133.80
<u>Budget Receipts</u>			
1957 Taxes Collected	\$ 1,944.75		
Less Tax Discount Allowed	<u>19.44</u>		
			\$ 1,925.31
<u>Other Receipts</u>			
Income Taxes Withheld	\$ 201.40		
Social Security Collected	<u>75.98</u>		
			\$ 277.38
<u>TOTAL</u>			\$ 47,336.49

<u>Cash Disbursements</u>			
Budget Disbursements	\$ 5,223.85		
Non Budget Disbursements	<u>None</u>		
			\$ 5,223.85
Cash Balance February 28th, 1958			\$ 42,112.64
On Hand in the Miami Beach First National Bank			<u>\$ 42,112.64</u>

Total 1957 Tax Roll	\$81,685.34	Percent to
Taxes Collected thru February 28, 1958	\$79,306.47	Total
Unpaid Taxes at February 28th, 1958	<u>\$ 2,378.87</u>	100.00%
		97.10%
		<u>2.90%</u>

<u>FINE AND FORFEITURE FUND</u>		
Deposits thru February 28th, 1958		\$10,115.66
In the Peoples Bank		<u>\$10,115.66</u>

<u>BUILDING FUND - RESIDENCES</u>		
Deposits thru February 28th, 1958		\$ 280.00
In the Peoples Bank		
Cash Disbursements		
Refund: Clean Up Bond Deposit	\$ 50.00	
Road Damage Bond Deposit	<u>100.00</u>	
Cash Balance February 28th, 1958		\$ 150.00
		<u>\$ 130.00</u>

TOWN OF GOLDEN BEACH, FLORIDA  
 ANALYSIS OF CASH DISBURSEMENTS - GENERAL FUND  
 FOR THE MONTH OF FEBRUARY, 1958

<u>Budget Disbursements</u>		
Landscaping Upkeep	- Salaries and Wages	\$ 1,252.40
Landscaping Upkeep	- Other Expense	239.67
<u>Police Services:</u>		
Salaries		1,380.00
Radio Service		60.00
Equipment - Repairs		385.63
Equipment - Other		
Purchases		30.00
Repairs		182.84
Repairs And Maintenance		
Beach		13.50
Public Buildings		63.14
Streets		17.64
Gasoline And Oil		331.54
Lighting		227.44
Office Supplies		9.36
Office Expenses		40.00
Printing And Stationery		132.90
Telephone Service		53.97
Town Clerk's Office		310.00
Town Manager's Salary		484.00
Water		9.82
Total Budget Disbursements		\$ 5,223.85
Non-Budget Disbursements		None
TOTAL DISBURSEMENTS		<u>\$ 5,223.85</u>

TOWN OF GOLDEN BEACH, FLORIDA

CASH ANALYSIS OF OTHER FUNDS FOR FEBRUARY, 1958

Cash Balance, February 1st, 1958 - Municipal Improvement	
Lien Certificate of Indebtedness Fund	
In the Miami Beach First National Bank	\$ 5,021.39
Cash Receipts - Liens collected in February, 1958	993.14
Total Cash	<u>\$ 6,014.53</u>
Cash Disbursements	None
Cash Balance, February 28th, 1958 - - - - -	<u><u>\$ 6,014.53</u></u>

Cash Balance, February 1st, 1958 - Municipal Improvement	
Lien Sea Wall Bond Fund	
In the Miami Beach First National Bank	\$ 5,590.54
Cash Receipts - Liens collected in February, 1958	997.92
Total Cash	

Cash Disbursements	\$ 6,588.46
Cash Balance, February 28th, 1958 - - - - -	None
	<u><u>\$ 6,588.46</u></u>