

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

May 17th, 1957

The Regular Meeting of the Town Council of the Town Of Golden Beach, Florida, was held on Friday, May 17th, 1957 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. Ralph E. Hough
-Mr. N. B. Ornitz
-Mr. Fred Zollner

Also Present: Town Attorney

-Mr. Francis M. Miller

The following Residents attended the Meeting as Visitors:-
Mr. M. A. Mittelman, Mrs. Phillip Cummings, Mrs. Mae P. Goyas, Colonel S.W. Winfree, Mr. M. E. Kuryla, Mr. B. Elkind, Mrs. Alice Halper, Mr. Albert Ebstein, Mr. Jerome Meyer, Mr. S. J. Waljach, Mr. W. R. Evans, jr., Mr. J. Manne, Mr. M. P. Furman, Mr. J. W. Schippmann, Mr. Carl E. Douglass, Mr. R. H. George.

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 April 16th, 1957 and of the Special Meeting of the Town Council held on April 20th, 1957 and upon motion by Councilman N. B. Ornitz, seconded by Councilman Ralph E. Hough, it was agreed 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 April, 1957. These reports upon motion by Councilman Ralph E. Hough, seconded by Councilman Fred Zollner were approved and ordered attached to these Minutes and made a part hereof.

The Secretary asked the Council's permission to advertise the Meeting of the Board of Equalization. Upon motion by Councilman N. B. Ornitz, seconded by Councilman Fred Zollner, the Secretary was authorized to advertise in the Miami Beach Times, the Meeting of the Board of Equalization

said Board to meet for three (3) consecutive days beginning July 5th, 1957, said Meeting to be advertised in the Miami Beach Times in the issues of June 14th, 21st, and 28th. It was recommended that the Members of the Town Council sit as the Board of Equalization, which recommendation had the full approval of the Members of the Council, in order that they may study the tax roll, review complaints and make suggestions.

The Secretary asked the Council's permission to engage the accounting services of Everett W. Severy, Certified Public Accountant, to do the work of auditing the Town's books for the fiscal year November 1st, 1956 thru October 31st, 1957, since they had rendered such services for the past several years. Upon motion by Councilman W. B. Ornitz, seconded by Councilman Ralph E. Hough, it was agreed that the work of auditing the books of the Town be given to the Accounting Firm of Everett W. Severy for the period November 1st, 1956 thru October 31st, 1957.

The Council President, Mr. Joseph R. Missett, called on the Members of the visiting audience to voice their complaints, suggestions and requests, whereupon Mr. M. A. Mittelman, Resident, was called on to take the floor. Mr. Mittelman stated that he was present at the request of the Mayor, Mr. Burt Hengeveld, to voice a complaint about the water that is allowed to remain in front of his house at 499 North Bay Drive after a heavy rain; that this condition has existed for the past six years and although a drainage system is now being installed, little or no relief can be obtained from this as it was his opinion that the pitch of the street in front of his house was the cause of this nuisance. The Council President, Mr. Joseph R. Missett, stated that during his reign as Commissioner of Public Streets and Lighting, a study had been made of the conditions of the streets and it was noted that at several intersections along North Bay Drive, water remained in the streets after a rain, which was caused by the soil settling in these areas and that an attempt had been made to correct this condition by having the edges of the road raised in these vulnerable spots, which unfortunately was unsuccessful. Mr. Mittelman maintained that the drainage system which is now being installed near his home could not give him any relief as the crowning of the road should be changed. Councilman W. B. Ornitz stated that since his appointment as Commissioner of Public Streets and Lighting, a complete survey of the Town had been made during and after the recent heavy rains; the spots where the rain settled being marked on a map and after a thorough study of this matter had been made, it was his opinion that the drainage system that is now being installed would remove all the water from the streets and if any property is lower than the level of the street such property should be raised so that the water from the property will flow to the streets in order to be drained off by the system when completed and he asked that Mr. Mittelman, before making any further complaints, wait until after the drainage system has been completely installed, which should be about the end of this month, then a decision can be made as to its inadequateness. The Mayor, Mr. Burt Hengeveld, stated that at the request of Mr. Mittelman, he had met with him before this council meeting, whereupon after hearing Mr. Mittelman's complaint, had asked that he remain and present this complaint to all the Members of the Council as it was his opinion that this matter should be acted on by all the Members of the Council.

A Resident, Mrs. Alice Halper, stated that since she resides at 455 Centre Island, her concern was over the demolishing of the bridge leading into this Island as plans had already been made for a large moving van to move her furniture from her home on Centre Island on the 8th of June, she herself would be leaving on the 10th of June and she would like the Council to make arrangements so that Centre Island bridge would be accessible to motor traffic until the 10th of June. When asked by the Members of the Council if the dates could not be changed so that the moving van could be on hand around the 1st of June, Mrs. Halper replied that considerable time would have to be involved in this matter inasmuch as she was having this furniture moved to Canada which necessitated that she be on hand when this van reached the borderline in order to have it pass thru Customs. The Commissioner of Public Streets and Lighting, Councilman N. B. Ornitz, advised Mrs. Halper that everything possible would be done to keep Centre Island bridge open until the 10th of June and in the event that it would have to be closed before that date, Mrs. Halper would be notified and given ample time to make other arrangements.

Mr. J. W. Schippmann, Resident, stated that the beach in front of his home at 625 Ocean Boulevard is slowly being washed away and he would like the Council's permission to have some groins installed. The Council President, Mr. Joseph R. Missett, stated that at the Council meeting held in May, 1956, Mr. Schippmann had agreed to contact all the Residents on the Beach with regards to having groins installed and since this matter had not been again brought up before the Members of the Council no further action had been taken. Mr. Schippmann stated that business commitments prevented him from carrying out this plan and that an emergency does exist with regards to his beach due to the change in currents of the ocean and if groins are not installed eventually little or no beach would be left at the North end of Town. Mr. Carl E. Douglass, Resident, stated that he being a neighbor of Mr. Schippmann would also like to be permitted to have groins installed in front of his house. He cited on the damage that occurred to his property after the last heavy storm, his sun deck was nearly washed away and he was fearful of losing his cabana and from his experience of handling other ocean front properties, groins improved the beach considerably. The Mayor, Mr. Burt Hengeveld, asked if permission from the Government could be obtained as this is a requirement when groins are installed and when Mr. Douglass stated that such permission could be secured, the Mayor, Mr. Burt Hengeveld, suggested that a variance could be granted to do this work as the Town has an Ordinance prohibiting the installation of groins. Councilman Fred Zollner stated that a study should be made of the conditions of the beach with regards to the currents of the water as it was his opinion that when groins are installed other properties located nearby are badly affected by wash-outs. Thereupon it was decided that the building committee be appointed to make a thorough study of this matter and if it could be determined that no ill effects would result on nearby properties from having such groins installed, the Building Committee is hereby authorized to grant a variance to the Town's Building and Zoning Ordinances so that the persons desiring to install groins will be allowed to do this work.

Mr. J. W. Schippmann, Resident, inquired as to the schedule that the Town has for cleaning the beach. The Commissioner of Health and Sanitation, Councilman Fred Zollner, stated that the schedule at present for cleaning the beach is very irregular due to the fact that the Town has a limited personnel to do this work, which are busily engaged in installing a much needed drainage system in the Town, but that in the Fall he expects that a regular schedule will be maintained to do this work.

The Commissioner Of Public Streets and Lighting, Councilman N. B. Ornitz, reported that since the Members of the Council had decided to make arrangements to install three new bridges in the Town, advertisements for bids to do this work had been placed in a local newspaper and one bid had been received from the Industrial Construction Company offering to do this work for the sum of \$65,436.00, according to the plans and specifications submitted with this bid. Councilman N. B. Ornitz further reported that he had discussed the construction of the proposed new bridges with the Engineer of Dade County, who, upon learning the details of this work and the price offered was very much in favor of the Town accepting this bid and that the financial arrangements made with the Contractor were in accordance with what the Members of the Council had agreed on namely:-- that the first bridge would be paid for upon completion as provision had been in the current budget for this expenditure, the second bridge to be paid for one year from date of its completion and the third bridge, two years from date of completion of this work and that the Industrial Construction Company if awarded the contract will furnish all the necessary insurance papers and performance bond. Councilman N. B. Ornitz, further stated that the proposed new bridges are to be of pre-stressed concrete, most attractive in appearance and would adequately meet the needs of the Town and would require little or no maintenance after being installed. Upon the advice of the Town Attorney, Mr. Francis M. Miller, that the Members of the Council had the legal right to accept such bid if it so desires, a motion was made by Councilman N. B. Ornitz, seconded by Councilman Ralph E. Hough and unanimously carried that this bid be accepted and that Councilman N. B. Ornitz was to notify the Industrial Construction Company of the Council's decision and make the necessary arrangements so that this work could begin as soon as possible.

The Town Attorney, Mr. Francis M. Miller, stated that in accordance with Resolution No. 75, passed and adopted by the Town Council at the regular meeting of the Town Council held on April 16th, 1957, Thirty Certificates of Indebtedness in the aggregate amount of \$15,000 have been prepared and are now available for issuance to pay a portion of the cost of the proposed new bridge construction work and he called on the Members of the Council to voice their opinions so that a decision can be made on the manner in which these Certificates are to be sold. The Town Manager, Mr. R. H. Kniken, stated that certain Residents in the Town had made a request to purchase these Certificates when available. The Commissioner of Law and Finance, Council President, Mr. Joseph R. Missett, stated that all the Residents of the Town should be advised that such Certificates are available for purchase and he recommended that he be empowered by the Council Members to send a letter to the Residents of the Town requesting them to make application with the Town Clerk's Office if they wish to purchase these Certificates, which recommendation had the full approval of the Members of the Council.

The Town Attorney, Mr. Francis M. Miller, reported that a new traffic law now exists in the State Of Florida with regards to persons arrested for driving while under the influence of intoxicants or other drugs that would cause a person's facilities to be impaired and that the Town's present traffic Ordinance does not conform with the Florida State Law in this regard. Since such cases are heard in the Town's Municipal Court, an emergency of a legal nature exists as the Town's present Ordinance does not allow the Town Of Golden Beach the legal right to fine anybody guilty of this charge. The Town Attorney, Mr. Francis M. Miller, thereupon presented Ordinance No. 76, which was read by him entitled: "AN ORDINANCE AMENDING SECTION 11 OF ORDINANCE NO. 63, REGULATING THE OPERATION OF AUTOMOBILES WITHIN THE LIMITS OF THE TOWN OF GOLDEN BEACH." This Ordinance was submitted as an emergency Ordinance and was given its first, second and third readings and upon the readings of this Ordinance, a roll call was taken as follows:

Council President	- Mr. Joseph R. Nissett - aye
Councilmen	- Mr. Ralph E. Hough - aye
	- Mr. N. B. Ornitz - aye
	- Mr. Fred Zollner - aye

Thereupon Ordinance No. 76 which was unanimously carried was declared adopted by the President of the Town Council, Mr. Joseph R. Nissett.

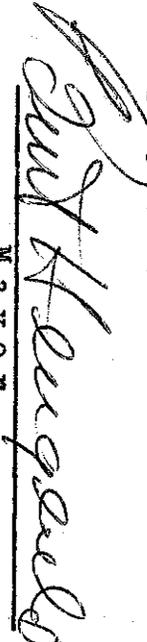
The Commissioner of Health and Sanitation, Councilman Fred Zollner, reported that plans for alterations to the bath houses at the Loggia are nearly completed and from all indications, these plans being satisfactory a great and much needed improvement would result. He therefore asked the Members of the Council to make some arrangements so that this work can be undertaken during the time when the Council is not in session. The Commissioner of Law and Finance, Council President, Mr. Joseph R. Nissett, stated that since it is undetermined what this work would cost, he recommended that the Building Committee be authorized to secure bids on this work from several contractors when these plans are completed and if the lowest bid received is within the current budget limitations of the Town, the Building Committee, thereupon should make the necessary arrangements to have this work done, which recommendation was duly moved, seconded and upon a voiced vote, unanimously approved.

The Town Manager, Mr. R. H. Kuiken, stated that considerable funds are on hand in the Town's Lien Certificates of Indebtedness and Lien Seawall Bond Accounts and he asked the Council's permission to use a great portion of these funds to recall some of the outstanding securities before their maturity dates so that the Town would make a profit from the interest that would be due on same. Upon motion by Councilman Fred Zollner, seconded by Councilman Fred Zollner, such

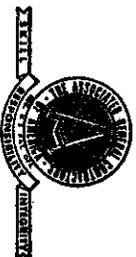
The Commissioner of Health and Sanitation, Councilman Fred Zollner, reported that certain lots in the Town required fill as water remains on them after a rain which would create a breeding place for mosquitoes if allowed to exist. He, therefore, stated that he intended to carry out the former policy of the Town and ask the Owners of such property to cooperate with the Town's request to have these lots filled. The matter of the conditions of the seawalls on properties adjoining Centre Island Bridge was also discussed and the Town Manager, Mr. R. H. Kuiken, reported that the Owners of these properties are willing to have the necessary repairs made to their seawalls by the Contractor engaged by the Town to do the new bridge construction work.

A Resident, Colonel S. W. Winfree, asked the Council's opinion on the voting of the New Home Rule Act as an election is to be held shortly on this matter in Dade County. The Mayor, Mr. Burt Hengeveld, stated that very little information is available at the present time as to the contents of this new law but that Officials of other Municipalities in Dade County are known to be opposed to it and that he would like the Town Attorney, Mr. Francis M. Miller to give his views on this matter. The Town Attorney, Mr. Francis M. Miller, stated that he had studied the charter that this new Home Rule Law if approved, would adopt and from all indications it appeared to be a very good one and that he personally knows the men who prepared this charter who are of very fine character. From the provisions in this charter, the only effect the New Home Rule Act would have on the Town Of Golden Beach is that the right to collect taxes and assess property would be taken away, which function would be handled by the County and this may necessitate an increase in taxes. The Town Attorney, Mr. Francis M. Miller, further stated that he personally was in favor of the New Home Rule as it would give the County Of Dade the privilege of making and passing Laws without having to wait to get the approval of the State Legislature when it is in Session at Tallahassee and since the majority of the State Legislators are from the middle and farming sections of Florida, they have the controlling vote of the House and Senate, which makes it very difficult at times to have a bill passed which would be of benefit to Dade County. The Mayor, Mr. Burt Hengeveld, stated that it was his opinion that the governmental functions of Golden Beach would eventually be taken over by the County, if this new proposed Home Rule Law is approved, therefore he would advise everybody in Golden Beach to vote against it.

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


M a y o r


Deputy Town Clerk



INDUSTRIAL CONSTRUCTION COMPANY

A PARTNERSHIP

Branch Office

Phone Jackson 4-4322

P. O. Box 2307

FORT LAUDERDALE, FLORIDA

April 30, 1957

City of Golden Beach
Golden Beach, Florida

Gentlemen:

In response to your invitation, we are pleased to submit herein our Proposal for the removal of three existing wooden bridges at South Island, Center Island, and North Island, in the City of Golden Beach; and the replacement of the three existing bridges with new concrete bridges to be built in accordance with the detailed plans submitted herewith.

We are enclosing detailed plans of the Center Island Bridge which plans follow, in general, preliminary plans on which our bid was to be based. Detailed drawings of the other two bridges will be submitted to you in the near future. All details of the other two bridges will be the same as those for Center Island, with the drawings varying only insofar as is necessary to make the other two bridges fit the exact span length and elevations existing at the sites.

We understand that you will want to start on the Center Island Bridge first, follow with North Island, and then South Island. We would be ready to start work on the projects by June 1, 1957, and will complete all three bridges by September 30, 1957. We will arrange our work so that a walkway for pedestrians will always be available between the mainland and the islands.

If awarded this contract, we will furnish the City of Golden Beach with proper Certificates of Insurance evidencing coverage for Workmen's Compensation, Public Liability, and Property Damage Insurance. By endorsement, our policy will also cover any damage caused by pile driving vibration. If you desire, we will also furnish limited Contractual Insurance. Performance Bond will be furnished if required.

Our price for the work involved is \$65,436.00. This price is based on furnishing 14" Square Concrete Piling for supporting bents,

INDUSTRIAL CONSTRUCTION COMPANY

April 30, 1957

City of Golden Beach

- 2 -

in lengths up to twenty feet. Our price includes the furnishing and driving of one thirty foot test pile at each location to determine the actual length of piling required. If piling longer than twenty feet is required, our price would be increased by \$7.10 per lineal foot for all footage in excess of twenty foot lengths. We understand that all materials from the old bridges are to be removed and disposed of by us.

It is understood that payment in full, for the first bridge, will be made to us immediately upon completion of that bridge. Payment for the second bridge shall be made within one year, from the date of completion of that bridge. Payment for the third bridge shall be made within two years, from the date of its completion.

The bridges have been designed for an H-20-44 Loading. All poured-in-place concrete in pile caps, wearing surface, sidewalks, handrail, and approach slabs, shall be structural concrete having a compressive strength of 3000#P.S.I. in twenty eight (28) days. All piling and precast slabs shall be of prestressed design as required for H-20-44 Loading. All materials and workmanship shall conform to requirements as set forth in Florida State Road Department Standard Specifications for Road and Bridge Construction, Approved and Adopted April 1, 1954.

We are indeed grateful to you for the opportunity of quoting on this work and hope that you will find our prices favorable.

Yours very truly,

INDUSTRIAL CONSTRUCTION COMPANY

Paul A. Prendergast

Paul A. Prendergast

Wm. A. P. Reynolds

PAP:ah
enclosures



TOWN OF GOLDEN BEACH
DADE COUNTY, FLORIDA

May 18th, 1957

Industrial Construction Company
P. O. Box 2307
Fort Lauderdale, Florida

Att: Mr. Paul A. Prendergast
Gentlemen:

Your letter of proposal dated April 30th, 1957 for the removal of three existing wooden bridges at South Island, Centre Island and North Island in the Town Of Golden Beach, Florida and the replacement of the three existing bridges with new concrete bridges to be built in accordance with the detailed plans as submitted by you was presented to the Members of the Council at the regular meeting of the Town Council held on Friday, May 17th, 1957 and it was agreed that your proposal be accepted.

As outlined in your letter, you are to furnish the Town Of Golden Beach with proper Certificates of Insurance evidencing coverage for Workmen's Compensation, Public Liability and Property Damage Insurance and an endorsement of your policy to cover any damage caused by pile driving vibration, limited contractual insurance and performance bond.

The cost of this work is to be \$65,436.00 as specified in your letter of proposal and the design of such work is to be approved by the Town Of Golden Beach, Florida and subject to Dade County Inspections.

Yours very truly

TOWN OF GOLDEN BEACH

Henry C. Butler
Asst Secy, Kinross, Incorporated

W.B. Orntz
N. B. Orntz
Commissioner of Public Streets

AGREED:

INDUSTRIAL CONSTRUCTION CO.
By *Kenneth Incorporated, Partner*
By *Paul A. Prendergast*
Vice Pres, I.C.C.
Burt Hengeveld
Mayor

Charles P. Kuden
Deputy Town Clerk

SEAL AND DELIVERED IN THE PRESENCE OF

Notary Public

Notary Public, State of Florida at Large
My commission expires July 17, 1959.