

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

December 20th, 1955

The Regular Meeting of the Town Council of the Town Of Golden Beach, Florida, was held on Tuesday, December 20th, 1955 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	- Mr. Robert H. George
Council President	- Mr. Burt Hengeveld
Councilmen	- Mr. Anthony J. Gocking
	- Mr. Joseph R. Missett
	- Mr. Ralph E. Hough

Also Present: Town Attorney	- Mr. Francis M. Miller
Building Inspector	- Mr. Clarence E. Vecharelli

Councilman Edward F. Guenther, being out of Town was not able to be present at this Meeting.

The following Residents attended the meeting as Visitors: Mr. N. Ornitz, Mr. J. W. Schippmann, Mr. Carl E. Douglass and Mr. Peter Freund.

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, 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 Tuesday, November 15th, 1955, and upon motion by Councilman Anthony J. Gocking, seconded by Councilman Ralph E. Hough, it was agreed that the reading of these Minutes be dispensed and accepted as is.

The Secretary presented the cash report of the General Fund and the Cash Analysis of the other funds of the Town Of Golden Beach for the Month of November, 1955. Councilman Anthony J. Gocking inquired if a provision had not been made in the current budget for the improvements made to the parkway on Ocean Boulevard. The Commissioner of Law And Finance, Council President, Mr. Burt Hengeveld, stated that no provisions had been made in the current budget for this expenditure but that Certificates of Indebtedness in the aggregate amount of \$10,000 had been prepared to be issued for this purpose and since it was the Council's decision not to sell these Certificates unless it became absolutely necessary, these securities were still being retained by the Town. Councilman Anthony J. Gocking suggested that the remaining balances in the securities accounts be used to recall some of the outstanding bonds and Certificates of Indebtedness and it was decided that action on this matter be deferred to a later meeting. Upon Motion by Councilman Anthony J. Gocking, seconded by Councilman Joseph R. Missett these cash reports were approved and ordered attached to these Minutes and made a part hereof.

The payment of a Christmas bonus to the Town Employees was brought up for approval by the Town Manager, Mr. R. H. Kuiken and since an appropriation was made in the current budget for this expenditure, a motion was made by Councilman Joseph R. Missett, seconded by Councilman Anthony J. Gocking that each employee receive the same amount of Christmas bonus as last Year.

The Council President, Mr. Burt Hengeveld, stated that he wished to thank Councilman Ralph E. Hough and Councilman Joseph R. Missett, for their wonderful assistance in assuming the duties of Magistrate at the hearings held in the Police Court during the time that he and the Mayor, Mr. Robert H. George, were absent from the Town.

The Secretary was requested to read a letter from Councilman Edward F. Guenther, stating his regret at not being able to be present at this Meeting due to the illness of his Mother and a letter of reply from the Town Manager, Mr. R. H. Kuiken, which was sent to Councilman Edward F. Guenther. The Council President, Mr. Burt Hengeveld, suggested that a letter in behalf of all the Members of the Council be sent to Councilman Edward F. Guenther, which suggestion had the full approval of all the Members of the Council.

The Commissioner of Police And Fire, Councilman Anthony J. Gocking asked if any action had been taken by the Association Of Fire Underwriters in order that rates on fire insurance may be reduced for the residents of Golden Beach, Florida. The Town Manager, Mr. R. H. Kuiken, reported that the Association of Fire Underwriters had sent an inspector down and after testing several of the fire hydrants, which he found to be adequate, stated that the Town would have to maintain and install an adequate fire department consisting of truck and all fire-fighting apparatus with two men on duty at all times in order for the Residents to have their fire insurance rates reduced. Since it was not the Council's intention to install such equipment at the present time, no action was taken on this matter.

Councilman Anthony J. Gocking further reported that he was more than satisfied with the general appearance of the Town particularly the improvement made to the Loggia and it was his opinion that everything looked very very nice.

The Town Manager, Mr. R. H. Kuiken, reported that the Palmland Developers, Inc. of Coral Gables, Florida, had recently purchased two lots for which two sets of plans for the erection of two houses had been submitted with a request that building permits be issued for this construction work. He further stated that both sets of plans were in violation of the Town's Building Code, as one lacked the square foot area requirement and the other showed a three foot set back from the side lines instead of the required ten feet. The Palmland Developers, Inc., were informed immediately of the latter discrepancy upon which they replied that when they purchased

this lot, which is Lot 2, Block "H", Section "D", from a Mr. S. A. Zink, they were advised that the deed to this property stated that a three-foot set-back from the side lines could be maintained when a house is erected and that Mr. Zink had received a court ruling whereby the purchaser of this property would have the right to erect a house on this lot with this set-back if they so desired. The Town Attorney, Mr. Francis M. Miller, stated that court hearing was held on this matter in May of 1954 at which time Mr. Zink's request that the set-back restrictions as stated in his deed be upheld in the event that he should sell this lot, was granted, therefore, the New Owners had the right to erect such house with a three foot side line set-back. The Members of the Council vigorously protested the Court's action on this matter and called on the Town Attorney, Mr. Francis M. Miller, to state what legal action could be taken to prohibit this house from being erected with this set-back. The Town Attorney, Mr. Francis M. Miller, stated that similar cases had been brought before the Court in the past and in each instance the Court favored the Owner in its decision with the stipulation that such ruling would only apply to the particular lot in question and it was his opinion that since Mr. Zink had obtained a court ruling in regard to the set-back restrictions as stated on his deed, nothing could be done legally to prevent this occurrence. The visiting audience joined in this discussion each voicing his protest and since it was the Council's desire to do everything possible to prevent this house from being erected with a three foot set-back from the side lines, it was decided upon the suggestion of Mr. J.W. Schippman, Resident, that a committee be appointed, consisting of Councilman Joseph R. Missett, the Mayor, Mr. Robert H. George, Council President, Mr. Burt Hengeveld and the Building Inspector, Mr. Clarence A. Vecharelli, to arrange a Meeting with the present Owners of this lot to discuss the alterations of his plans so that this house, when erected would meet the requirements of the present Building Code of the Town of Golden Beach. It was further decided that the Town Manager, Mr. R. H. Kuiken, advise the Palmland Developers, Inc., that their building plans had been rejected at the direction of the Council due to violations of the Town's Building Code.

The Mayor, Mr. Robert H. George, reported that Mrs. Leah Steinfeldt, who owns the first two lots within the southern boundary of the limits of the Town of Golden Beach and which property adjoins his, had approached him with the request that the Town accept the southernly thirty feet of her property for the purpose of putting in a driveway leading from Ocean Boulevard to the Beach. Since she also owned the property just south of this, which is not within the limits of the Town and which she was considering selling to a Builder who had plans to erect an apartment house on this site, it was decided by the Members of the Council that such a driveway would be a nuisance to the Residents of the Town, therefore her offer was unanimously declined.

The Building Inspector, Mr. Clarence A. Vecharelli, reported that when a building permit is issued to an Owner for the construction of a residence, many difficulties arise while such house is under construction due to incompetent workmen being engaged to do this work and he asked if the Council could not make some arrangements where licensed contractors only would be allowed to obtain a building permit. Since it had been the policy of the Town to allow either the Owner of the Property or a licensed Contractor to obtain a building permit, no action was taken on this matter.

The Town Manager, Mr. R. H. Kuiken, reported that two new cars had been purchased for the Police Department and one new truck for the maintenance department and that improvements are being made to the parkway on Ocean Boulevard with the planting of flowers.

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 Anthony J. Gocking, the meeting adjourned.

RH George.
M a y o r

Laurita Chapman
Deputy Town Clerk