

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JANUARY 6, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, January 6, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meetings of November 18, 1947, December 2, 1947 and December 16, 1947, and minutes of special meetings of November 28, 1947 and December 4, 1947, on motion of Commissioner Holley, seconded by Commissioner Healy and unanimously passed, were approved as read.

The City Clerk presented a letter from Coral Gables Post No. 98, American Legion, requesting that the Commission permit amputee veterans, who had been given specially made automobiles by the Government, to park in any metered parking zone in the city for an unlimited time at no cost. The Commission expressed its approval of such permission, and on motion of Commissioner Hendrick, seconded by Commissioner Mayes and unanimously adopted, the matter was referred to the Director of Public Safety with authority to work out the details.

The City Manager stated that he had requested bids from 31 oil companies in the area for furnishing of gasoline to the city for the ensuing year, and that he had received 3 bids as follows: Aeroland Oil Company, posted tank wagon price with no maximum guaranty (present price \$.138); Superior Oil Co., posted tank wagon price with no maximum guaranty, corrected to 60 degrees at loading point, with 1 per cent discount for payment within 10 days (present price \$.138); and Atlantic Refining Company, posted transport truck price at delivery, temperature corrected to 60 degrees, 1 per cent discount for payment within 10 days, with no maximum guaranty (present transport price \$.118). The following resolution was then presented and read:

RESOLUTION NO. 2979

A RESOLUTION ACCEPTING THE BID OF THE ATLANTIC REFINING COMPANY FOR FURNISHING OF GASOLINE TO THE CITY FOR ONE YEAR, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR

WHEREAS, bids have been requested from oil companies for furnishing of gasoline to the City of Coral Gables for a one year period, and 3 bids were received; and

WHEREAS, this Commission hereby finds that the bid of the Atlantic Refining Company is the lowest and most advantageous bid to the city;

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NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the bid of the Atlantic Refining Company to furnish gasoline to the city for one year beginning January 8, 1948, at posted transport truck price at time of delivery, with temperature corrected to 60 degrees at loading point, with 1 per cent discount excluding taxes for payment within 10 days, and with no maximum guaranty, is hereby accepted, and the City Manager is hereby authorized to execute a contract with said company in compliance with such bid.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager stated he had requested bids for installing sound equipment and loud speakers in the Commission room, and had received prices as follows: J. M. Coker, \$550; Gables Appliance Co. Inc., \$600; Kennedy Radio Company, \$713.50; and Mikal's Radio Shop, \$946. Inasmuch as some of the above companies declared that acoustical treatment of the room would also be necessary, the matter was deferred. It was suggested that bidders be requested to give a demonstration of their sound system with portable equipment.

The City Manager presented a letter from Mr. H. E. Keating of the Consumers Water Company suggesting 4 P.M., January 22, 1948, as a date for a meeting between the Commission and company officials for discussion of company policies. The Commission agreed to meet with company officials on such date.

The City Manager discussed paving of Coral Way-Douglas Road entrance to the city, stating that the City of Miami was willing to bear its proportionate share of cost for that part of the street within the Miami city limits, and that cost of paving to the City of Coral Gables was estimated at not more than \$500. The following resolution was presented and read:

RESOLUTION NO. 2980

A RESOLUTION AUTHORIZING THE PAVING OF  
CORAL WAY-DOUGLAS ROAD ENTRANCE, AND  
APPROPRIATING THE NECESSARY AMOUNT THEREFOR

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized and directed to have the Coral Way-Douglas Road entrance to the city paved, acting jointly with the City of Miami and with the City of Miami paying its proportionate share of the cost thereof; that the necessary amount to pay for such paving is hereby appropriated from the general contingent fund for the fiscal year ending June 30, 1948.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk noted the receipt of a letter from Mr. Peter White of the Coral Gables Junior Chamber of Commerce, requesting the Commission to authorize the purchase of advertising space in the program of the horse show being presented by the Junior Chamber of Commerce. The Commission, after discussion, decided that it could not authorize the purchase of such space because the entire publicity budget of the city for the current year had been committed to a joint program of the city and Chamber of Commerce, and because of the fact that an appropriation for this purpose would be a duplication inasmuch as the Commission already supports the agencies to be benefited by the horse show.

Superintendent of Public Works Robinson requested the opinion of the Commission in regard to the application of the Philbrick Funeral Home for a building permit to enlarge its embalming facilities and to add a chapel to the funeral home at 825 Ponce de Leon Boulevard. He pointed out that the Philbrick Home was not licensed to do embalming, and this application was the first time it had been known that embalming was being done on the premises. He stated that Mr. Philbrick had produced advertisements and other evidence indicating that embalming had been done on the premises since 1925, and said that Mr. Philbrick declared that the State law would not permit the operation of a funeral home without embalming facilities. City Attorney Semple declared that in his opinion the location is not zoned for a funeral home where embalming was done on the premises, and the Commission declared that an application for an exception to the zoning laws should first be approved by the Zoning Board before the permit should be issued.

The Commission approved payment of \$50.00 annual dues to the Florida State Chamber of Commerce for the year 1948.

RESOLUTION NO. 2981

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE"

WHEREAS, the Zoning Board of Appeals at its regular meeting December 22, 1947 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions  
of Ordinance No. 271 be and the same hereby are granted:

1. Temporary permission until September 30,  
1948 for operation of a block plant at 102 Avenue Muertes.

2. Permit Coral Gables Inn to place a sign on  
valance of awning which had to be replaced due to loss in  
recent hurricane, on condition that when the present awning  
wears out no new sign will be permitted.

3. Permit construction of filling station build-  
ing and placing of tanks on Lots 86 to 88 inclusive, Block  
17, Industrial Section, provided that gasoline pumps are  
not installed and filling station is not operated until sales  
room and show room building are constructed on premises.

Motion for its adoption was made by Commissioner Hendrick, seconded  
by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Clerk presented a letter from Coral Gables Board of  
Realtors requesting that the Commission clarify Section 15 (2) of the Zoning  
Ordinance which provides a 15 foot front setback for apartments except where  
existing buildings have a setback greater than 15 feet, in which case the set-  
back is to be that of the existing building. The Board requested a clarifi-  
cation of the words "existing building", and City Attorney Semple expressed  
the opinion that "existing building" meant any building in existence at the  
date of the application for construction. Superintendent Robinson suggested  
that the section be amended to conform with the provisions of Section 15 (1)  
concerning residences, wherein it is provided that the front setback shall be  
25 feet, except that where an existing building has a lesser setback the new  
construction may conform to that of the existing building. Mr. Robinson also  
suggested a clarification of setback requirements for apartments when part of  
the block in question is zoned for business and therefore has no setback.

All of the above matters were referred to the Zoning Board for  
study and recommendation.

The City Clerk advised that Mr. Warren Lehman declined to serve as  
a member of the Trial Board of the city. The following resolution was pre-  
sented and read:

RESOLUTION NO. 2982

A RESOLUTION APPOINTING WALLACE E. HACKETT  
AS A MEMBER OF THE TRIAL BOARD OF THE CITY  
OF CORAL GABLES

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Wallace E. Hackett is appointed as a member of the Trial Board of the City of Coral Gables for a term ending December 1, 1949.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Attorney advised that he had received correspondence from Mr. A. E. Gordon, 4623 S.W. 10th Street, of intent to sue the city for damages resulting from a bus accident which occurred November 8, 1947 at the corner of Granada Boulevard and Avenue Almeria.

The City Attorney presented the following resolution:

RESOLUTION NO. 2983

A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN CONTRACT IN CONNECTION WITH SUNRISE HARBOUR SUBDIVISION

WHEREAS, Carrie R. Sapiro, a free dealer, and Emil J. Gould and his wife Estelle F. Gould are about to place of record a certain plat of a subdivision known as Sunrise Harbour, covering and embracing lands lying and being in the City of Coral Gables, Dade County, Florida and lying in the SE 1/4 of Section 29, the NE 1/4 of Section 32 and Fractional Sections 28 and 33, and all in Township 54 South, Range 41 East, which plat was made by M. B. Garris, Civil and Consulting Engineer; and

WHEREAS, the said parties are desirous of settling questions of zoning, making provisions for parking purposed, requiring commercially zoned property on Coral Gables Waterway landscaped and the securing of certain properties by the city for park purposes, and like matters;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager and the City Clerk are hereby authorized to execute the following proposed contract in behalf of the City of Coral Gables and/or any similar contract approved as to form by the City Attorney:

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of January, 1948, by and between THE CITY OF CORAL GABLES, a municipal corporation of Florida, hereinafter referred to as CITY, and CARRIE R. SAPIRO, a free dealer, and EMIL J. GOULD, joined herein by ESTELLE F. GOULD, husband and wife, hereinafter referred to as SUBDIVIDERS,

WITNESSETH:

WHEREAS, the SUBDIVIDERS have had prepared a plat of certain lands in Dade County, Florida, which they intend to plat and subdivide under the name of "SUNRISE HARBOUR", said lands lying and being in the County of Dade and State of Florida, and lying in the SE 1/4 of Section 29, the NE 1/4 of Section 32, and fractional Sections 28 and 33, and all in Township 54 South, Range 41 East; which said plat was made by M. B. Garris, Civil and Consulting Engineer, and which it

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is proposed to file at some future date after approval by the proper authorities affected hereby and in particular by the CITY and by Dade County, Florida, and

WHEREAS, the SUBDIVIDERS are desirous of having the CITY accept and approve said plat and are likewise desirous of having the CITY establish certain zoning regulations affecting same, as will hereafter be set forth, in particular,

NOW, THEREFORE, in consideration of the premises and in consideration of the sum of ONE DOLLAR by each of the parties to the other in hand paid, the receipt of which is hereby acknowledged, IT IS AGREED as follows:

1. The SUBDIVIDERS agree that if the City of Coral Gables accepts the said plat and establishes the zoning as hereinafter set forth, that it will, by proper instrument or instruments do the following:

(a) Cause to be dedicated by proper deeds of dedication for park purposes, with the reversion or reversions thereof whenever discontinued by law, to the SUBDIVIDERS, their personal representatives and assigns, the following described property in the City of Coral Gables, Dade County, Florida, to-wit:

Lots 1, 2, 3 and 4 of Block "D" of SUNRISE POINT, a subdivision in the South half of Section 28 and 29, Township 54 South, Range 41 East, according to a plat thereof of record in the office of the Clerk of the Circuit Court of Dade County, Florida,

and,

(b) Reserve against building thereon a 10-foot strip facing on the Coral Gables Waterway in Block 6, as shown on said plat of Sunrise Harbour, excepting therefrom the boat slip as shown thereon, and that it will place a provision in any deed or deeds executed by it, requiring the owner or owners or lessees or persons in use or occupancy of said 10-foot strip, to maintain the strip by planting trees, shrubs and grasses, under the direction of the CITY, and at no cost to the CITY, to provide a shield for the property owners on the south side of the waterway; and the SUBDIVIDERS agree that the zoning of said Block 6 and its use for commercial purposes shall be permitted only so long as said strip is maintained and beautiful in the manner set forth.

2. SUBDIVIDERS agree that in Blocks 4 and 5 of said SUNRISE HARBOUR they will set aside a parking area for the business section to be located in said Blocks 4 and 5, amounting to not less than 30% of the entire area of said blocks; and further agree that the use of said Blocks 4 and 5 for commercial purposes is contingent upon the setting aside of said area for parking.

The above and foregoing things are to be done by the SUBDIVIDERS provided that the CITY:

1. Zones Lots 10 through 26, inclusive, of Block 1, Lots 1 through 5, inclusive, of Block 2, and Lots 80 through 83, inclusive, of Block 2, and all of Block 7, excepting the westerly 125 feet, which is to be zoned for duplexes, all for apartments, and Blocks 4, 5 and 6 to be zoned for business; all other lots, plots or parcels as shown on the plat to be zoned for single family residences.

Nothing herein contained shall preclude any future changes of zoning by ordinances of The City of Coral Gables.

It is understood and agreed by and between the parties hereto that in the event that the plat referred to is not recorded, and provided no property is sold with reference to such plat unrecorded, that the covenants and agreements herein contained shall be set aside and the parties released from the several obligations herein contained.

This agreement is made binding upon the successors, personal representatives and assigns of the respective parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

- "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.
- "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

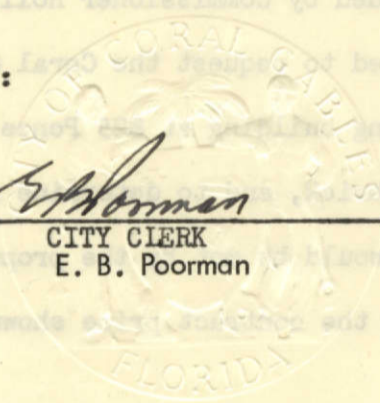
*W. Keith Phillips*

MAYOR  
W. Keith Phillips

ATTEST:

*E. B. Poorman*

CITY CLERK  
E. B. Poorman



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MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JANUARY 20, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, January 20, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meeting of January 6, 1948 were approved as read.

Mr. W. L. Philbrick appeared to discuss a request made by him for a permit to build an addition to his funeral establishment at 825 Ponce de Leon Boulevard. The matter had been considered by the Zoning Board at its January 19th meeting and action was deferred. Mr. Philbrick declared that the question of issuance of a building permit was not properly a zoning question; he claimed this was a case of a non-conforming use established prior to the Zoning Ordinance, and cited Section 10 (b) of the Zoning Ordinance which provides that a building devoted to a non-conforming use may be structurally altered during any 10 year period, not exceeding an aggregate cost of 50 per cent of the value of the existing building.

On motion of Commissioner Mayes, seconded by Commissioner Holley and unanimously adopted, the City Manager was directed to request the Coral Gables Board of Realtors for an appraisal of the existing building at 825 Ponce de Leon Boulevard now occupied and used by Mr. Philbrick, and to determine if terms of Section 10 (b) of the Zoning Ordinance would be met by the proposed addition, computing the value of the addition at the contract price shown in the application for permit.

Commissioner Hendrick then moved that if the contract price of the proposed addition did not exceed 50 per cent of the appraised value of the existing building, a building permit for such addition, subject to the usual regulations, be issued. The motion was seconded by Commissioner Mayes and unanimously adopted.

The meeting was then turned over to a public hearing upon the confirmation of Local Improvement H-58. The City Clerk stated that requisite notification had been published and that owners of all property abutting such improvement had been notified by mail. Mr. A. D. Smith was present with written approvals of the improvement signed by owners of 74 lots. No objections were voiced to such improvement, and the following resolution was presented and read:



RESOLUTION NO. 2984

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT H-58

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., January 20, 1948, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 2888, passed and adopted August 5, 1947, and ordering Local Improvement H-58, and to the plans, specifications and estimates of cost of such improvement, and no objections were heard;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Resolution No. 2888, passed and adopted August 5, 1947, and ordering Local Improvement H-58, be and the same hereby is confirmed, and the cost of such improvement except intersections and except that portion abutting city owned property if any, shall be assessed against all lots and lands adjoining and abutting such improvement.

Motion for its adoption was made by Commissioner Hendrick, seconded

by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

Mr. Ben Turner and Mr. Black appeared on behalf of Mr. George M. Katz to request that the Commission reinstate the 20 foot setback upon Lots 1, 2 and part of 3, Block 13, Section L. The Commission declared that all parties previously objecting to the allowance of a 20 foot setback thereon should have an opportunity to be heard upon this matter, and deferred any decision upon the question until the regular meeting of February 3, 1948.

Mr. H. B. Richardson and other residents of Coral Estates and Coral Groves Subdivisions were present to discuss the calling of a special election of the qualified electors of that area for approval or disapproval of the annexation of such area to the City of Coral Gables. The City Clerk declared that proponents of annexation had deposited with him \$300.00 to defray cost of such an election.

ORDINANCE NO. 554

AN ORDINANCE ANNEXING CORAL ESTATES, A SUBDIVISION OF THE NORTH HALF OF NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION EIGHT, TOWNSHIP FIFTY-FOUR SOUTH, RANGE FORTY-ONE EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 19, PAGE 7 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND CORAL GROVES, A SUBDIVISION OF THE NORTH QUARTER OF THE EAST HALF OF SOUTHWEST QUARTER OF SECTION EIGHT, TOWNSHIP FIFTY-FOUR SOUTH, RANGE FORTY-ONE EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 72 OF THE PUBLIC RECORDS

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OF DADE COUNTY, FLORIDA, TO THE CITY OF CORAL GABLES FLORIDA; PROVIDING THAT SUCH ANNEXATION SHALL BE EFFECTIVE ONLY AFTER IT SHALL HAVE BEEN APPROVED BY A MAJORITY OF THE QUALIFIED ELECTORS RESIDING IN SAID AREA AND VOTING IN A SPECIAL ELECTION HEREIN CALLED FOR THAT PURPOSE, AND APPROVED BY A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY OF CORAL GABLES VOTING AT AN ELECTION TO BE CALLED FOR THAT PURPOSE; CALLING A SPECIAL ELECTION FOR THE APPROVAL OF SAID ANNEXATION BY THE QUALIFIED ELECTORS OF SAID AREA; PROVIDING FOR THE SPECIAL REGISTRATION OF THE QUALIFIED ELECTORS OF THE AREA ANNEXED FOR THE PURPOSE OF SUCH ELECTION; PROVIDING FOR THE PUBLICATION OF NOTICE OF REGISTRATION AND OF SAID ELECTION; PROVIDING FOR THE CONDUCT OF SAID ELECTION AND CANVASS OF THE VOTE; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 554.

The Commission then discussed with Mr. W. H. Peeples and Mr. John Cicero the ice show to be held at the Coliseum for 12 days beginning January 22nd. The following resolution was presented and read:

RESOLUTION NO. 2985

A RESOLUTION GRANTING A PERMIT TO HOLD AN ICE SHOW IN THE CORAL GABLES COLISEUM FOR 12 DAYS BEGINNING JANUARY 22, 1948 FOR A SPECIAL FEE OF \$600.00

WHEREAS, it is proposed to use the Coliseum for an ice show and exhibition for a 12 day period beginning January 22, 1948, prior to the passage of an ordinance imposing a 5 per cent admission tax upon such events;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That permission and authority are hereby given for the holding of an ice show and review at the Coral Gables Coliseum for a 12 day period beginning January 22, 1948, upon payment of a special fee or permit for such show of \$600.00, such fee to be used to defray the cost of furnishing extra police and fire protection during such period and to pay other costs incurred by the city in connection therewith.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Director of Public Safety Kimbrough and Lt. Brasher of the Police Department recommended an increase in the amount of fines imposed for certain traffic violations. The City Manager stated that the proposed increases had the support of Municipal Judge Robertson.

ORDINANCE NO. 555

AN ORDINANCE AMENDING ORDINANCE NO. 4 OF THE CITY OF CORAL GABLES BY ADDING TO AND INCLUDING THEREIN CERTAIN RULES AND REGULATIONS PERTAINING TO TRAFFIC IN THE CITY OF CORAL GABLES; PRESCRIBING THE PROCEDURE TO BE FOLLOWED UPON ARRESTS BEING MADE FOR VIOLATIONS OF CERTAIN TRAFFIC REGULATIONS; FIXING PENALTIES FOR FIRST, SECOND AND THIRD OFFENSES, RESPECTIVELY; PROVIDING FOR OPTIONAL PAYMENT OF SUCH PENALTIES WITHOUT COURT TRIAL IN CERTAIN CASES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Holley, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 555.

The City Clerk presented a letter from the Riviera Property Owners Association requesting that the Commission change the zoning of University Estates section. Mr. Allen Brown, representing the owners of such sub-division, pointed out that the zoning had been set by the city over two years ago, after lengthy consideration, on a basis suggested by the city; that the owners had at the city's request dedicated an area for a public park, paved streets, installed drainage, and had widened and deepened the lots to a greater size than any comparable lots in the area. The City Attorney declared that in his opinion that under the circumstances of this case the Commission would not be justified and was without power to make any change in zoning.

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The City Manager noted that the city had been invited to send a delegate to the Southern States Coastal Erosion Control conference to be held at Sarasota, Florida, January 30 and 31. The Commission did not consider that sending a delegate to such conference would be necessary or advisable.

The City Manager noted that the committee of the A.I.A. investigating the Board of Supervising Architects had released a report upon the investigation. He stated that the report appeared to be fair and impartial, but noted that he had called to the attention of the committee certain errors made in the report.

The City Manager noted that the South Miami Coach Line had recently increased in its fares. He declared that because the coach line has no franchise within the city, he believed the Commission had no control over the rates and fares. The City Attorney concurred in this opinion.

The City Manager presented a letter from Mr. W. D. Hilsabeck, Chairman, Everglades Drainage District, calling a meeting to be held at 10 A.M., February 2, 1948 in Miami, to discuss the flood control program recommended by the U. S. Engineers Department. Mr. Hilsabeck requested that the Commission pass a resolution approving the U. S. Engineers' plan for water control. No action was taken upon such resolution, and the Commission suggested that a letter be written expressing general approval of the over-all plan for flood control proposed by the U. S. Engineers Department.

The City Clerk advised that under the law the Commission was required to appoint a Custodian of Voting Machines for the special elections of February 24 and March 2, 1948.

RESOLUTION NO. 2986

A RESOLUTION APPOINTING MR. FRANK LEWIS  
AS CUSTODIAN OF VOTING MACHINES FOR THE  
SPECIAL ELECTION TO BE HELD FEBRUARY 24,  
1948

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That Mr. Frank Lewis be and he hereby is appointed Custodian of Voting Machines for the special election of qualified electors of Coral Estates and Coral Groves Subdivisions to be held at the City Hall in Coral Gables, February 24, 1948 for the approval or disapproval of the annexation of such area to the City of Coral Gables.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
 "Nays" - None.

## RESOLUTION NO. 2987

A RESOLUTION APPOINTING MR. FRANK LEWIS AS CUSTODIAN OF VOTING MACHINES FOR THE SPECIAL ELECTION OF MARCH 2, 1948.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Mr. Frank Lewis be and he hereby is appointed as Custodian of Voting Machines for a special election to be held in the City of Coral Gables on March 2nd, 1948 for the approval or disapproval of Ordinance No. 540.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
 "Nays" - None.

## RESOLUTION NO. 2988

A RESOLUTION AUTHORIZING TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO GABLES TAXI INC.

WHEREAS, Gables Taxi Inc. has duly applied for the transfer of the Certificate of Public Convenience and Necessity for the operation of 3 taxicabs and 2 for-hire cars previously issued to the Granada Cab Corporation; and

WHEREAS, due notice under the ordinance of this city has been given to the holders of all such certificates now outstanding in the city;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the transfer to the Gables Taxi Inc. of Certificate of Public Convenience and Necessity heretofore issued to Granada Cab Corporation, for 3 taxicabs and 2 for-hire cars be and the same hereby is approved.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
 "Nays" - None.

The City Clerk stated that 28 taxicabs had been authorized as of December 16, 1947, and that authority to operate one taxicab had since been lost because of non-use. He requested advice as to whether or not the Commission desired that further applications be accepted for additional cabs. The

Commission directed that holders of present certificates be notified that applications for operation of additional cabs would be accepted for a public hearing to be held at the February 3rd regular meeting of the Commission.

RESOLUTION NO. 2989

A RESOLUTION GRANTING CERTAIN EXCEPTIONS  
TO ORDINANCE NO. 271, KNOWN AS THE "ZONING  
ORDINANCE"

WHEREAS, the Zoning Board of Appeals at its regular meeting January 19, 1948 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit erection of garage with servants' quarters having an area of 682 square feet instead of 600 square feet as now zoned on Lots 7 and 8, Block 1, Section B.

2. Permit erection of dry cleaning plant on Lots 6 and 7, Block 25, Section K, provided that the liquid Perchloroethylene, or another similar non-inflammable liquid having the same rating from the Florida Inspection and Rating Bureau, is used exclusively for cleaning process.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

Action upon a request for an exception for erection of two duplexes having the same floor plans was deferred pending the approval of such plans by the Board of Supervising Architects.

ORDINANCE NO. 556

AN ORDINANCE CREATING THE CORAL GABLES ATHLETIC COMMISSION FOR THE REGULATION, CONTROL, SUPERVISION AND JURISDICTION OVER ALL FORMS OF ATHLETIC OR SPORTS EVENTS OR EXHIBITIONS FOR WHICH AN ADMISSION IS CHARGED; PRESCRIBING THE NUMBER OF MEMBERS OF SUCH COMMISSION AND THEIR TERMS OF OFFICE; PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF SAID COMMISSION AND THEIR QUALIFICATIONS; AUTHORIZING AND EMPOWERING THE COMMISSION TO ADOPT AND PROMULGATE RULES AND REGULATIONS COVERING AND EMBRACING ALL FORMS OF ATHLETIC EVENTS EMBRACED IN THIS ORDINANCE; MAKING ALL SUCH EVENTS SUBJECT TO THE RULES AND REGULATIONS OF THE COMMISSION; REQUIRING ANNUAL PERMITS AND THE PAYMENT OF CERTAIN FEES; IMPOSING A TAX EQUAL TO FIVE PER CENT (5%), EXCLUSIVE OF FEDERAL TAX, OF THE ADMISSION CHARGE ON EACH PAID ADMISSION TO BE COLLECTED BY THE PROMOTER AND PAID TO THE DIRECTOR OF FINANCE OF THE CITY, DIRECTING THE DIRECTOR OF FINANCE AS TO THE DISPOSITION OF SUCH FUNDS MAKING THE DIRECTOR OF FINANCE CUSTODIAN OF ALL MONIES AND DEFINING HIS RIGHTS AND POWERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE; PROVIDING A SEPARABILITY CLAUSE; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Holley, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 556.

RESOLUTION NO. 2990

A RESOLUTION APPOINTING MEMBERS OF THE  
CORAL GABLES ATHLETIC COMMISSION

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That William C. Hartnett  
Andrew N. Houston  
Harry W. Morgenthaler  
Carl Singleton  
Robert F. Venn  
L. E. Westerdahl  
C. R. Williams  
W. T. McIlwain (ex officio)  
E. L. Semple (ex officio)

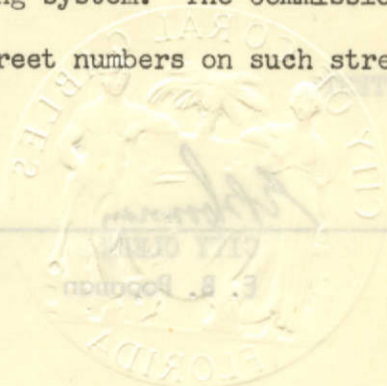
are hereby appointed as members of the Coral Gables  
Athletic Commission, the term of office of each of  
said members to expire on the date of the regular city  
election in April, 1949.

Motion for its adoption was made by Commissioner Holley, seconded by  
Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The Superintendent of Public Works Robinson advised that the Post  
Office had requested the Commission to change Douglas Road and Red Road street  
numbers to correspond with the Miami street numbering system. The Commission  
declined to change such numbers, preferring that street numbers on such streets  
correspond with other Coral Gables numbers.



ORDINANCE

AN ORDINANCE DEFINING, REGULATING AND GOVERNING CONTRACTORS OF CONSTRUCTION, ELECTRICAL AND PLUMBING WITHIN THE CITY LIMITS OF CORAL GABLES, FLORIDA, AND THE ISSUANCE OF LICENSES THERETO; REQUIRING EXAMINATION OF ALL SUCH CONTRACTORS; PRESCRIBING THE TIME WHEN SAID EXAMINATIONS SHALL BE CONDUCTED; CREATING A BOARD OF EXAMINERS FOR CONSTRUCTION CONTRACTORS; CREATING A BOARD OF EXAMINERS FOR ELECTRICAL CONTRACTORS; CREATING A BOARD OF EXAMINERS FOR PLUMBING CONTRACTORS; DEFINING THE DUTIES AND POWERS OF EACH BOARD; PRESCRIBING THE FEES TO BE CHARGED FOR EACH EXAMINATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; DECLARING THAT IF A PORTION OF THIS ORDINANCE IS HELD TO BE VOID OR OF NO EFFECT SUCH HOLDING NOT TO EFFECT THE REMAINING PORTION OF THIS ORDINANCE; MAKING AND CONSTITUTING EACH DAY'S VIOLATION OF THE TERMS OF THIS ORDINANCE A SEPARATE OFFENSE, PUNISHABLE AS SUCH; AND PRESCRIBING PENALTY FOR VIOLATION.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick.

Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Commissioner Mayes suggested that the Commission invite the mayors and city attorneys of Dade County cities, other than Miami, to a meeting to discuss the proposed consolidation bill and the advisability of instituting an educational program to acquaint Dade County citizens with the provisions of such bill. On Motion of Commissioner Holley, seconded by Commissioner Hendrick and unanimously passed, the Mayor and City Manager were authorized to arrange such meeting for the evening of January 30th, the city to bear the expense of such meeting.

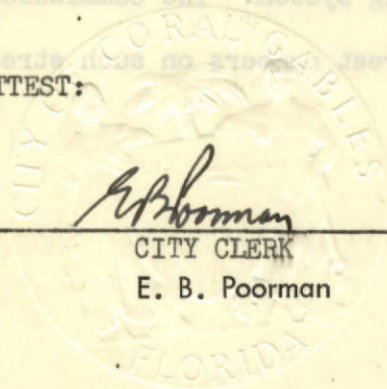
There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips  
MAYOR  
W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman





MINUTES OF SPECIAL MEETING OF  
THE CITY COMMISSION JANUARY  
22, 1948

The Commission of the City of Coral Gables convened in special session at the City Hall at 4:00 o'clock P.M., Thursday, January 22, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present. Absent: none.

Mayor Phillips declared that Ponce High School Band had been invited to take part in a celebration at Havana, Cuba, and that a request had been made that the city contribute \$500.00 toward the expense to be incurred in sending the band to Havana. Commissioner Holley stated that he believed the Chamber of Commerce would be able and willing to contribute \$250.00 toward such expense. The following resolution was presented and read:

RESOLUTION NO. 2991

A RESOLUTION APPROPRIATING \$250.00 TO  
DEFRAY EXPENSE OF SENDING PONCE HIGH  
SCHOOL BAND TO HAVANA, CUBA

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

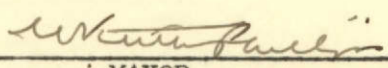
That the sum of \$250.00 is hereby appropriated from the general contingent fund for the fiscal year ending June 30, 1948 for the purpose of assisting to defray the expenses of sending Ponce High School Band to Havana, Cuba.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

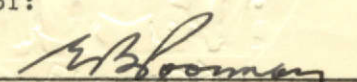
The City Manager stated that Mr. A. B. Morrison desired to discuss with the Commission a proposed plan to retire Tax Participation Certificates of the City by the issuance of additional bonds. The Commission expressed a desire to discuss such proposed plan and suggested that the City Manager arrange a date for such meeting in the near future.

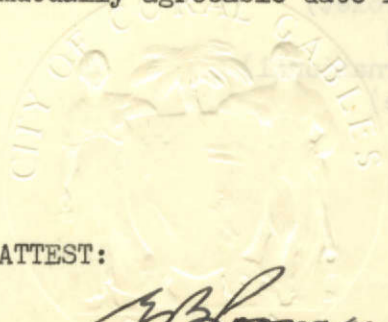
The meeting was then turned over to a discussion with Mr. H. E. Keating and Mr. F. Burton Smith of the Consumers Water Company, upon water extension policies of the company. No definite conclusions were reached, and the meeting was adjourned with the understanding that such discussion would be resumed at a mutually agreeable date in the future.

APPROVED:

  
MAYOR  
W. Keith Phillips

ATTEST:

  
CITY CLERK E. B. Poorman



ADA210

MINUTES OF SPECIAL MEETING OF  
 MINUTES OF REGULAR MEETING  
 OF THE CITY COMMISSION  
 FEBRUARY 3, 1948

The Commission of the City of Coral Gables convened in special session

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, February 3, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meeting of January 20, 1948, and of the special meeting of January 22, 1948, were approved as read.

Mr. Ben Turner and Mr. William Black appeared on behalf of Mr. George M. Katz on a request for reinstatement of a 20 foot setback on Lots 1, 2 and part of 3, Block 13, Section L, set for hearing at this meeting. Appearing in opposition to such request were Mr. Inman Padgett, attorney, Mr. George F. Phillips, Mr. C. D. Boulton, and Mr. J. L. Malcomb. After discussion the Commission denied any change in terms of Resolution No. 2969, passed December 4, 1947 and establishing a 25 foot setback. Mr. Hendrick took no part in the discussion in view of his association with Mr. Turner.

The meeting was then turned over to a public hearing on the application of Sam's Taxi and Baggage, Inc. for a Certificate of Public Convenience and Necessity for the operation of 3 additional taxicabs, and of Gables Taxi, Inc. for a certificate for the operation of 1 additional taxi. Director of Public Safety Kimbrough was present and declared that the Police Department, in accordance with previous recommendations, did not advise the issuance of additional taxi certificates. Commissioner Mayes moved that no certificates for additional taxicabs be allowed at the present time, on the ground it was not shown that public convenience and necessity required additional cabs. Motion was seconded by Commissioner Holley and unanimously passed.

The City Manager recommended the purchase of two trucks for the Streets Department, and two trucks for the Wastes Department. Bids had been requested and received as follows:

1/2 ton truck for Wastes Department:

Thiel Motor Co.	\$1259.67	(Chevrolet)
Huskamp Motor Co.	1370.63	(Ford)
Howe E. Moredock Co.	1380.20	(International)
Tutan Motors	1374.50	(Dodge)

2-3-48

W. Keith Phillips  
 Mayor

E. B. Poorman  
 City Clerk

3/4 ton truck for Streets Department:

Thiel Motor Co.	\$1390.00 (Chevrolet)
Huskamp Motor Co.	1533.64 (Ford)
Howe E. Moredock Co.	1481.18 (International)
Tutan Motors	1478.00 (Dodge)

2 1/2 ton truck for Streets Department:

Thiel Motor Co.	\$2783.25 (Chevrolet)
Tutan Motors	3097.50 to 3525.25 (Dodge)
Howe E. Moredock Co.	2764.72 (International)
Huskamp Motor Co.	3700.70 (Ford)
Andrews Truck Co.	3150.00 to 4205.00 (Federal)

Representatives of the Andrews Truck Company and Huskamp Motor Co. were present, and a lengthy discussion was had. The following resolution was presented and read:

## RESOLUTION NO. 2992

A RESOLUTION AUTHORIZING THE PURCHASE OF THREE FORD TRUCKS, AUTHORIZING THE SALE OF PRESENT WASTES DEPARTMENT AUTOMOBILE, AND MAKING NECESSARY TRANSFERS OF APPROPRIATIONS THEREFOR

WHEREAS, bids have been received upon 1/2 ton, 3/4 ton, and 2 1/2 ton trucks for use of Streets and Wastes Departments; and

WHEREAS, the city is now operating several Ford vehicles, its mechanics are trained in the repair of Ford vehicles, and the city garage is stocked with Ford parts thereby avoiding the necessity of stocking parts for other makes of vehicles not now used by the city;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the bid of Huskamp Motor Co. is hereby determined to be the most advantageous to the city;

2. That the City Manager is hereby authorized to purchase from the Huskamp Motor Co. or its affiliates, the following vehicles:

- 1 1948 Model F-7 Ford 2 1/2 dump truck at a price F.O.B. Coral Gables of \$3700.70, for the Streets Department.
- 1 1948 Ford 1/2 ton truck at a price F.O.B. Coral Gables, of \$1370.63, for the Wastes Department.
- 1 1948 Ford 3/4 ton truck at a price F.O.B. Coral Gables, of \$1533.64.

3. That the City Manager is hereby authorized to sell the passenger automobile now used by the Wastes Department, the sale price to be credited to the appropriation account 2343-311, and the Director of Finance is authorized to transfer any additional amount necessary to effect the purchase of the 1/2 ton truck above from appropriation account 2340-311 to appropriation account 2343-311.

4. That the sum of \$1234.34 be and the same hereby is transferred from appropriation account 2340-311 to appropriation account 2345-311, to effect the above purchases of trucks for the Streets Department.

ADA210

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
 "Nays" - None.

Mr. Piccolo appeared before the Commission in regard to a proposed sign on the west side of the Antilla Hotel. The matter was referred to the Board of Supervising Architects.

The City Manager recommended the purchase of a 1948 Ford Sedan for use as a patrol car for the Police Department. He declared that bids had been received on Ford, Chevrolet, Plymouth and Kaiser automobiles, and that the Ford was the lowest priced car guaranteed for immediate delivery. The following resolution was presented and read:

RESOLUTION NO. 2993

A RESOLUTION AUTHORIZING THE PURCHASE OF A PATROL CAR AND RADIO EQUIPMENT FOR THE POLICE DEPARTMENT, AND AUTHORIZING A TRANSFER OF APPROPRIATION THEREFOR

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the bid of the Huskamp Motor Co. for a police patrol car is hereby determined to be the most advantageous bid to the city;
2. That the City Manager is hereby authorized to purchase from the Huskamp Motor Co. or its affiliate, one 1948 Ford Super DeLuxe Tudor Sedan, at a price of \$1542.06, including a spotlight and plastic seat covers, for use of the Police Department.
3. That the sum of \$1542.06 is hereby transferred from appropriation account 2350-101 to appropriation account 2350-311 to effect such purchase.
4. That the City Manager is hereby authorized to purchase for installation in such police car a two-way radio at a cost not to exceed \$525.00 installed.
5. That the sum of \$525.00, or so much thereof as is necessary, is hereby transferred from appropriation account 2350-101 to appropriation account 2350-312C to effect such purchase.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
 "Nays" - None.

The City Manager stated that the Coral Gables Board of Realtors had declined to make an appraisal of the Philbrick Funeral Home building as previously requested, and that he had secured two separate appraisals from

other sources. Due to the considerable variance in the two appraisals the City Manager was directed to notify Mr. Philbrick that he could again appear before the Commission concerning the proposed addition to an alleged non-conforming use, or he could go before the Zoning Board to request an exception or a change of zoning.

The Zoning Board was requested to consider establishment of zoning for funeral homes, and to consider possible amendment to Section 10 (b) of the zoning ordinance to provide that additions to nonconforming uses be governed by square foot area rather than by value.

The City Manager advised that the Tax Assessor had requested an additional appropriation of \$500.00 for extra help in his department.

RESOLUTION NO. 2994

A RESOLUTION APPROPRIATING \$500.00 FOR EXTRA HELP FOR THE TAX ASSESSOR'S OFFICE

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of \$500.00 is hereby appropriated from unappropriated revenues to appropriation account 2331-101 for the fiscal year ending June 30, 1948.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 2995

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO CASH REGISTERS AND AN ADDRESSOGRAPH PRINTER, AND APPROPRIATING THE NECESSARY AMOUNTS THEREFOR

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the sum of \$610.00 be and hereby is appropriated from the Equipment Fund of the city to appropriation account 2381-313 for purchase of a cash register for use at the Granada Golf Course.

2. That the sum of \$815.00 be and it hereby is appropriated from Equipment Fund of the City to appropriation account 2350-313 for purchase of a cash register at the Police Department.

3. That the sum of not to exceed \$1775.00 is hereby appropriated from the Equipment Fund of the city to appropriation account 2331-313 for purchase of an addressograph printer and cabinets for addressograph plates for use in the Tax Assessor's Office.

ADA240

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 2996

A RESOLUTION APPOINTING ELECTION OFFICIALS  
FOR THE SPECIAL ELECTION TO BE HELD  
FEBRUARY 24, 1948

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

1. That the following persons be and they hereby are appointed as election officials for the conduct of the special election of qualified electors of Coral Estates and Coral Groves Subdivisions, to approve or disapprove the annexation of such area to the City of Coral Gables, such election to be held February 24, 1948:

Clerk: Mrs. Daisy C. Rowe  
Inspectors: Mrs. Grace H. Bowen  
Mrs. Sydney S. Lehmann  
Mrs. Dorothy D. Howard  
Mrs. Thelma Nauman

2. That the City Clerk is hereby directed to publish the names of such officials in the Coral Gables Riviera-Times as provided by law.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 2997

A RESOLUTION APPOINTING ELECTION  
OFFICIALS FOR THE SPECIAL CITY  
ELECTION OF MARCH 2ND, 1948

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

1. That the following persons be and they hereby are appointed as election officials for the conduct of the special city election to be held March 2, 1948:

Precinct No. 1 - Clerk: L. E. Westerdahl  
Inspectors: Goldie Linnemeier  
Loretta Sheehy  
Jean Feick  
Lydia H. Hubbell  
W. Ralph Smith  
L. W. Leek

Precinct No. 2 - Clerk: Henry C. Anderson  
Inspectors: Pauline R. Ehly  
H. E. Keating  
Ed. G. Bishop  
Jessie B. Lewis  
Katherine Skogstad  
Charles D. Boulton

Precinct No. 3 - Clerk: Walter M. Van Nort  
 Inspectors: Louie Lanford  
 Easter M. Russell  
 Effie Marshall  
 Frank Howard

2. That the City Clerk is hereby directed to publish the names of such officials in the Coral Gables Riviera-Times as provided by law.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
 "Nays" - None.

The City Clerk suggested that a conference be held with the Coral Gables Board of Realtors concerning possible amendment of Ordinance No. 252, which provides for the holding of semi-annual examinations of real estate salesmen and brokers. The Clerk recommended either repeal of the ordinance or an amendment thereto to permit individuals to take examinations at any time. The Clerk was instructed to invite representatives of the Realtor's Board to meet with the Commission at the next meeting, February 17.

The Clerk pointed out that Ordinance No. 554 required that the Commission canvass the returns of the special election to be held February 24, 1948 within 48 hours after the election.

RESOLUTION NO. 2998

A RESOLUTION CALLING A SPECIAL MEETING OF THE COMMISSION ON FEBRUARY 25, 1948 TO CANVASS THE RETURNS OF THE SPECIAL ELECTION OF FEBRUARY 24.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That a special meeting of the Commission is hereby called for 9 o'clock A.M., February 25, 1948, for the purpose of canvassing the returns of the special election of qualified electors of Coral Estates and Coral Groves Subdivisions held for the purpose of approving or disapproving annexation of such area to the City of Coral Gables, such election to be held on February 24, 1948; for the consideration of an ordinance calling a special election in the City of Coral Gables upon the same proposition; and for such other business as may come before such meeting.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
 "Nays" - None.

The City Manager presented a plat of Sunrise Harbour, and the City Attorney advised that the contract authorized by Resolution No. 2983 had been duly executed and recorded.

RESOLUTION NO. 2999

A RESOLUTION ACCEPTING AND APPROVING  
A PLAT OF SUNRISE HARBOUR

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That that certain plat of Sunrise Harbour  
Subdivision in the Southeast Quarter of Section 29, the  
Northeast Quarter of Section 32, and fractional Sections  
28 and 33, Township 54 South, Range 41 East, be and the  
same hereby is accepted and approved.

Motion for its adoption was made by Commissioner Mayes, seconded  
by Commissioner Holley. Resolution was adopted by the following roll call:

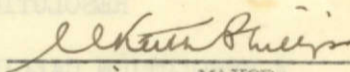
"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.


The City Attorney discussed with the Commission the verdict  
returned in the condemnation suit involving Block 35, Section K. The  
City Manager, Director of Finance, and City Attorney were directed to study  
the possibility of purchasing the balance of Block 35 at the price fixed by  
the verdict.

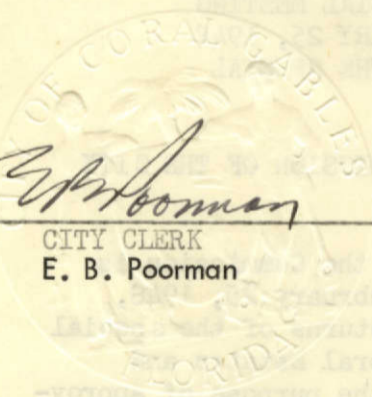
There being no other business the meeting was adjourned.

APPROVED:

  
MAYOR  
W. Keith Phillips

ATTEST:

  
CITY CLERK  
E. B. Poorman



2-3-48

The City Manager presented a plat of Sunrise Harbour, and the City  
Attorney advised that the contract authorized by Resolution No. 2883 had  
been duly executed and recorded.



MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
FEBRUARY 17, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8 o'clock P.M., Tuesday, February 17, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick and Holley present. Commissioner Mayes absent.

Mr. W. L. Philbrick appeared to again discuss his request to permit an addition to his funeral establishment at 825 Ponce de Leon Boulevard. He declared that estimates made by contractors, based on replacement cost, show that the proposed addition at a cost of \$18,113, is within the requirement of Section 10 (b) of the Zoning Ordinance, which permits additions to 59 per cent of the value in cases of non-conforming uses. The estimates of value of the existing building received by Mr. Philbrick and the city were: Fulton Webb, \$37,375; Lyle Roberts, \$37,700; and Deigaard and Preston, \$38,300. The City Attorney expressed the opinion that the Zoning Ordinance was not clear as to whether "value" was to be based on replacement cost, or upon original cost less depreciation, and declared that he felt that the Commission had the power to interpret the provision.

RESOLUTION NO. 3000

A RESOLUTION PERMITTING AN ADDITION TO  
PHILBRICK FUNERAL HOME, A NON-CONFORMING  
USE

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

1. That the 50 per cent valuation maximum requirement set forth in Section 10 (b) of the Zoning Ordinance in regard to additions to non-conforming uses is hereby construed to be based on replacement value.

2. That the proposed \$18,113 addition to the Philbrick Funeral Home, 825 Ponce de Leon Boulevard, a non-conforming use, is hereby found to be within the limitation requirement of 50 per cent of existing value, and the Department of Public Works is hereby authorized and directed to issue a building permit therefor.

Motion for its adoption was made by Commissioner Healy, seconded by

Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

Members of the congregation of the University Baptist Church

appeared to request an exception to the Zoning Ordinance to permit construction of a church on Lots 7 to 12, Block 116, Country Club Section 6, facing

south instead of east as now zoned. The request had been recommended for approval by the Zoning Board at its meeting of February 9. Mr. Douglas Batchelor, attorney representing property owners on Riviera Drive and Anastasia Street, appeared to object on behalf of such owners to the granting of such exception. Other property owners were also present and spoke in opposition to the exception. It was pointed out that the Zoning Board in July, 1941, had recommended such exception, and while it had never been acted on by the Commission, the church had spent considerable time and money in having plans prepared for the construction of a church upon the assumption that it would be permitted to face south.

RESOLUTION NO. 3001

A RESOLUTION GRANTING A CERTAIN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE"

WHEREAS, the Zoning Board of Appeals at its regular meeting February 9, 1948, has recommended that a certain exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit the construction of church facing south on Riviera Drive instead of East on Segovia Street on Lots 7 to 12, Block 116, Country Club Section 6.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

Mr. Robert Lane appeared before the Commission to request a special license fee to be fixed for the Roller Derby proposed to be held at the Coliseum for 25 nights beginning March 10th. He pointed out that the show had been booked prior to the adoption of the 5 per cent admission tax and requested special consideration therefor. The matter was taken under advisement.

The meeting was then turned over to the opening and reading of bids for paving work in Local Improvement District H-58. The following bids were opened and read by the City Clerk (all being accompanied by requisite bid bonds):

ORIGINAL

<u>Contractor</u>	<u>Price Per Square Yard</u>	<u>Start</u>	<u>Finish</u>
Troup Bros., Inc.	\$ .735	10 days	60 days
Brooks Paving Co.	.87	10 "	60 "
E. E. Collins Construction Co.	.93	10 "	45 "
Belcher Oil Co.	1.09	10 "	60 "
Williams & Stockton	1.24	10 "	45 "
Sea-Land Construction Co., Inc.	1.38	10 "	90 "
W. T. Price Dredging Corp.	1.50	10 "	45 "

The bids were referred to the City Manager and City Clerk for tabulation and recommendation to be made at the next regular meeting of the Commission. The City Clerk was requested to notify property owners involved that bids would be accepted on March 2, 1948.

Mr. Louis Detrio, owner of Lots 1 to 6 inclusive, Block 241, Riviera Section, appeared to request that the Commission vacate the unopened and unpaved alley running north and south between Lots 1 to 4 inclusive, and Lot 5. He pointed out that he owned all property on both sides of the platted alley.

RESOLUTION NO. 3002

A RESOLUTION VACATING THE NORTH AND SOUTH ALLEY IN BLOCK 241, RIVIERA SECTION PARTS 12 AND 13, LYING BETWEEN LOTS 1 TO 4 INCLUSIVE AND LOT 5 OF SAID BLOCK

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the unopened and unpaved north and south alley lying between Lots 1 to 4 inclusive, and Lot 5, Block 241, Riviera Sections 12 and 13, be and the same hereby is vacated and abandoned.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

Mr. William Black appeared in regard to his request for permission to do architectural drafting at his residence in Block 14, Coconut Grove Section, which request had been disapproved by the Zoning Board at its February 9 meeting. No action was taken.

The City Manager stated that the National Mid-winter Pistol Match was to be held at Tampa, Florida, March 9 to 13, and recommended that the city pay \$100.00 toward the expenses of L. W. Robinson and F. J. Neff to attend such meet as representatives of the city.

## RESOLUTION NO. 3003

A RESOLUTION APPROPRIATING \$100.00 FOR  
TRAVEL EXPENSES OF CITY REPRESENTATIVES  
TO THE NATIONAL PISTOL MATCH AT TAMPA,  
FLORIDA

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the sum of \$100.00 be, and hereby is appropri-  
ated from the General Contingent Fund of the city, to pay  
travel expenses of L. W. Robinson and F. J. Neff in attend-  
ing the National Mid-winter Pistol Match at Tampa, Florida,  
March 9 to 13.

Motion for its adoption was made by Commissioner Hendrick, seconded

by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" -  
None.

The City Manager presented a letter from Mr. John Wilmott, Director  
of the Dade County Research Foundation, advising that a survey of the  
maintenance operations of the city Garage and Parks Department would be  
commenced in the near future.

The City Manager presented a letter from Mr. St. Julian Roseman  
requesting garbage collection at his expense at his home which lies in the  
Laesh Tract immediately adjoining the city limits. The Commission decided  
as a matter of policy to restrict city garbage collection to the city  
limits of Coral Gables.

The City Manager advised that Mr. Merritt, who operates the  
restaurant at the Biltmore Golf Course, had requested permission to serve  
the Breakfast Club and the Coral Gables Exchange Club at their weekly meet-  
ings which they desired to hold at the Biltmore Golf Course restaurant.  
The Commission saw no objection to such clubs meeting at the golf course  
restaurant, and gave their approval thereto.

The City Manager presented a written report upon his recent trip  
to Washington to attend a hearing in the investigation of the recent increase  
in price of fuel oil.

The City Clerk stated that he had had a conference with Mr. Donald  
Peck, President of the Coral Gables Board of Realtors, and that Mr. Peck had  
approved of giving real estate salesmen's and brokers' examinations individ-  
ually to applicants for licenses. At the suggestion of the City Attorney,  
Ordinance No. 252 was not amended, but the Commission gave its approval of  
the plan to permit any member of the Examining Board, or its secretary, to

give examinations individually to applicants for licenses within a week after the time of application.

ORDINANCE NO. 557

AN ORDINANCE DEFINING, REGULATING AND GOVERNING CONTRACTORS OF CONSTRUCTION, ELECTRICAL AND PLUMBING WITHIN THE CITY LIMITS OF CORAL GABLES, FLORIDA, AND THE ISSUANCE OF LICENSES THERETO; REQUIRING EXAMINATION OF ALL SUCH CONTRACTORS; PRESCRIBING THE TIME WHEN SAID EXAMINATIONS SHALL BE CONDUCTED; CREATING A BOARD OF EXAMINERS FOR CONSTRUCTION CONTRACTORS; CREATING A BOARD OF EXAMINERS FOR ELECTRICAL CONTRACTORS; CREATING A BOARD OF EXAMINERS FOR PLUMBING CONTRACTORS; DEFINING THE DUTIES AND POWERS OF EACH BOARD; PRESCRIBING THE FEES TO BE CHARGED FOR EACH EXAMINATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; DECLARING THAT IF A PORTION OF THIS ORDINANCE IS HELD TO BE VOID OR OF NO EFFECT SUCH HOLDING NOT TO AFFECT THE REMAINING PORTION OF THIS ORDINANCE; MAKING AND CONSTITUTING EACH DAY'S VIOLATION OF THE TERMS OF THIS ORDINANCE A SEPARATE OFFENSE, PUNISHABLE AS SUCH; AND PRESCRIBING PENALTY FOR VIOLATION.

which was read by title and passed on first reading on January 20, 1948, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

Thereupon the Mayor declared the ordinance passed and adopted and ordered its publication as Ordinance No. 557.

The City Clerk advised that the Athletic Commission at their meeting of January 28, 1948, had recommended that interscholastic and intercollegiate contests and exhibitions be excluded from the provisions of the Athletic Commission ordinance. After discussion it was decided not to change the ordinance, but to consider the waiver of the 5 per cent admissions tax and control by the Commission of specific events from time to time as the question arose.

RESOLUTION NO. 3004

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE"

WHEREAS, the Zoning Board of Appeals at its regular meeting February 9, 1948, has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. To permit erection of a duplex on Lot 3 and 1/2 of 2, Block 142, Country Club Section 6.

2. Permit construction of a duplex facing west on Cardena Street instead of south on Avenue Almeria on Lot 36, Block 13, Biltmore Section.

3. Permit synthetic cleaning plant at rear of building located on Lots 23 and 24, Block 27, Section K, provided that non-inflammable cleaning fluid, so rated by the Florida Inspection and Rating Bureau, be used exclusively, and provided that the building be altered to meet fire department regulations regarding a dry cleaning plant.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

It was called to the attention of the Commission that the Zoning Board at its meeting of February 9, recommended no changes in zoning in the area bounded by Bird Road, Miller Road, Red Road and San Amaro Drive. The above was the first recommendation made by the Zoning Board in its over-all study of re-zoning in the Riviera Section.

Mayor Phillips called to the attention of the Commission that a meeting of representatives of municipalities opposing the consolidation bill would be held Friday, February 20, and pointed out that the Ways and Means Committee of the organization would request the City of Coral Gables to underwrite the sum of \$750.00 toward expenses to be incurred for publicity and for instituting litigation attacking such consolidation measure. The Commission informally agreed that it would underwrite the above sum when requested.

Commissioner Hendrick suggested consideration of changing the Salvadore Park shuffleboard courts to basketball courts. He requested that such change be considered in the next city budget.

The Commission then discussed the widespread practice of renting rooms in the residential areas of the city, and declared that if such practice were not curbed by property owners themselves, the city might be forced to take action to stop such practice in the future

RESOLUTION NO. 3005

A RESOLUTION AUTHORIZING THE ISSUANCE OF ALCOHOL BEVERAGE VENDORS LICENSE TO CHARLES S. GREGG

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the application of Charles S. Gregg, doing business as Pressley Sundries, 5106 S.W. 8th Street, for a vendor's license for sale of alcoholic beverages of not more than 14 per cent alcohol, for consumption off the premises, be and the same hereby is approved, subject to completion of the requisite police investigation and compliance with all conditions regulating such licenses.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

RESOLUTION NO. 3006

APPROVED:

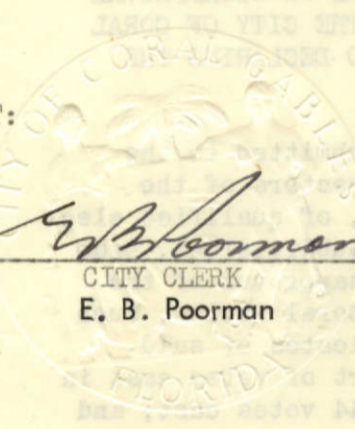
*W. Keith Phillips*  
MAYOR

W. Keith Phillips

ATTEST:

*E. B. Poorman*

CITY CLERK  
E. B. Poorman



ADA210

2-17-48

YES: 108 votes

NO: 40 votes

Spotted Votes: 2 votes

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
FEBRUARY 25, 1948

Pursuant to call thereof at the regular meeting of February 3, 1948, the Commission of the City of Coral Gables convened in special session at the City Hall at 9 o'clock A.M., Wednesday, February 25, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

The following resolution was presented and read:

RESOLUTION NO. 3006

A RESOLUTION ACCEPTING AND CANVASSING THE RETURNS OF THE CLERK AND INSPECTORS OF THE SPECIAL ELECTION OF QUALIFIED ELECTORS OF CORAL ESTATES AND CORAL GROVES SUBDIVISIONS FOR THE APPROVAL OR DISAPPROVAL OF THE ANNEXATION OF SUCH AREA TO THE CITY OF CORAL GABLES, HELD FEBRUARY 24, 1948, AND DECLARING THE RESULTS AS INDICATED THEREBY.

WHEREAS, the City Clerk has submitted to the Commission returns of the Clerk and Inspectors of the special election held February 24, 1948, of qualified electors of Coral Estates and Coral Groves Subdivisions, Dade County, Florida, for the approval or disapproval of the annexation of such area to the City of Coral Gables, such returns containing the oaths and certificates of said election officials and their sworn report of votes cast in the said election, showing a total of 144 votes cast; and

WHEREAS, said certificates and returns show the following results of the election:

Question: Do you favor the annexation by the City of Coral Gables, Florida, of the following described unincorporated territory lying contiguous and adjacent to the boundaries of said city:

Coral Estates, a subdivision of the North Half of Northwest Quarter of the Southwest Quarter of Section Eight, Township Fifty-Four South, Range Forty-One East, according to plat thereof recorded in Plat Book 19, Page 7, of the Public Records of Dade County, Florida; and Coral Groves, a subdivision of the North Quarter of the East Half of Southwest Quarter of Section Eight, Township Fifty-Four South, Range 41 East, according to plat thereof recorded in Plat Book 15, Page 72, of the Public Records of Dade County, Florida?

YES: 102 votes

NO: 40 votes

Spoiled Votes: 2 votes

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:



That this Commission declares that the said election was fairly and legally held; that the report of the Clerk and Inspectors of the election is hereby accepted and approved; and that the annexation of said subdivisions to the City of Coral Gables has been duly and legally approved by a majority of the qualified electors residing in such area and voting at said election.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

ORDINANCE NO. 558

AN ORDINANCE CALLING FOR THE HOLDING OF A SPECIAL ELECTION IN THE CITY OF CORAL GABLES, FLORIDA, ON APRIL 6, 1948, AT THE CITY HALL, FOR THE APPROVAL OR DISAPPROVAL BY THE QUALIFIED ELECTORS OF SAID CITY OF THE ANNEXATION BY THE CITY OF CORAL GABLES OF CORAL ESTATES, A SUBDIVISION OF THE NORTH HALF OF NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION EIGHT, TOWNSHIP FIFTY-FOUR SOUTH, RANGE FORTY-ONE EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 19, PAGE 7, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND CORAL GROVES, A SUBDIVISION OF THE NORTH QUARTER OF THE EAST HALF OF SOUTHWEST QUARTER OF SECTION EIGHT, TOWNSHIP FIFTY-FOUR SOUTH, RANGE FORTY-ONE EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 72, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AN UNINCORPORATED AREA LYING CONTIGUOUS AND ADJACENT TO THE JURISDICTION AND BOUNDARIES OF SAID CITY OF CORAL GABLES; PROVIDING THE PERIOD PRIOR TO THE SAID ELECTION DURING WHICH THE REGISTRATION BOOKS OF THE CITY SHALL BE KEPT OPEN FOR REGISTRATION OF VOTERS; PROVIDING FOR PUBLICATION OF NOTICE OF REGISTRATION AND OF SUCH ELECTION IN A NEWSPAPER OF GENERAL CIRCULATION PUBLISHED IN THE CITY OF CORAL GABLES ONE TIME ONLY AT LEAST 15 DAYS PRIOR TO SAID ELECTION; PROVIDING FOR THE CONDUCT OF SAID ELECTION AND CANVASS OF RETURNS THEREOF; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Holley, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once.

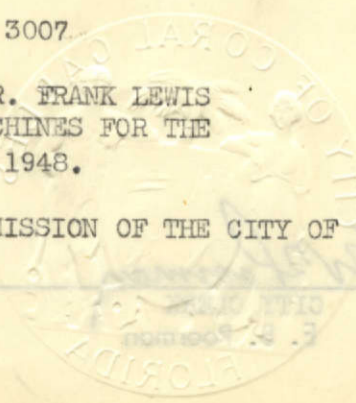
Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3007

A RESOLUTION APPOINTING MR. FRANK LEWIS AS CUSTODIAN OF VOTING MACHINES FOR THE SPECIAL ELECTION APRIL 6, 1948.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:



ADA240

That Mr. Frank Lewis be, and he hereby is, appointed as Custodian of Voting Machines for the special election to be held at the City Hall in the City of Coral Gables on April 6, 1948, for the approval or disapproval of the annexation of Coral Estates and Coral Groves Subdivisions to the City of Coral Gables.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

Commissioner Hendrick left the meeting at this point.

#### RESOLUTION NO. 3008

A RESOLUTION GRANTING A CERTAIN  
EXCEPTION TO ORDINANCE NO. 271,  
KNOWN AS THE "ZONING ORDINANCE"

WHEREAS, the Zoning Board of Appeals at its regular meeting February 23, 1948 has recommended that a certain exception to the provisions of Ordinance No. 271 known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit Miracle Theatre Corporation to eliminate standpipes within the theatre, and to eliminate sprinkler heads in the projection room in the theatre proposed to be constructed at the southeast corner of Salzedo and Coral Way, provided:

1. Adequate soda and acid fire extinguishers be provided and placed throughout the interior of the theatre to substitute for standpipes; and
2. An automatic CO<sub>2</sub> system is installed to control any fires that may originate within the projection room.

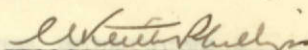
Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

The purchase of Block 35, Section K, under the terms of the recent condemnation award, was then discussed at some length, with no definite action being taken.


There being no other business the meeting was adjourned.

APPROVED:

  
MAYOR

W. Keith Phillips

ATTEST:

  
CITY CLERK  
E. B. Poorman

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
MARCH 2, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8 o'clock P.M., Tuesday, March 2, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick and Mayes present. Commissioner Holley absent.

RESOLUTION NO. 3009

A RESOLUTION ACCEPTING AND CANVASSING THE RETURNS OF THE CLERKS AND INSPECTORS OF THE SPECIAL ELECTION HELD IN THE CITY OF CORAL GABLES, MARCH 2, 1948, FOR THE APPROVAL OR DISAPPROVAL OF ORDINANCE NO. 540 OF SAID CITY, AND DECLARING THE RESULTS AS INDICATED THEREBY.

WHEREAS, the City Clerk has submitted to the Commission the returns of the Clerks and Inspectors for the several voting precincts of the special election held March 2, 1948 in the City of Coral Gables, Florida, for the approval or disapproval of Ordinance No. 540 of said city granting a gas franchise to the Coral Gables Gas Company, such returns containing the oaths and certificates of said election officials and their sworn reports of votes cast in each precinct in said election, showing a total of 466 votes cast; and

WHEREAS, said certificates and returns show the following results of the said special election:

Question: Shall Ordinance No. 540, passed and adopted by the City Commission on the 2nd of September, 1947, granting to Coral Gables Gas Company, a Florida corporation, a franchise for a period of 30 years, to construct and to operate a gas plant and works, with necessary and desirable appurtenances, for the manufacture, storage, distribution and sale of artificial or natural gas, subject to the approval of a majority of the qualified voters voting at an election to be held therefor, be approved?

	Precinct <u>1</u>	Precinct <u>2</u>	Precinct <u>3</u>	TOTAL
For the Ordinance	200	163	38	401
Against the Ordinance	31	21	11	63
Spoiled votes	<u>1</u>	<u>1</u>	<u>0</u>	<u>2</u>
TOTAL	232	185	49	466

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That this Commission declares that said election was fairly and legally held, and the reports and returns of the several Clerks and Inspectors of the election are hereby accepted and approved; and hereby declares that said Ordinance No. 540 has been duly and legally approved by a majority of the qualified voters voting at said election.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3010

A RESOLUTION ACCEPTING THE BID OF TROUP BROS., INC. FOR CERTAIN PAVING WORK IN THE CITY OF CORAL GABLES DESIGNATED AS LOCAL IMPROVEMENT H-58, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to City Charter the City Clerk has advertised for bids on the street paving designated as Local Improvement H-58, and bids were received as follows:

	Per Square Yard	Total Net Bid
Troup Bros., Inc.	\$ .735	\$ 7,017.78
Brooks Paving Co.	.87	8,306.76
E. E. Collins Constr. Co.	.93	8,879.64
Belcher Oil Co.	1.09	10,407.32
Williams & Stockton	1.24	11,839.52
Sea-Land Constr. Co., Inc.	1.38	13,176.24
W. T. Price Dredging Co.	1.50	14,322.00

AND WHEREAS, the bid of Troup Bros., Inc. is low and fully meets the specifications ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the above recited bid of the Troup Bros., Inc. be, and the same is hereby, determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be, and they hereby are, authorized to execute a contract with the said Troup Bros., Inc. for work authorized under Resolution No. 2888 and designated as Local Improvement H-58, based upon the above bid and subject to the conditions and provisions of the Charter of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. The resolution was adopted by the following roll call:

"Yeas" - Commissioner Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager advised that in accordance with previous authority of the Commission he had executed a contract with Brooks Paving Co., low bidder, for paving approaches to the Hardee Road bridge, at a price of 89¢ per square yard, a total estimated cost of \$1,103.60. He also advised that he had notified the power and gas companies to install any necessary underground conduits or pipes prior to such paving, and asked the Commission to confirm the policy of not permitting wires or pipes to be installed overhead or attached to the outside of the bridge. The Commission confirmed such policy.

Mr. James Moore advised that Mrs. Eunice Merrick Sartor had presented to the city the only oil painting ever made of her late husband, George E. Merrick.

RESOLUTION NO. 3011

A RESOLUTION OF APPRECIATION TO  
MRS. EUNICE MERRICK SARTOR FOR  
OIL PORTRAIT OF GEORGE E. MERRICK.

WHEREAS, Mrs. Eunice Merrick Sartor has most graciously presented to the City of Coral Gables an oil painting of her late husband, George E. Merrick, the founder of the City of Coral Gables; and

WHEREAS, this portrait is the only oil painting ever made of Mr. Merrick, and is therefore a treasured keepsake of the donor, Mrs. Sartor; and

WHEREAS, it is most fitting and proper that such a portrait of George E. Merrick, through whose imagination, foresight and energetic work this beautiful city was planned and established, should occupy an honored place in the City Hall of Coral Gables, to perpetuate the memory of his great achievements.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That this Commission hereby expresses to Mrs. Eunice Merrick Sartor its deep appreciation and thanks for this estimable and treasured gift, which will be given an honored place in the Commission Chamber of the City Hall.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. The resolution was adopted by the following roll call:  
"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3012

A RESOLUTION APPOINTING ELECTION  
OFFICIALS FOR THE SPECIAL CITY  
ELECTION OF APRIL 6, 1948.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the following persons be and they hereby are appointed as election officials for the conduct of the special city election to be held at the City Hall in Coral Gables on Tuesday, April 6, 1948:

Clerk:	Walter M. VanNort
Inspectors:	Goldie Linnemeier
	Jean Feick
	Lydia H. Hubbell
	J. W. Leek
	Pauline R. Ehly
	Edwin G. Bishop
	Easter M. Russell
	Peggy P. Trout
	Charles D. Boulton

2. That the City Clerk is hereby directed to publish the names of such officials in the Coral Gables Riviera-Times as provided by law.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mayor Phillips reported that the benefit golf match between Mrs. Zaharias and Miss Suggs held at the Coral Gables Biltmore Golf Course Sunday, February 29, had been successful in raising a substantial fund for charity purposes and in securing a great deal of good publicity for the city.

RESOLUTION NO. 3013

A RESOLUTION APPROPRIATING \$750.00 TO UNDERWRITE EXPENSE OF LITIGATION TO TEST CONSOLIDATION LAW.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

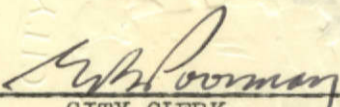
That the sum of \$750.00 be, and the same hereby is, appropriated from the General Contingent Fund of the city, for the purpose of underwriting the city share of expenses of litigation to be brought to test the validity of the Miami - Dade County consolidation law.

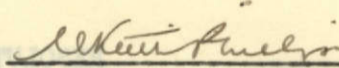
Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned at 8:31 P.M.

APPROVED:

ATTEST:

  
CITY CLERK  
E. B. Poorman

  
MAYOR  
W. Keith Phillips

- Charles D. Boulton
- Feggy P. Trout
- Barter M. Russell
- Edwin G. Bishop
- Fauline R. Bily
- J. W. Lask
- Lydia H. Hobbell
- Jean Fatak
- Goldie Zimmerman
- Walter H. VanHorn

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
MARCH 16, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, March 16, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick and Mayes present. Commissioner Holley absent.

Minutes of the regular meetings of February 3, February 17, March 2, and special meeting of February 25, were approved as read.

Mr. L. Gordon Walters and Mr. Leroy Farmer, representing the Riviera Property Owners Association, presented a letter objecting to inadequate water service being furnished in the Riviera Sections by the Consumers Water Co., pointing out that in recent periods there has been insufficient water pressure for ordinary household uses, and requesting the Commission to take steps to force the Consumers Water Co. to correct the situation. The Commission instructed the City Manager to notify the Consumers Water Co. that it must take necessary action to guarantee adequate pressure and adequate water service throughout the city, and to request the company to furnish to the Commission in writing the company's proposed plans to remedy the conditions complained of. The Commission also requested that the City Attorney give an opinion as to the powers of the city to require adequate service under the water franchise.

Mr. William Black appeared to request a definition of an R-5 use under Section 4 (b) of the Zoning Ordinance to include a Y.M.C.A. The Zoning Board at its February 23rd, 1948 meeting interpreted the ordinance to exclude such use in R-5 areas. The matter was referred to the City Attorney for an opinion as to whether or not a Y.M.C.A. fell within the definition of an R-5 use.

The City Manager noted that Mr. Robert R. Jones had by letter withdrawn his offer to purchase Lot 14, Block 29, Biltmore Section, and had requested the city to direct the real estate broker to return the deposit left with the broker by Mr. Jones. Since the deposit had not been required by the city and had not been held by the city, the Commission declined to make any direction as to its disposition, and instructed the City Attorney to take the necessary steps to complete or rescind the transaction.

## RESOLUTION NO. 3014

A RESOLUTION CONFIRMING THE APPOINTMENT  
OF MEMBERS OF THE REAL ESTATE EXAMINING  
BOARD.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the appointment by the City Manager of the  
following named persons as members of the Real Estate  
Examining Board be and the same hereby is confirmed:

Paul Mickler - for a term ending October 31, 1952  
Leslie Coombs - for a term ending October 31, 1952  
Christian Jensen - for a term ending October 31, 1950  
Walker McGough - for a term ending October 31, 1950  
Dana Woodman - for a term ending October 31, 1950

Motion for its adoption was made by Commissioner Mayes, seconded by  
Commissioner Hendrick. Resolution was adopted by the following roll call:  
"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" -  
None.

The City Manager advised that the University of Miami had requested  
the addition of four more city policemen for duty at the University, the  
expense to be borne by the University on the same basis as established by the  
November 15, 1947 contract covering four additional policemen.

## RESOLUTION NO. 3015

A RESOLUTION AUTHORIZING THE EXECUTION OF  
A CONTRACT WITH THE UNIVERSITY OF MIAMI,  
CONCERNING EMPLOYMENT OF ADDITIONAL  
POLICEMEN FOR DUTY AT THE UNIVERSITY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized and  
directed to execute supplementary contracts with the  
University of Miami from time to time as necessary, to  
extend the terms of the November 15, 1947 contract agree-  
ment (wherein the University agreed to reimburse the city  
for all costs incurred in the employment of four additional  
city policemen for duty at the University) to the employ-  
ment of any number of policemen as may be mutually agreed  
upon by the City Manager and the University for assignment  
to duty at the University campuses.

Motion for its adoption was made by Commissioner Mayes, seconded by  
Commissioner Hendrick. Resolution was adopted by the following roll call:  
"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager presented a resolution of the Coral Gables Board of  
Realtors requesting the Commission to enforce the ordinances with respect to  
the renting of rooms in single family areas. The Commission referred this  
matter to the City Attorney for an opinion as to the power of the Commission  
to prohibit such practices under the Zoning Ordinances.



The City Manager advised the Commission that the Dade County Research Foundation had commenced a survey of the operations of the Parks, Streets, Wastes, Purchasing and Garage Departments as previously requested.

The City Manager requested the Commission to establish a policy concerning the use of city owned lots in Block 35, Section K, which have been used as a riding ring by the Gazley Riding Academy. He pointed out that Mr. Gazley was using an area approximately 150 by 220 feet. The Commission directed the City Manager to notify Mr. Gazley that he occupied and used such city lots as a tenant at sufferance, and to notify Mr. Gazley to confer with the City Manager as to the execution of a lease on such lots. It was suggested that such lease be for a six months term with a right of cancellation by the city upon 45 days notice; that the rental to be paid therefor be \$100 per month; and that the lease be subject to such other terms and conditions as agreed upon by the City Manager and Mr. Gazley.

The following resolution was presented and read:

RESOLUTION NO. 3016

A RESOLUTION ORDERING LOCAL IMPROVEMENT A-5.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That a local improvement described and designated as follows shall be made under Section 62, Chapter 13972, Special Acts of Florida, 1929, as amended:

Paving the east and west alley in Block 27, Section K of Coral Gables, running from Salzedo Street to LeJeune Road, with a 6" compacted lime rock base, primed and sealed with asphaltic oils and sand finished, to a width of 20', at an estimated cost of \$1200.

2. That the cost of such improvement, except the portion of such alley on city owned parkway, which shall be borne by the city, shall be defrayed by special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such alley, on a frontage basis, which said property is hereby designated Improvement District A-5.

That said special assessment shall be payable 30 days after confirmation of such assessment roll, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida, 1929, as amended.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The following resolution was presented and read:

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RESOLUTION NO. 3017

A RESOLUTION APPROVING STATEMENT OF COSTS OF SPECIAL ELECTION OF FEBRUARY 24, 1948.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the following statement of expenditures and costs of the special election held February 24, 1948, as presented by the City Clerk, be and the same hereby is approved:

Received from H. B. Richardson, representing qualified electors of Coral Estates and Coral Groves Subdivisions .....		\$300.00	
Expenditures:			
Publication of notices of election and registration .....	\$ 57.00		
Publication of notices of election officials and absentee voting ..	12.75		
Ballot strips, sample ballots, return sheets and other supplies	51.55		
County fees and drayage on voting machines .....	39.00		
Fees of election officials .....	58.00		
	\$218.30		
Balance .....	81.70		
	\$300.00	\$300.00	

2. That the City Clerk is hereby authorized and directed to pay over to H. B. Richardson the balance of \$81.70 remaining of funds advanced to defray the cost of said election.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3018

A RESOLUTION APPROVING STATEMENT OF COSTS OF SPECIAL ELECTION OF MARCH 2, 1948.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the following statement of expenditures and costs of the special election held March 2, 1948, as presented by the City Clerk, be and the same hereby is approved:

Publication of notice of election .....	\$141.00		
Publication notices of precincts, election officials, absentee voting .....	39.00		
Ballot strips, sample ballots, signature slips, absentee ballots and other election supplies .....	126.70		
Drayage on voting machines and county fees ...	95.00		
Fees for election officials and polling place custodians .....	274.00		
TOTAL		\$675.70	

2. That the City Clerk is hereby authorized and directed to present the above statement of costs to the Coral Gables Gas Company, for payment.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3019

A RESOLUTION APPROPRIATING \$600.00 FOR COSTS OF SPECIAL ELECTION TO BE HELD APRIL 6, 1948.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum not to exceed \$600.00 be, and the same hereby is, appropriated from the General Contingent Fund of the city for the purpose of defraying the costs of a special election heretofore called for April 6, 1948, for the approval or disapproval of the annexation of Coral Estates and Coral Groves Subdivisions to the City of Coral Gables.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioners Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3020

A RESOLUTION AUTHORIZING AND RATIFYING ACQUISITION AND TRADING OF CERTAIN LOTS IN BLOCK 35, SECTION K.

WHEREAS, the City of Coral Gables heretofore instituted a suit in the Circuit Court of Dade County entitled "City of Coral Gables vs. Roland F. Gammons, et al", Case No. 20473, to condemn for public use as a bus terminal site all lots not owned by the city in Block 35, Section K, Coral Gables; and

WHEREAS, a final judgment in said condemnation suit was entered February 4, 1948, setting the valuation of all of said lots not owned by the city, including attorney fees, at \$113,235; and

WHEREAS, this Commission has determined that the financial condition of the city does not justify the purchase of all of said lots at the valuation so adjudicated, and has determined that the ownership of Lots 8 to 40, inclusive, of said block is sufficient to meet the city needs for a bus terminal site; and

WHEREAS, this Commission has determined that it is to the best interest of the city that certain of the lots in said block be acquired by warranty deed without the restriction of use that would attach to such lots by reason of acquisition by payment of the condemnation judgment award, and to that end has conducted negotiations with certain lot owners in said block to acquire by trade and purchase sufficient additional lots to consolidate city ownership into Lots 8 to 40 inclusive of said block;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That no action be taken to acquire or to pay the condemnation judgment award upon Lots 1, 2, 3, 4, 46, 47 and 48 of said block.

2. That the conveyance by the City of Coral Gables to Warren Lehman and Lila Palmer Lehman of city owned Lots 6, 41, 42, 43, 44 and 45 of said Block 35, and the payment to said parties of the sum of \$18,900 in return for a conveyance from them, by warranty deed, to the city of marketable title to Lots 8, 11, 12, 14, 19, 20, 21, 22, 36, 37, 39 and 40 of said block, is hereby ratified and confirmed in all respects.

3. That the payment of \$4,585, being the amount of the above described condemnation judgment award to Knight, Underwood and Cullen, as attorneys for Warren Lehman and Lila Palmer Lehman, is hereby ratified and confirmed in all respects.

4. That the payment to the Clerk of the Circuit Court of Dade County of \$21,000, being the amount of the above described condemnation judgment award for Lots 28, 29, 30, 31, 32 and 33 of said Block 35, and the payment to said Clerk of \$1,050, being the amount of the above described condemnation judgment award to Owen W. Pittman, as attorney for Ruth L. and John I. McDonald, is hereby ratified and confirmed in all respects.

5. That the proper officers of this city are hereby authorized and directed to pay to the Clerk of the Circuit Court of Dade County, or to the parties, the amount of the above described condemnation award to Knight, Underwood and Cullen as attorneys for The Travis Company in the sum of \$925; and the similar award to Morehead, Pallot, Smith, Green and Phillips as attorneys for Elbert L. and Mary Groves and E. Lee McNaughton and Miriam McNaughton in the sum of \$1,850, together with statutory interest thereon if any; and any costs awarded to any defendants in said suit.

6. That the contract heretofore executed by the Mayor and the City Clerk, on behalf of the city, with Warren Lehman and Lila Palmer Lehman, providing that the city will open and use Lot 8 of said Block 35 as an alley if and when the east and west alley in said block is closed by reason of improvements constructed by the city upon its property in said block, and that if within 10 years of the date the city undertakes to widen any part of Avenues Aragon or Giralda adjoining said Block 35, such widening will be continued for the entire block at city expense, the Lehmans agreeing that the necessary depth of frontage of not to exceed 10 feet will be conveyed to the city for such purposes without cost; and the contract heretofore executed by said officers with said Lehmans providing that the city will within 30 days deliver an abstract showing marketable title for the property above described conveyed to said Lehmans, that the city will pay reasonable attorney fees for an opinion of title to said lots and all incidental costs incurred in effecting marketable title to said lots, are hereby ratified and confirmed in all respects.

7. That the proper city officials are hereby directed and authorized to negotiate with the owner thereof for the purchase by the city of the reversionary interest in the east and west alley in said Block 35, and to expend therefor not to exceed \$2,000.

8. That the proper city officers are hereby directed and authorized to negotiate with the estate of William Irwin Arbuckle for the purchase of Lot 10 in said Block 35, and to expend therefor not to exceed the sum of \$3,150.

9. That the additional amount of \$12,300 or so much thereof as may be necessary, is hereby appropriated from Current Unappropriated Revenue of the city to Account

2370-303 for the fiscal year ending June 30, 1948, to complete the payments and transactions herein described and to pay all necessary and incidental costs of acquisition of title to lots and land described above, in the manner herein provided.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3021

A RESOLUTION GRANTING A PERMIT TO HOLD A ROLLER DERBY IN THE CORAL GABLES COLISEUM FOR THE PERIOD BEGINNING MARCH 10, 1948 AND ENDING APRIL 4, 1948, FOR A SPECIAL FEE OF \$300.00 PLUS THE PAYMENT OF ADDITIONAL FIRE AND POLICE PROTECTION COSTS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the agreement described below, heretofore made by the City Manager and based upon the recommendation of the Athletic Commission, is hereby ratified and confirmed; and that permission and authority is hereby given for the holding of a Roller Derby at the Coral Gables Coliseum for the period March 10 to April 4, 1948, on payment of a special fee or permit of \$300.00 plus payment by the operators of such project of extra costs incurred in the furnishing of fire and police protection during such period, such extra costs to be billed to the operators of the Roller Derby at appropriate intervals.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3022

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting March 15, 1948 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit erection of warehouse upon Lots 29 and 30, Block 5, Industrial Section.
2. To permit construction of duplex facing north on Avenue Aledo instead of west on Ponce de Leon Boulevard on Lots 1 and 2, Block 19, Coconut Grove Section.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The establishment of zoning regulations for Sunrise Harbour Subdivision was deferred.

RESOLUTION NO. 3023

A RESOLUTION APPROVING A PLAT OF COCO PLUM PARK

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That that certain plat of Coco Plum Park, a replat of Lot 1, Block 1, Coral Gables Biscayne Bay Section Part 1, Plat B, and that part of the southeast quarter of Section 29, Township 54 south, Range 41 east, lying between Coco Plum Plaza and the Coral Gables Waterway together with a part of Coco Plum Plaza, as prepared by Engineer M. B. Garris, dated February 1947, be and the same hereby is approved.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

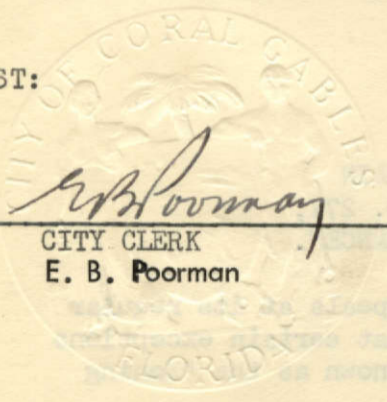
There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips  
MAYOR  
W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman



MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
APRIL 6, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, April 6, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meeting of March 16, 1948 were approved as read.

RESOLUTION NO. 3024

A RESOLUTION ACCEPTING AND CANVASSING THE RETURNS OF THE CLERK AND INSPECTORS OF THE SPECIAL ELECTION HELD IN THE CITY OF CORAL GABLES, APRIL 6, 1948, FOR THE APPROVAL OR DISAPPROVAL OF THE ANNEXATION OF CORAL ESTATES AND CORAL GROVES SUBDIVISIONS TO THE CITY OF CORAL GABLES, AND DECLARING THE RESULTS AS INDICATED THEREBY.

WHEREAS, the City Clerk has submitted to the Commission the returns of the Clerk and Inspectors of the special election held at the City Hall, April 6, 1948, of qualified electors of the City of Coral Gables for the approval or disapproval of the annexation of Coral Estates and Coral Groves Subdivisions, Dade County, Florida, to the City of Coral Gables, such returns containing the oaths and certificates of the said election officials and their sworn report of votes cast in said election, showing a total of 474 votes cast; and

WHEREAS, said certificates and returns show the following results of the election:

QUESTION: Do you favor the annexation by the City of Coral Gables, Florida, of the following described unincorporated territory lying contiguous and adjacent to the boundaries of said city:

Coral Estates, a subdivision of the North Half of Northwest Quarter of the Southwest Quarter of Section Eight, Township Fifty-Four South, Range Forty-One East, according to plat thereof recorded in Plat Book 19, Page 7, of the Public Records of Dade County, Florida; and Coral Groves, a subdivision of the North Quarter of the East Half of Southwest Quarter of Section Eight, Township Fifty-Four South, Range 41 East, according to plat thereof recorded in Plat Book 15, Page 72, of the Public Records of Dade County, Florida?

YES	338
NO	129
SPOILED VOTES	<u>7</u>
TOTAL VOTES	474

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That this Commission declares and hereby finds that said election was fairly and legally held; that the report and return of the Clerk and Inspectors of the election is hereby accepted and approved; that the annexation of Coral Estates and Coral Groves Subdivisions, Dade County, Florida, to the City of Coral Gables has been duly and

legally approved by a majority of qualified electors of the City of Coral Gables voting at said election.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

Mr. H. E. Keating, Manager of Consumers Water Company, appeared before the Commission to discuss a list of actions recommended by the City Manager to be taken by the company to insure adequate water pressure and adequate water service throughout the City of Coral Gables. He declared that a 16" main would be installed by the City of Miami south on Red Road to Coral Way as soon as pipe was available, and that delivery of such pipe had been promised by June 15th, 1948; that the Consumers Water Company would on or about June 8, 1948 commence work in the installation of 12" mains connecting with the above Miami main at Coral Way; that he would ask for bids within 10 days for the construction of a half million gallon underground water storage tank planned to be installed in the parkway fronting and adjoining Block 135, Riviera Section. He said that the company proposed to secure this site for the tank by trading company-owned Block 90, Riviera Section, and requested the Commission to cooperate with the company in effecting this trade. He declared that action being taken by the company should remedy present deficiencies in water service and pressure by the end of the summer, and asked that the Commission request the citizens of the city not to use water for lawn sprinkling between the hours 10 A.M. and 7:30 P.M. each day.

The City Manager stated that the company should be able to complete construction upon the underground storage tank within 90 days. To facilitate action in this respect it was deemed advisable to amend the Zoning Ordinance to permit the special use of the proposed site for a storage tank.

ORDINANCE NO. 559

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE" AS TO ZONING REQUIREMENTS OF PARKWAY ISLAND FRONTING ON OR ADJACENT TO BLOCK 135, RIVIERA SECTION; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Hendrick, that the requirement of reading on two



separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 559.

Mr. Gus Sinn appeared concerning an exception requested of the Zoning Board at its March 15, 1948 meeting to permit an apartment to be erected on Lots 10 and 11, Block 8, Douglas Section, with a 15 foot front setback. The Zoning Board had recommended such exception subject to the adjacent property owners giving their consent. Superintendent of Public Works Robinson stated that he had sent notice to such owners but had received no reply.

#### RESOLUTION NO. 3025

#### A RESOLUTION GRANTING AN EXCEPTION TO THE ZONING ORDINANCE, ON CONDITIONS RECITED HEREIN.

WHEREAS, an application has been made for an exception to the Zoning Ordinance to permit erection of apartment on Lots 10 and 11, Block 8, Douglas Section, with a front setback of 15 feet, and the Zoning Board at its meeting March 15, 1948 recommended granting of such exception subject to the adjacent property owners giving their consent therefor;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the City Manager is hereby instructed to notify the owners of adjacent property affected by such exception by registered mail, return receipt requested, that if no written objections to such exception are filed in the office of the City Manager by Monday, April 12, 1948, such exception will be granted.

2. That if no such objections are received by April 12, 1948 the said exception shall be considered as approved, and the Public Works and Inspection Department is hereby authorized to issue a building permit for the construction of an apartment having a 15 foot front setback on the above described site.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

## RESOLUTION NO. 3026

A RESOLUTION PROVIDING NOTICE TO BE GIVEN  
AFFECTED PROPERTY OWNERS IN CASES OF RE-  
QUESTS FOR EXCEPTIONS TO ZONING ORDINANCE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That in all cases of requests for exceptions to the provisions of the Zoning Ordinance, the owners of all adjacent lots affected by the change shall be notified by registered mail, return receipt requested, within a reasonable time prior to the consideration of the request by the Zoning Board, so that such owners shall have an opportunity to make objections before the Zoning Board concerning the exception.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:  
"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
"Nays" - None.

Mr. H. B. Richardson and Mr. Carl Deremo appeared to thank the Commission for its cooperation in the matter of annexation of Coral Groves and Coral Estates Subdivisions, and requested information concerning city services. They were informed that the annexation was effective as of this date, and that all city services would be commenced as soon as practicable. It was agreed as a matter of policy that new construction in the area authorized under county building permit and not yet commenced could be carried on under the county permit, and that no city building permit would be required in such cases where the construction was started within 30 days from this date. On the question of renaming streets in the area it was suggested that residents of the area make known to the Commission their desires in the matter.

// Mr. Roy Page appeared to urge action upon the Planning Board recommendations that the city require off-street parking lots, and asked if the Commission and the Consumers Water Company had agreed upon any change in water extension regulations. The City Manager declared that new extension regulations were to be submitted by the Consumers Water Company by the next Commission meeting.

Mr. Alex Smith and Mr. Hoffman appeared to request a change of zoning of Blocks 56 and 57, Riviera Section. The Commission requested that the Zoning Board make a recommendation upon this matter for action by the Commission at its next meeting.

The City Manager reported that he had had a conference with County Commissioner Bird concerning the city's request that Dade County take over maintenance of Maynada Street, and declared that he hoped to receive a favorable answer from the County Commission in the near future.

The City Manager requested authority to purchase a new street sweeper, declaring that an opportunity now existed to acquire a sweeper without any delay in delivery. Superintendent of Streets Pittman confirmed the need for such new equipment to meet the needs of the rapidly expanding business and industrial sections.

RESOLUTION NO. 3027

A RESOLUTION AUTHORIZING PURCHASE OF AN ELGIN STREET SWEEPER AND MAKING APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the City Manager is hereby authorized to purchase on behalf of the city a new Elgin Model 30 street sweeper at a price not to exceed \$9635, F.O.B. Coral Gables, and the necessary amount is hereby appropriated for such purpose.
2. That to provide necessary funds for such purchase the sum of \$2500 is hereby transferred from Appropriation Account 2340-311 to Appropriation Account 2345-311; and the Director of Finance is hereby authorized to transfer from reserve funds of the city to Appropriation Account 2345-311 the balance necessary to effect such purchase, as a temporary loan to be repaid at such time or times as the Director of Finance deems advisable, and in any event by June 30, 1949.

Motion for its adoption was made by Commissioner Hólley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager advised that the U. S. Coast Guard had agreed to install and maintain a flashing beacon light at the entrance of the Coral Gables canal.

The City Manager noted the receipt of a request from the Greater Miami Philharmonic Society for financial aid from the city during the coming fiscal year. The City Manager was directed to meet with that group to ascertain its definite needs, and to refer the request for aid to the Chamber of Commerce for recommendations.

The City Manager stated that he had received a letter from Louis S. Edwards advising that the \$100 deposit made by Mr. Robert R. Jones on a contract

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to purchase Lot 14, Block 29, Biltmore Section, was being returned to Mr. Jones. Mr. Edwards advised that he had accepted a similar deposit from another purchaser for said lot upon the same terms. The Commission approved such action.

The City Manager advised of the receipt of a letter from Mr. R. S. Seipp, 431 Vilabella, enclosing a petition of the majority of the property owners on Vilabella Street between LeJeune Road and Riviera Drive, requesting a local improvement district for the construction of sidewalks in such block. Action on such matter was held in abeyance pending exploration of methods of financing such improvements.

The City Manager reported that collection of garbage in March 1948 was 22% greater in volume than in the corresponding period in 1947.

The City Manager declared that construction of the Hardee Road bridge was complete except for sidewalks, and recommended consideration of the following bridge program: widen bridge on Granada Boulevard between Bird and Blue Roads at an approximate cost of \$1000, and construction of a new bridge on Granada Boulevard between Avenue Alfonso and South Alhambra Circle, at an approximate cost of \$28,000. The City Manager was authorized to start preliminary plans upon the last named bridge. He also requested authority to negotiate with the State Road Department in an effort to have the State take over the maintenance of a southerly portion of Ponce de Leon Boulevard as a part of U. S. Highway No. 1, which plan would leave the construction of a bridge over the canal to the State.

RESOLUTION NO. 3028

A RESOLUTION DESIGNATING THE CORAL GABLES RIVIERA-TIMES AS THE NEWSPAPER IN WHICH TO PUBLISH NOTICE OF THE 1948 TAX SALE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Coral Gables Riviera-Times is hereby designated as the newspaper in which to publish notice of the 1948 tax sale of delinquent general tax and local improvement liens.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3029

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting March 29, 1948 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit residence to face east on Brighton Place instead of south on Ridgewood Road on Lots 15 and 16, Block 6, Coconut Grove Manor.

2. Establish zoning content requirement of 2600 square feet for each of Lots 16 and 17, Block 45, Country Club Section 3.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

A recommendation by the Zoning Board that the Commission authorize the use of wire fences in Coral Gables under certain conditions was referred to the Board of Supervising Architects for its suggestions upon the matter.

The City Manager advised that a short training course for municipal finance officers would be held at the University of Florida, April 26, 27 and 28, and requested permission to send the Director of Finance and Chief Accountant to such meeting. The Commission approved the request.

#### RESOLUTION NO. 3030

#### A RESOLUTION ACCEPTING CONSTRUCTION WORK IN IMPROVEMENT DISTRICT A-4.

WHEREAS, by Resolution No. 2841 on May 6, 1947, the Commission ordered Local Improvement A-4, and by Resolution No. 2896 on August 19, 1947, such improvement was confirmed after public hearing; and

WHEREAS, the Commission subsequently authorized execution of a contract for the paving of the alley included in such improvement with C. B. Brooks d/b/a Brooks Paving Company, and the work covered by said contract has now been completed and the City Manager reports that the work was done in accordance with specifications and is satisfactory; and

WHEREAS, no objections have been voiced as to the completion of the work under the contract;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the alley paving done by C. B. Brooks d/b/a Brooks Paving Company, in Improvement District A-4 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the Brooks

Paving Company the full contract price as provided by the contract therefor.

3. That the City Clerk is hereby instructed to cause to be published in the Coral Gables Riviera-Times a notice of public hearing upon the assessment roll in said improvement district, said hearing to be convened at 8 o'clock P.M., Tuesday, May 4, 1948 in the Commission Chamber of the City Hall, Coral Gables, Florida.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Clerk reported that the golf exhibition match held February 29th at the Biltmore Golf Course had netted proceeds of \$1355.80 and that such proceeds had been distributed to the Damon Runyon Cancer Fund and the Coral Gables Youth Center.

#### RESOLUTION NO. 3031

A RESOLUTION RATIFYING THE ISSUANCE OF ALCOHOLIC BEVERAGE DEALERS LICENSE TO FOOD LANE, INC.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the issuance of an alcoholic beverage dealers license, permitting the sale of beer and wine for consumption off the premises, to Food Lane, Inc., subject to cancellation upon receipt of an unfavorable criminal record report, is hereby ratified and approved.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

City Attorney Semple gave an opinion declaring that an R-5 use under the Zoning Ordinance did not include a Y.M.C.A. He also read a letter from the Y.M.C.A. declaring that any request for an exception for construction of a Y.M.C.A. in Coral Gables was not authorized by that organization.

The City Attorney reported that the Florida Transportation Company had filed an application with the Florida Railroad Commission for a certificate to operate 7-passenger automobiles between Miami and the University of Miami via Matheson Hammock. He was authorized to contest the jurisdiction of the Railroad Commission in this respect.

The City Manager was authorized to have installed two 1000 lumen overhead bracket street lights on the north side of Ponce de Leon High School, the cost of installation not to exceed \$118 to be borne by the Board of Public Instruction; and to place in service one 2500 lumen overhead whiteway street light located immediately north of 910 Ponce de Leon Boulevard.

Commissioner Hendrick requested consideration of changing the requirement for permits and architectural plans for minor repairs on homes. The City Manager was requested to study the matter and to make recommendation to the Commission.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips  
MAYOR  
W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman

ADA240

*[Faint, mostly illegible text from the reverse side of the page is visible through the paper. It appears to be a detailed report or minutes regarding a bridge project, mentioning 'Mayhew Street', 'County Engineer', and 'estimated cost'.]*

MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
APRIL 15, 1948

Pursuant to call thereof by the Mayor and written notice duly mailed to each Commissioner, the Commission of the City of Coral Gables convened in special session in the City Hall at 7:30 o'clock P.M., April 15, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick and Holley present. Commissioner Mayes absent.

Also present at the meeting were Chairman Crandon and Commissioners Peters, Bird, MacVicar and Cleary of the Board of County Commissioners of Dade County; County Engineer Earle Rader, and Special County Engineer Ben Friedman.

Mayor Phillips declared that the purpose of the meeting was to discuss the request made by the city that the county take over the maintenance of Maynada Street, including construction of a bridge over the canal, such request having first been made by the city in 1941 and action having been deferred during the war period.

Mr. Crandon advised that the County Commission had gone into this project thoroughly and felt that the request had merit. He also said that the County Commission had received requests for taking over the maintenance and beautification of Coral Way and for construction of the Blue Road bridge. He requested Mr. Peters, Chairman of the Road and Bridge Committee for the County Commission, to explain the attitude of the County Commission in these matters.

Mr. Peters stated that construction of the Maynada bridge could not be considered within the current year county budget, but that the County Commission and the County Engineer believed that Maynada Street could be termed a "through road" so as to be placed in the county road building and maintenance plan. Mr. Rader said at this point that he believed a bridge with an 18 foot vertical clearance and a 50 foot horizontal clearance would be sufficient and that estimated cost thereof would be \$50,000.

Mr. Peters continued by stating that county plans for the fiscal year commencing October 1, 1948, included the construction of five bridges, including the Maynada bridge; and that unless unforeseen financial conditions arose all of the proposed construction could be carried out. He added that maintenance or rebuilding of Maynada Street could be handled out of the regular county budget for the coming year.



Mr. Bird, Mr. MacVicar and Mr. Cleary all stated that they were in full accord and favor of the county taking over the maintenance of Maynada Street and the construction of the bridge thereon.

Mr. John Ravlin and Mr. Horace Cartee, representing the Riviera Property Owners Association, emphasized the need for a bridge on Maynada Street and expressed their gratification for the attitude of the members of the County Commission.

Commissioner Hendrick inquired if any priority had been established in regard to the construction of the proposed five new bridges. Mr. Peters replied that there was no priority and he expected the entire program to be carried out.

Mayor Phillips stated that the city was preparing to start construction within a short time on the bridges on Granada Boulevard between Alfonso and South Alhambra Circle, and on Blue Road.

Mr. Roy Page appeared before the meeting to request the County Commission to favorably consider assuming maintenance of Coral Way and beautification of Miracle Mile, pointing out that Coral Way east of Douglas Road and west of Red Road was now being maintained by the county.

Chairman Crandon stated that in his opinion the county should take over the maintenance of Coral Way between Douglas and Red Roads, and carry out the beautification of Miracle Mile upon some plan to be agreed upon between the city and the County Commission. He advised that he will sponsor and urge the County Commission to adopt such a project.

All remaining members of the County Commission declared that they were in favor of the county assuming the cost of maintenance of Coral Way and the beautification of Miracle Mile.

Commissioner Holley pointed out that the avoidance of unduly narrowing Coral Way should be a prime consideration in any beautification plan, and emphasized the present need for angle parking on Miracle Mile.

Chairman Crandon commented on the value and importance to Coral Gables and to the Miami area of the Fairchild Tropical Gardens, and expressed the hope that the city could give financial support to its operation in the future.

Mayor Phillips thanked the members of the County Commission for their presence at the meeting and for their cooperation in the matters discussed. The members of the County Commission then left the meeting.

ORDINANCE NO. 560

AN ORDINANCE VACATING AND TERMINATING FOR PUBLIC USE AN ISLAND LYING BETWEEN U. S. HIGHWAY NO. 1 AND BLOCK 135, RIVIERA SECTION OF CORAL GABLES, ACCORDING TO A PLAT THEREOF RECORDED IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SO AS TO PERMIT USE THEREOF BY CONSUMERS WATER COMPANY FOR UNDERGROUND WATER STORAGE TANK; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Healy, seconded by Commissioner Holley, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as ordinance No. 560.

There being no other business the meeting was adjourned.

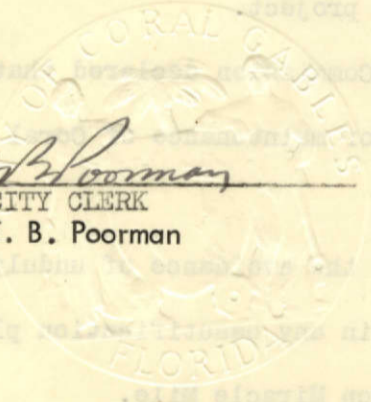
APPROVED:

W. Keith Phillips  
MAYOR

W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman



MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
APRIL 20, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, April 20, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meeting of April 6, 1948 were approved as read.

Mr. John Gazley appeared before the Commission concerning a notice given him to pay rent in the suggested amount of \$100 per month for use of city-owned lots in Block 35, Section K, as a riding ring. After discussion the following resolution was introduced and read:

RESOLUTION NO. 3032

A RESOLUTION FIXING THE TERMS OF  
OCCUPANCY AND RENTAL FOR USE BY  
JOHN GAZLEY OF CITY LOTS IN BLOCK  
35, SECTION K.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized to enter into a month to month lease with John Gazley for use of city-owned lots in Block 35, Section K, Coral Gables, at a monthly rental of \$30.00, such lease to be cancellable by the city upon 30 days written notice.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

Mr. Alex Smith, Mr. Hoffman and Mr. Strong appeared concerning the recommendation by the Zoning Board at the April 12th meeting that Lots 19A to 25 inclusive, Block 56, and Lots 5 to 24 inclusive, Block 57, Riviera Section, be re-zoned to permit CFD-10 duplex use. Mr. Hoffman, owner of Lots 26 to 29 inclusive, Block 56, and Mr. Strong, owner of Lots 1 to 4 inclusive, Block 57, urged that the zoning for such lots be likewise changed to duplex. A public hearing upon the proposed change had been held in December 1947.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271  
ADOPTED FEBRUARY 16, 1937 AND KNOWN AS  
THE "ZONING ORDINANCE" AS TO ZONING RE-  
QUIREMENTS OF LOTS 19A TO 29 INCLUSIVE,  
BLOCK 56, AND LOTS 1 TO 24 INCLUSIVE,  
BLOCK 57, RIVIERA SECTION; AND REPEALING  
ALL ORDINANCES AND PARTS OF ORDINANCES  
IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Holley. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. J. C. Fitzgerald appeared to point out, in connection with the sanitary sewer system now under consideration by the Commission, that in his opinion and from his experience a sewer system depending upon the disposal unit of another city was unsatisfactory and uneconomical, and recommended that a separate city-owned disposal plant be included in any plans.

RESOLUTION NO. 3033

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting April 12, 1948 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence facing east on Wallace Street, instead of south on Venetia Terrace, on Lots 33 and 34, Tamiami Place Plan 3.
2. Permit erection of 3 duplexes with separate entrances for each unit on Lots 1 to 5, Block 17, Biltmore Section.
3. Permit erection of sign on Miracle Theatre, Coral Way, extending approximately 30 feet above the parapet.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy, Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 561

AN ORDINANCE CHANGING THE NAMES OF ALL STREETS IN CORAL ESTATES AND CORAL GROVES SUBDIVISIONS; CHANGING THE STREET NUMBERS IN SAID SUBDIVISIONS TO CORRESPOND WITH ESTABLISHED NUMBERING SYSTEM OF THE CITY; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Holley, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 561.

RESOLUTION NO. 3034

A RESOLUTION AUTHORIZING RELEASE OF CITY-OWNED EASEMENT FOR UTILITIES UPON LOTS 5 AND 18, BLOCK 217, RIVIERA SECTION.

WHEREAS, the city is the owner of easement for utilities upon the south 5 feet of Lot 5 and the north 5 feet of Lot 18, Block 217, Riviera Section; and

WHEREAS, said property is now outside the city limits of Coral Gables and said easement is of no value to the city;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Mayor and City Clerk are hereby authorized to execute a quit claim deed for the above described easement to St. Julien P. Rosemond, owner of said Lots 5 and 18, Block 217, Riviera Section.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3035

A RESOLUTION APPOINTING MEMBERS OF THE PLANNING AND ADVISORY BOARD.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the appointment by the Mayor of the following members of the Planning and Advisory Board, for terms ending May 1, 1949, is hereby approved:

- M. B. Garris
- Herbert Brown
- Denman Fink
- William Fuller
- Paul Mickler
- S. A. Shikany
- Coulton Skinner

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ADA210

The City Manager reported that in connection with the application for an exception to permit an apartment with a 15 foot front setback on Lots 10 and 11, Block 8, Douglas Section, approved by Resolution No. 3025 on April 6, he and Superintendent of Public Works Robinson had personally contacted the owners of adjacent property affected by such exception, and that all such owners had expressed no objections thereto.

The City Manager advised that he had contacted Mr. T. J. Bleier, Superintendent of Health and Physical Education for the Board of Public Instruction of Dade County, and that Mr. Bleier had promised the allocation of at least two trained workers to conduct a coordinated summer recreation program in the city.

The City Manager reported that ground water drainage was again a problem in many locations and that only \$1238 was left in the current budget for construction of drainage sumps. He said there was a present need for sumps at 12 or more locations, the total cost of which would be approximately \$3500. The City Manager was directed to construct additional drainage sumps to the extent that money was available in the present budget, giving preference to locations in the business section, and to defer further construction to the next fiscal year.

The City Manager stated that he had had a request from Captain Louis Reeve of the Police Department for a four to six weeks' vacation with pay. He presented a letter from Dr. Jack Cleveland declaring that the health of Captain Reeve required a four to six weeks' stay in a high altitude. The City Manager requested the Commission to fix a policy in this matter. The Commission directed that Captain Reeve be given his regular two weeks vacation with pay, and up to four additional weeks at one-half pay. The Commission declared that each case of this type should be decided upon its individual merits.

The City Manager inquired if the Commission desired to retain architects for preparation of preliminary plans for the new bus terminal. It was decided that such action should be deferred until funds were provided in the next budget.

The question of permitting minor alterations and repairs without the necessity of furnishing architects plans therefor was again discussed. The City Manager recommended, and the Commission agreed, that the requiring of architects plans for minor alterations and repairs be left to the discretion of the Building Department, and that plans be required in such cases only where the Building Department felt plans were necessary.

The City Clerk reported a request by a political organization for waiver of license fee for sound trucks during the current campaign. The Commission directed that no waiver of license fee be made.

The City Clerk reported the receipt of a request for a donation to replenish equipment of the Greater Miami Boy's Drum and Bugle Corps. The request was regretfully refused upon the ground of questionable legality and lack of funds.

The City Clerk reported that the Orange Bowl Committee had returned \$1572 of the \$3000 underwritten by the city for expenses of the Orange Bowl Water Show.

RESOLUTION NO. 3036

A RESOLUTION APPROPRIATING FUNDS TO  
MEET A DEFICIT IN THE ORANGE BOWL  
WATER SHOW.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the Director of Finance is hereby authorized and directed to transfer the sum of \$1428 from the General Contingent Fund to Appropriation Account 2370-231, to meet the deficit in the Orange Bowl Water Show held at the Venetian Pool at Coral Gables.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING SECTION 9 OF  
ORDINANCE NO. 271 ADOPTED FEBRUARY 16,  
1937, KNOWN AS THE "ZONING ORDINANCE",  
BE DELETING POLICE AND FIRE STATIONS  
FROM THE DESIGNATION AS SPECIAL USE.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a communication from the Riviera Property Owners Association requesting the immediate establishment of a juvenile court in Coral Gables. The City Attorney declared that the jurisdiction of the municipal court over juveniles was very questionable in view of the Dade

County Juvenile Court Act. He also pointed out that the administration of a juvenile court would be difficult and would entail considerable expense. He recommended a more full use be made of present juvenile court facilities in cases arising in Coral Gables. The Commission concurred with the recommendation. There being no other business the meeting was adjourned.

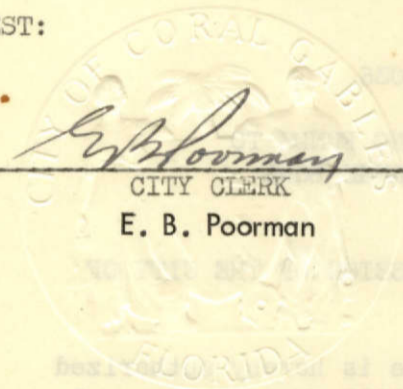
APPROVED:

W. Keith Phillips  
MAYOR

W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman



Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holly. Resolution was adopted by the following roll call: "Yea" - Commissioners Healy, Hendrick, Holly and Mayor; Mayor Phillips. "Nay" - None.

ORDINANCE

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 571 ADOPTED FEBRUARY 15, 1937, KNOWN AS THE "MORNING ORDINANCE" BE SETTING POLICE AND FIRE STATIONS FROM THE DESIGNATION AS SPECIAL USE.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hayes, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yea" - Commissioners Healy, Hendrick, Holly and Mayor; Mayor Phillips. "Nay" - None.

The City Clerk presented a communication from the Rivers Property Owners Association requesting the immediate establishment of a juvenile court in Coral Gables. The City Attorney declared that the jurisdiction of the municipal court over juveniles was very questionable in view of the



MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
MAY 4, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, May 4, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

RESOLUTION NO. 3037

A RESOLUTION AUTHORIZING THE  
ISSUANCE OF ALCOHOLIC BEVERAGE  
LICENSE TO DONALD ARDEN.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the issuance of a retail beverage store license, permitting the sale of beer and wine for consumption on the premises, to Donald Arden d/b/a Casa LeJeune, is hereby authorized, subject to cancellation upon receipt of an unfavorable criminal record report.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 562

AN ORDINANCE AMENDING ORDINANCE NO. 271  
ADOPTED FEBRUARY 16, 1937 AND KNOWN AS  
THE "ZONING ORDINANCE" AS TO ZONING RE-  
QUIREMENTS OF LOTS 19A TO 29 INCLUSIVE,  
BLOCK 56, AND LOTS 1 TO 24 INCLUSIVE,  
BLOCK 57, RIVIERA SECTION; AND REPEALING  
ALL ORDINANCES AND PARTS OF ORDINANCES  
IN CONFLICT HEREWITH.

which was read by title and passed on first reading on April 20, 1948, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 562.

Dr. Irving R. Becker appeared to inquire concerning progress of the project of opening and paving Avenue Catalonia from Segovia St. to Cardena St. The City Attorney stated that he had so far been unable to negotiate for purchase of the portion of the platted street that is privately owned, although he believed he would be ultimately successful therein. He suggested that any definite action be deferred pending future negotiations, but also requested a

resolution authorizing him to bring suit for the condemnation of such property if negotiations proved unsuccessful.

RESOLUTION NO. 3038

A RESOLUTION AUTHORIZING THE CONDEMNATION  
OF A PORTION OF PROPERTY PLATTED AS AVENUE  
CATALONIA.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the City Attorney be and he hereby is authorized and directed, in the event negotiations for the purchase of said property is unsuccessful, to institute legal proceedings for the condemnation of the privately owned portion of Avenue Catalonia between Segovia and Cardena Streets.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager informed the Commission that the Consumers Water Company had completed plans and specifications for its proposed 500,000 gallon underground water storage tank, and that bids had been requested and should be received within the next week. He reminded the Commission that although several conferences with the company had been held, a definite water extension policy had not yet been established. He stated that the water company had not been consistent in its policy as it applied to different owners. The Commission instructed the City Manager to request the company to state in writing its water extension policy, and to inform the company that their policy must be enforced uniformly and without discrimination as to all parties requesting water extension.

The City Manager advised the Commission that the street sweeper recently authorized to be purchased had been delivered and was in operation.

The City Attorney reported that the property owners on Avenue Vilabella had been polled by him, and a majority of such owners wanted a 4-foot sidewalk and 3 years to pay the cost thereof. Action was deferred pending the establishment of an over-all sidewalk and street repair and construction program.

The City Manager requested authority to make additions and improvements to the present equipment yard and garage. He recommended that the present stock room and office of purchasing agent be moved to the warehouse building, and the present stock room space be used for storage of materials now kept in the warehouse building. He estimated the cost of these changes to be \$2026.

which represents cost of materials only, the work to be done by regular city forces. He declared that such improvement would add greatly to the efficiency of the city garage.

RESOLUTION NO. 3039

A RESOLUTION AUTHORIZING ADDITIONS AND IMPROVEMENTS TO THE CITY EQUIPMENT YARD, AND APPROPRIATING NECESSARY AMOUNTS THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

- 1. That the City Manager is hereby authorized and directed to have made additions and improvements to the city equipment yard, using city labor, and at a cost for materials not to exceed \$2026.
- 2. That the amount of \$2026 is hereby appropriated from available funds or revenues to Appropriation Account 2347-302.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

ORDINANCE NO. 563

AN ORDINANCE AMENDING SECTION 9 OF ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", BY DELETING POLICE AND FIRE STATIONS FROM THE DESIGNATION AS SPECIAL USE.

which was read by title and passed on first reading on April 20, 1948, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 563.

RESOLUTION NO. 3040

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT A-4.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., Tuesday, May 4, 1948, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement A-4, and no objections were voiced;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

ADA240

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement A-4 be and hereby are confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the special benefits that each of said properties receive thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of sidewalks and city-owned property has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessment.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$1,296.55	Apportioned to abutting
Apportioned to city	<u>192.05</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.9205
abutting property	\$1,104.50	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable June 15, 1948, except that assessments in the amount of \$25 or more against any one lot or parcel as shown on the plats of record may be paid in two equal installments on or before the first day of November of each of the years 1948 and 1949, provided that the owner thereof shall file with the City Manager on or before June 15, 1948 his written undertaking, waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 per cent per annum from June 15, 1948.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a letter from Mr. J. Fritz Gordon, Chairman of the Board of Trustees, Country Club Christian Church, Coral Gables, requesting that the city sell to the church tax certificates for the tax years 1937, 1938 and 1939, and a special assessment lien certificate for the year 1945 upon Lot 1, Block 34, Crafts Section. This property was recently purchased as a site for a new church and Mr. Gordon requested that interest on such certificates be waived.

RESOLUTION NO. 3041

A RESOLUTION AUTHORIZING SALE OF CITY-OWNED TAX CERTIFICATES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Clerk and Director of Finance is hereby authorized and directed to sell and assign to the Country Club Christian Church, or its nominee, the following tax and special assessment lien certificates now held by the city, for the face amount thereof, waiving all interest and penalties:

VDV310

<u>Tax Certificates</u> -	1937	No. 4683	\$26.25
	1938	No. 4824	26.25
	1939	No. 4743	26.25
<u>Special Assessment</u>			
<u>Lien Certificate</u> -	1945	No. 874	<u>48.57</u>
TOTAL			\$127.32

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3042

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting April 26, 1948 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit change of facing of lots in University Estates Subdivision fronting on Maynada Street so that buildings thereon face north and south rather than east and west.
2. Permit erection of duplex on Lots 38 and 39, Block 19, Coconut Grove Section, having side setback on Avenue Cadima of 15 feet instead of 25 feet as now zoned, subject to notice to all affected property owners, and on condition that no objections be made by such owners.
3. Permit installation of stove and sink in unit of existing duplex on Lots 25 and 26, Block 9, Section K.
4. Permit construction of residence on Lot 9, Block 16, Section B, having content of 1280 square feet instead of 1409 square feet now zoned.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS FOR LOTS IN CORAL ESTATES SECTION AND CORAL GROVES SECTION; AS TO ZONING REQUIREMENTS FOR LOTS 18 AND 19, BLOCK 176, LOTS 13 AND 14, BLOCK 177, LOTS 3 THROUGH 24, BLOCK 178, ALL OF BLOCK 179, ALL OF BLOCK 180, LOTS 3 THROUGH 26, BLOCK 181, LOTS 3 THROUGH 28, BLOCKS 183, 184, 185, 186, 188, 189 AND 190, LOTS 3 THROUGH 18,

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BLOCK 193, ALL IN THE RIVIERA SECTION;  
AS TO CLASSIFICATION FOR FUNERAL HOMES;  
AS TO FRONT SETBACK REQUIREMENTS FOR LOTS  
IN BLOCK 90, 93, 96, 97 AND 111, ALL IN  
COUNTRY CLUB SECTION FIVE; AND REPEALING  
ALL ORDINANCES OR PARTS OF ORDINANCES IN  
CONFLICT HEREWITH.

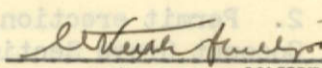
was read by title on first reading. Motion for its adoption on first reading was  
made by Commissioner Holley, seconded by Commissioner Healy. Ordinance was  
adopted on first reading by the following roll call: "Yeas" - Commissioners  
Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk noted the receipt of a letter from Senator Spessard L.  
Holland notifying the city of a Congressional Committee hearing May 12, 1948  
on the Florida Flood Control Bill. The City Manager was directed to file a  
written brief of the city's position with the Chairman of the Subcommittee of  
Flood Control and Improvement of Rivers and Harbors.


The City Manager pointed out that an annual school for city managers  
was being held in Gainesville, May 20, 21 and 22. The Commissioner authorized  
his attendance at such meeting.

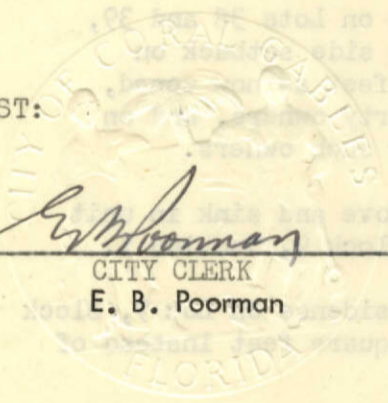
There being no other business the meeting was adjourned.

APPROVED:

  
MAYOR  
W. Keith Phillips

ATTEST:

  
CITY CLERK  
E. B. Poorman



ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271  
ADOPTED FEBRUARY 16, 1937, KNOWN AS THE  
"ZONING ORDINANCE", AS TO ZONING RE-  
QUIREMENTS FOR LOTS IN CORAL GROVES SECTION  
AND CORAL GROVES SECTION; AS TO ZONING RE-  
QUIREMENTS FOR LOTS 18 AND 19, BLOCK 176,  
LOTS 13 AND 14, BLOCK 177, LOTS 3 THROUGH  
24, BLOCK 178, ALL OF BLOCK 179, ALL OF  
BLOCK 180, LOTS 3 THROUGH 26, BLOCK 181,  
LOTS 3 THROUGH 28, BLOCKS 183, 184, 185,  
186, 188, 189 AND 190, LOTS 3 THROUGH 18,

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
MAY 18, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, May 18, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meetings of April 20, 1948 and May 4, 1948 were approved as read.

Miss Marion Manley and Mr. William J. Hester, representing the University of Miami, appeared before the Commission to request permission to change the location of Miller Road on the University of Miami main campus. They declared that paving of the road would be done at University expense, and that a plat would be presented at a later date for properly recording the change of location. The request was approved subject to the presentation and approval of a replat showing the change.

Mr. Roy Page appeared before the Commission to point out that the owners of the new Miracle Theatre had urged the Miracle Mile Association to arrange to beautify the Miracle Mile and to provide off-street parking spaces near the Miracle Mile. It was pointed out that considerable discussion was taking place concerning several alternate plans of beautifying Coral Way. Commissioner Holley declared his opposition to any narrowing of Coral Way, and stated that many property owners and merchants on Coral Way felt likewise. He pointed out the necessity of parking spaces for shoppers on Coral Way, and noted the fact that narrowing the street will reduce available parking spaces. The possibility of providing parking areas by vacating alleys in the business section was also generally discussed. At the suggestion of the Commission a special meeting was called for Monday, May 24th at 4:30 P.M., for a general discussion of the plans for beautification of Coral Way by members of the Commission, the City Planning Board, and merchants and property owners affected.

RESOLUTION NO. 3043

A RESOLUTION AUTHORIZING THE TRANSFER  
OF AN ALCOHOLIC BEVERAGE LICENSE TO  
WILLIAM A. WEEMS JR. AND JOHN W. SHAFFER.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the transfer of the retail beverage store license of the Nook Bar, 227 Avenue Minorca, permitting sale of beer and wine for consumption on the premises, to

William A. Weems Jr. and John W. Shaffer, is hereby authorized subject to cancellation upon receipt of an unfavorable criminal record report upon any of said parties.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted receipt of a letter from Mr. Adam G. Adams suggesting the re-routing of certain University buses, and suggesting the building of a culvert over Coral Gables waterway at Avenue Pisano to alleviate traffic conditions near the University. The City Manager pointed out that no funds were available for the latter project, and no action was taken.

The City Manager and Manager W. B. Clark of the Biltmore Golf Course recommended the establishment of special summer greens fees at the Biltmore Golf Course, and certain changes in method of payment of the regular annual greens fees.

RESOLUTION NO. 3044

A RESOLUTION FIXING SUMMER GREENS FEES AND PERMITTING INSTALLMENT PAYMENT OF REGULAR ANNUAL GREENS FEES FOR THE CORAL GABLES BILTMORE GOLF COURSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That a special summer greens fee covering the period between June 1 and November 30 is hereby authorized:

Summer greens fees, June 1 to November 30 ..	\$50.00
For spouse .....	20.00
For each additional member of family under 21 years of age, each .....	15.00

2. That the Manager of the Biltmore Golf Course is hereby authorized to accept payment of regular annual greens fees in two installments, one half at time of acceptance of application and one half within 90 days, said installment payments being applicable to both resident and non-resident greens fee rates, and subject to the condition that the down payment of one half of the fee shall be forfeited in case of default of payment of balance at time required.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager presented a request from Mrs. Mary Moore of the Chamber of Commerce requesting that the Commission approve the Merchants



Carnival Sale to be held in Coral Gables May 27, 28 and 29, and that the Commission approve the plan permitting one-hour parking at parking meter spaces in cases where a coupon ad appears on the shopper's automobile. The Commission agreed to honor such advertising coupon for use of parking meter spaces.

ORDINANCE NO. 564

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS FOR LOTS IN CORAL ESTATES SECTION AND CORAL GROVES SECTION; AS TO ZONING REQUIREMENTS FOR LOTS 18 AND 19, BLOCK 176, LOTS 13 AND 14, BLOCK 177, LOTS 3 THROUGH 24, BLOCK 178, ALL OF BLOCK 179, ALL OF BLOCK 180, LOTS 3 THROUGH 26, BLOCK 181, LOTS 3 THROUGH 28, BLOCKS 183, 184, 185, 186, 188, 189 AND 190, LOTS 3 THROUGH 18, BLOCK 193, ALL IN THE RIVIERA SECTION; AS TO CLASSIFICATION FOR FUNERAL HOMES; AS TO FRONT SETBACK REQUIREMENTS FOR LOTS IN BLOCKS 90, 93, 96, 97 AND 111, ALL IN COUNTRY CLUB SECTION FIVE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading May 4, 1948, was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 564.

RESOLUTION NO. 3045

A RESOLUTION GRANTING A CERTAIN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting May 10, 1948 has recommended that a certain exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit erection of office, equipment storage yard, shop and material storage building as per plans submitted, on Lots 4 and 5, Block 15, Industrial Section.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ADA240

AUTHORIZING THE ISSUANCE OF ALCOHOLIC BEVERAGE LICENSE TO HENRY G. REESE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the issuance of an alcoholic beverage license permitting sale of beer and wine for consumption off the premises, to Henry G. Reese, d/b/a Henry's at 1813 Ponce de Leon Boulevard, is hereby authorized.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Clerk presented a letter from the Coral Gables Riviera-Times requesting the city to insert a one page advertisement in the issue of May 24, opposing the proposed consolidation of Miami and Dade County. The Commission felt that no funds were available for such advertisement and preferred to support the campaign against consolidation only through the united group of municipalities.

Mr. F. J. Neff of the Fire Department appeared to request the Commission to allocate \$350.00 to send a police pistol team to the Southeastern Regional Pistol Matches to be held in Jacksonville, Florida, in June. The Commission approved the expenditure of \$350.00 for this purpose, said amount to be taken from the general contingent fund appropriation.

There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
MAYOR

W. Keith Phillips

ATTEST:

*E. B. Poorman*  
CITY CLERK  
E. B. Poorman

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JUNE 1, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, June 1, 1948. Mayor Phillips in the Chair; Commissioners Healy and Hendrick present. Commissioners Holley and Mayes absent.

Mayor Phillips made the following appointments to the Zoning Board of Appeals, which were unanimously approved by the Commission:

For a two-year term ending June 30, 1950: H. Clay Anderson  
J. Allen Brown

For a one-year term ending June 30, 1949: A. O. Renuart  
L. Gordon Walters  
Thornton Fincher

Mr. J. D. Girtman appeared before the Commission to contend that his homestead on LeJeune Road was not included in the recent annexation of Coral Groves Subdivision, since he had not signed the plat of Coral Groves as an owner. He then requested that lots in Coral Groves Section facing on LeJeune be rezoned for commercial purposes. He was referred to the Zoning Board.

Mr. L. Gordon Walters requested information as to the progress of the Consumers Water Company toward relieving lower water pressure in the Riviera Section. The City Manager reported that he had wired President Smith of the Consumers Water Company, but had received no definite information as to the status of construction of the proposed water storage tank. He reported that the Miami Water Company was starting construction of a 16" water line down Red Road to Coral Way, and that the additional supply afforded thereby should be available by the end of July. The Commission directed the City Manager to telegraph President Smith of the Consumers Water Company that the city insisted on prompt action in regard to construction of the water storage tank.

Mr. H. F. Doughty requested information concerning progress of the City Attorney's negotiations toward acquisition or clearing title to the privately owned portion of Avenue Catalonia, so that opening and paving of the street could proceed. The City Manager declared that no answer had yet been received from owner of such portion. The Commission reiterated the authority granted by Resolution No. 3038 wherein the City Attorney was authorized to bring suit to condemn the street site if necessary.

The City Manager presented a letter from Mr. H. F. Doughty offering Lot A between Blocks 1 and 16, Section B, for sale to the city at a price of

ADA210

\$1650. This is a 60 foot lot and would enable the opening of Segovia Street to the recently annexed subdivisions of Coral Estates and Coral Groves. The City Manager was instructed to confer with the City Attorney as to the title of such lot.

Superintendent of Transportation Chester Smith recommended that bus service from the Coral Gables terminal to Miami be restricted to one trip each 20 minutes during off-peak hours between 9:30 A.M. and 3:20 P.M. for a summer period June 15 to September 1st. He declared that the present 10 minute service would not be necessary or practicable during such period, and that a change to 20 minute service would work no hardship on local passengers. The Commission approved the recommendation and authorized reduction of service as outlined.

The City Manager pointed out that some bus manufacturers were now offering 27 and 31 passenger buses on a 60 a month lease-purchase agreement, and suggested consideration of such plan of financing for future bus purchases. The Commission suggested that he confer with the City Attorney as to the propriety of such procedure.

#### ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE" AS TO ZONING REQUIREMENTS OF LOTS 1 THROUGH 8 AND LOT 5A, BLOCK 82, BISCAIYNE BAY SECTION PART 1; TO PROHIBIT CREMATORIALS WITHIN THE CITY LIMITS; TO PERMIT ALLOWANCE OF PERCENTAGE REDUCTION IN SQUARE FOOTAGE REQUIREMENTS IN RESIDENTIAL AREA IN CASES WHERE A SINGLE RESIDENCE IS BUILT UPON MORE THAN ONE 50 FOOT LOT AND PROVIDING A MINIMUM SIDE SETBACK IN SUCH CASES; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

#### RESOLUTION NO. 3047

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting May 24, 1948 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Erection of building for cabinet manufacturing with an office and display room in the front, on Lots 4 and 5, Block 6, Industrial Section.

2. Permit construction of duplex having side setback on Avenue Cadima of 15 feet instead of 25 feet as now established on Lots 38 and 39, Block 19, Coconut Grove Section.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

The date of the public hearing on the 1948-1949 budget and appropriation ordinance was discussed, and the hearing was tentatively scheduled for the first regular meeting in July.

RESOLUTION NO. 3048

A RESOLUTION AUTHORIZING ISSUANCE OF ALCOHOLIC BEVERAGE DEALERS LICENSE TO SAM FRIEDMAN.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the issuance of alcoholic beverage dealers license permitting the sale of beer and wine for consumption off the premises to Sam Friedman, d/b/a Dixie Groceries, is hereby authorized subject to cancellation upon receipt of unfavorable criminal record report.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3049

A RESOLUTION AUTHORIZING THE TRANSFER OF RETAIL BEVERAGE STORE LICENSE OF LEO'S DELICATESSEN.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the transfer of the retail beverage store license heretofore issued to Leo's Delicatessen, and permitting the sale of beer and wine for consumption on the premises, is hereby authorized, subject to the purchasers' compliance with all the regulatory provisions of the city ordinances, except that such license shall be issued subject to cancellation upon receipt of any unfavorable criminal record report for the purchasers or any of them.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

ADA210

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3050

A RESOLUTION AUTHORIZING A LOAN TO THE CURRENT FUND FOR PAYMENT OF COSTS FOR CONSTRUCTION WORK IN LOCAL IMPROVEMENTS A-4 AND H-58.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Director of Finance is hereby authorized to transfer the necessary amount, being approximately \$11,000, to pay costs for construction work under Local Improvements A-4 and H-58, and incidental expenses of such improvements, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of such assessments, in an approximate amount of \$1600, shall be repaid in 3 annual installments without interest, at the same times as installments are due upon assessments of abutting properties;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting properties in said improvement districts; and
- (c) All interest received upon deferred installments of such assessments upon abutting properties shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Hendrick, seconded

by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips  
MAYOR  
W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JUNE 15, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, June 15, 1948. Mayor Phillips in the Chair; Commissioners Healy and Hendrick present. Commissioners Holley and Mayes absent.

Minutes of the regular meetings of May 18, 1948 and June 1, 1948 were approved as read.

Mr. William J. Hester and Miss Marion Manley presented an amended plat of a portion of the main campus of the University of Miami, showing a change of location of Miller Road on the campus.

RESOLUTION NO. 3051

A RESOLUTION APPROVING AMENDED PLAT  
OF A PORTION OF THE MAIN CAMPUS OF  
THE UNIVERSITY OF MIAMI.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That that certain plat entitled "Amended Plat, Portion of Main Campus, University of Miami" lying in Sections 19 and 30, Township 54 South, Range 41 East, Coral Gables, Dade County, Florida, being an amended plat of "Main Campus of the University of Miami" according to plat thereof filed in Plat Book 46, Page 4, of the Public Records of Dade County, Florida, be and the same hereby is approved.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

Mr. Hester spoke of the necessity of zoning some locations for the building of fraternity and sorority houses. The Commission declared that such zoning would be given consideration when the University of Miami presented an over-all plan for the location and construction of such houses.

Mr. H. F. Doughty appeared concerning the proposed paving of Avenue Catalonia. City Attorney Semple stated that he had written the attorney for the owner of a portion of the land underlying the street, demanding some action on the proposal to buy such portion within 30 days. The Commission authorized the City Attorney to defer the filing of any condemnation suit for 30 days, and the following resolution was presented and read.

RESOLUTION NO. 3052

A RESOLUTION ORDERING LOCAL  
IMPROVEMENT H-60.

ADA240

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BE IT RESOLVED BY THE COMMISSION OF THE  
CITY OF CORAL GABLES, FLORIDA:

1. That a local improvement described and designated as follows shall be made under Section 62, Chapter 13972, Special Acts of Florida, 1929, as amended:

Paving Avenue Catalonia from the east boundary line of Cardena Street to the west boundary line of Segovia Street with a 6" compacted lime rock base, primed and sealed with asphaltic oils and sand finished, to a width of 20 feet, for the estimated cost of \$1,090.00.

2. That the cost of such improvement shall be defrayed by special assessment upon all lots and lands adjoining and contiguous, or bounding and abutting, upon such street, on a frontage basis, which said property is hereby designated Improvement District H-60.

3. That said special assessments shall be payable thirty days after confirmation of such assessments, or at such times and in such installments as the Commission may designate, pursuant to Chapter 13972, Special Acts of Florida, 1929, as amended.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

Mr. Doughty also declared that he would have the abstract of Lot A between Blocks 1 and 16, Section B, forwarded to City Attorney Semple for examination.

Mr. John Lamb appeared before the Commission and made an offer to sell to the city the tract of approximately 16½ acres adjoining the city incinerator tract to the west and lying between Coral Way and the canal. He stated that he had had offers to sell this tract for the erection of an open-air theatre. He offered said tract to the city for the purchase price of \$25,000, payable \$5,000 down and the balance over 5 years, with 3 per cent interest on the unpaid balance. The City Manager declared that the city incinerator tract consisted of 55 acres of land, but that it was conceivable that the natural growth of the city might require additional space in future years. Mayor Phillips stated that he preferred to defer consideration of this matter until the entire Commission could be present at a meeting, and requested Mr. Lamb to hold such offer for 30 days. Mr. Lamb stated that he would defer any other sale of such tract for 30 days, if possible.

Mr. Clayton Acker presented architect's plans for the South Miami Methodist Church which is proposed to be constructed in Block 196, Riviera Section, at the northeast corner of Ponce de Leon Boulevard and Red Road. He requested the city to vacate the alley in such block from Red Road to the easterly boundary line of Lot 36 in said block, as extended, upon condition



that the church dedicate Lot 35 for public use to provide an outlet for the present alley in the block. The City Manager pointed out that the church should come to some agreement with the Florida Power and Light Company concerning relocation of power lines now in the portion of the alley requested to be vacated.

ORDINANCE

AN ORDINANCE VACATING AND DISCONTINUING THAT CERTAIN ALLEY RUNNING SOUTHWESTERLY AND NORTHEASTERLY IN BLOCK 196, RIVIERA SECTION, FROM RED ROAD TO THE <sup>NORTH</sup>EASTERLY BOUNDARY LINE OF LOT 36 IN SAID BLOCK, EXTENDED, ACCORDING TO PLAT THEREOF FILED IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, FOR THE PURPOSE OF PERMITTING CONSTRUCTION OF CHURCH OVER SAID ALLEY, WHICH WOULD BE IMPOSSIBLE WITHOUT SUCH VACATION AND DISCONTINUANCE.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

Mr. Frank Howard appeared to request the oiling and sanding of Pinto Court from Bird Road to Santa Maria Street. He stated that he had the agreement of all but two of the owners of abutting property to pay the cost of such work. The City Manager estimated the cost of oiling and sanding at 20 to 25 cents per square yard. The Commission suggested that Mr. Howard contact the owners and secure from them in advance the cost of such work, so that a Local Improvement District could be avoided. He was directed to work out the necessary details with the City Manager.

Commissioner Hendrick requested that the City Manager contact the City of Miami to urge the paving or repairing of Southeast Miami Avenue Road between South Miami Avenue and Southwest 8th Street, pointing out that the condition of such street was causing unnecessary wear and tear on Coral Gables buses.

On motion of Mr. Healy, seconded by Commissioner Hendrick and unanimously adopted, public hearings for the confirmation of resolutions ordering Local Improvements H-59 and A-5 were set for the regular meeting of July 6, 1948, and the City Clerk was directed to publish notice of such hearings.

The City Manager stated that the Abram Aerial Survey Corporation had offered to prepare an aerial survey map of Coral Gables at a price of approximately \$1,250. Superintendent of Public Works Robinson pointed out the

value of such map to the Building and Zoning Departments, stating that such map would enable the departments to ascertain elevation, contours, setbacks, and to prepare plans for future developments, without any field work. He strongly recommended its purchase. The matter was deferred pending further discussion of the budget for the coming fiscal year.

The City Manager read a letter from the University of Miami requesting the city to pave Miller Road through the main campus and agreeing to reimburse the city for such paving. The University also requested authority to construct a culvert over the canal at Miller Road.

RESOLUTION NO. 3053

A RESOLUTION AUTHORIZING THE PAVING OF MILLER ROAD THROUGH THE UNIVERSITY OF MIAMI MAIN CAMPUS, AND AUTHORIZING AN AGREEMENT CONCERNING CONSTRUCTION AND REPLACEMENT OF A CULVERT OVER THE CANAL AT MILLER ROAD.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the necessary city officials are hereby authorized to pave Miller Road through the University of Miami campus, to a width of 40 feet, with the provision and understanding that the University of Miami is to reimburse the city for the cost therefor.
2. That the City Manager is hereby authorized to enter into an agreement with the University of Miami granting the University permission to construct a culvert over the canal at Miller Road, on condition that such culvert will be replaced with a permanent bridge, at the expense of the University, whenever a bridge is constructed over the canal at Blue Road between University Drive and Granada Boulevard, or in any event not later than 5 years after the installation of the culvert above authorized.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Manager stated that he and the City Attorney had had several conferences with Mr. Herman Fultz of the State Road Department concerning the State taking over the maintenance of Ponce de Leon Boulevard, and other matters.

The following resolutions were presented and read:

RESOLUTION NO. 3054

A RESOLUTION REQUESTING THE STATE ROAD DEPARTMENT TO DESIGNATE AS A STATE ROAD, CERTAIN PORTION OF PONCE DE LEON BOULEVARD AND AVENUE RUIZ.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the State Road Department is hereby requested to take over, and to designate as part of the State Road System, Ponce de Leon Boulevard (formerly University Course) from Red Road northeasterly to the intersection of Ponce de Leon Boulevard and Avenue Ruiz, and Avenue Ruiz from Ponce de Leon Boulevard to the city limits of Coral Gables, said right of way to be furnished without expense to the State Road Department.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3055

A RESOLUTION REQUESTING THE STATE ROAD DEPARTMENT TO DESIGNATE CERTAIN PORTIONS OF PONCE DE LEON BOULEVARD AS A STATE ROAD, AND TO EXTEND PONCE DE LEON BOULEVARD.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the State Road Department is hereby requested to take over, and to designate as part of the State Road System, Ponce de Leon Boulevard from Flagler Street south to the Florida East Coast Railway right of way in Coral Gables, and to extend said Ponce de Leon Boulevard south from the intersection of such street with Avenue Ruiz, across the Florida East Coast Railway right of way to an intersection with State Road No. 5 (also known as U. S. Highway No. 1).

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3056

A RESOLUTION REQUESTING THE STATE ROAD DEPARTMENT TO CHANGE THE TYPE OF PAVING ON CERTAIN PORTIONS OF SOUTHWEST 8TH STREET.

WHEREAS, curbs and gutters have been constructed on a great portion of the north side of Southwest 8th Street between Red Road and Douglas Road, but only on a small portion of the south side of said Southwest 8th Street between Red Road and Douglas Road;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the State Road Department is hereby requested to change the type of paving of Southwest 8th Street (Tamiami Trail) between Red Road and Douglas Road, from rural type to urban type, with curbs and gutters on both sides of the street.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Manager pointed out that the State Road Department was presently conducting an origin and destination survey throughout the Miami area, at a cost of approximately \$25,000, and that such project was being delayed because of lack of support or cooperation from Dade County and City of Miami authorities. The Commission directed the City Manager to write to the chairman of the Dade County Commission and to the Mayor of the City of Miami, informing them of the interest and support of the City of Coral Gables toward such survey, and urging their cooperation with the State Road Department in that respect.

The City Manager noted the receipt of a telegram from Senator Holland informing of the passage by the United States Senate of the Florida River and Flood Control Bill.

The City Manager noted that the Consumers Water Company had not produced any definite water extension policy although requested to do so May 5th. He was directed to continue his efforts in that respect.

RESOLUTION NO. 3057

A RESOLUTION MAKING APPROPRIATIONS FOR PURPOSES DESCRIBED HEREIN.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That there is hereby appropriated from the Special Benefit Fund, from accrued unappropriated revenue for the fiscal year ending June 30, 1948, and from unencumbered balances remaining in the listed appropriation accounts for said fiscal year to the several appropriation accounts for said fiscal year as hereinbelow described, the following amounts:

ACCOUNT	TO (FROM)
Special Benefit Fund	(28,915.15)
Accrued Unappropriated Revenue	(63,058.60)
2315 Public Works and Inspection	1,141.99
2320 City Hall	960.73
2340 Parks Department	(6,437.23)
2343 Wastes Department	2,768.10
2345 Streets Department	1,566.41
2371 Storm Damage	28,915.15
2380 Transportation Department	13,980.59
2383 Biltmore Golf Course	49,078.01

2. That the Director of Finance is hereby authorized and directed to allocate the departmental appropriations and transfers hereby made to and among the items within departments as established by the budget or by accounting charges and practice for said fiscal year, as needed; and to transfer unencumbered balances of any items within departments to other items within the same department where the balance is insufficient.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3058

A RESOLUTION AUTHORIZING THE PROPER CITY OFFICERS TO EXPEND MONIES FOR THE OPERATION OF THE CITY BETWEEN JULY 1, 1948, AND THE DATE OF ADOPTION OF THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR 1948-1949.

WHEREAS, Section 32 of the City Charter prohibits passage of the Appropriation Ordinance for the fiscal year commencing July 1, 1948, sooner than one week after the beginning of said fiscal year; and

WHEREAS, it is necessary that city functions continue without interruption;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the proper city officers be and they are hereby authorized to expend city monies for operating purposes during the period commencing July 1, 1948, and ending on the date of the adoption of the Appropriation Ordinance for the fiscal year 1948-1949 in amounts not exceeding ten percentum (10%) of the proposed appropriation for each department, division, office or income producing property, as reflected in the City Manager's proposed budget for the fiscal year commencing July 1, 1948.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3059

A RESOLUTION PROVIDING A PUBLIC HEARING UPON THE PROPOSED 1948-1949 APPROPRIATION ORDINANCE.

WHEREAS, Section 32 of the City Charter requires that a public hearing be held on the proposed budget and appropriation ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That a special meeting of the Commission is hereby called for 5 o'clock P.M., Tuesday, July 6, 1948, in the Commission Chamber of the City Hall, for the purpose of holding a public hearing upon the proposed budget and appropriation ordinance for the City of Coral Gables for the fiscal year beginning July 1, 1948 and ending June 30, 1949.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

ADA240

## ORDINANCE NO. 565

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE" AS TO ZONING REQUIREMENTS OF LOTS 1 THROUGH 8 AND LOT 5A, BLOCK 82, BISCAYNE BAY SECTION PART 1; TO PROHIBIT CREMATORIALS WITHIN THE CITY LIMITS; TO PERMIT ALLOWANCE OF PERCENTAGE REDUCTION IN SQUARE FOOTAGE REQUIREMENTS IN RESIDENTIAL AREA IN CASES WHERE A SINGLE RESIDENCE IS BUILT UPON MORE THAN ONE 50 FOOT LOT AND PROVIDING A MINIMUM SETBACK IN SUCH CASES; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH.

which was read by title and adopted on first reading June 1, 1948, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 565.

## ORDINANCE

AN ORDINANCE REPEALING ORDINANCE NO. 560, PASSED AND ADOPTED APRIL 15, 1948.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

## RESOLUTION NO. 3060

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting June 14, 1948 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Erection of an apartment on Lot 58, Coconut Grove Warehouse Center, said lot having an area of only 4370 square feet instead of 5000 square feet as required.

2. Permit construction of residence containing 2200 square feet instead of 2500 square feet as now zoned on Lots 12 and 13, Block 9, Section C.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Clerk noted receipt of a letter from the Riviera Property Owners Improvement Association urging a reduction of zoning in Blocks 92 and 128, Riviera Section, and urging reduction in square footage requirements where owners are building on more than one lot. The letter also requested that Block 91 be set aside as a public park, that construction of Granada Bridge on the Mahi Canal be immediately started, and that the proposed water storage tank of the Consumers Water Company be located north of the Florida East Coast Railway. The letter commended the City Commission on the action taken by it regarding the water situation in the Riviera Section. The matters contained in the letter were taken under advisement.

The City Clerk noted receipt of a letter from Mr. A. B. Morrison protesting against narrowing Coral Way 21 feet as advocated by the Miracle Mile Association, and urging full discussion of all steps before the city purchase off-street parking lots. Mr. Morrison further urged that the cost of off-street parking lots be borne solely by property owners directly benefited, and suggested such sites, if acquired, be financed by mortgages to the lot owners, payable solely from revenue from the parking lots.

The City Clerk presented a letter from Albert J. Roth requesting permission to use portions of city-owned Lot B, Block 1F, Granada Section. The Commission declared that it would not sell or lease this lot, but had no objection to Mr. Roth clearing or landscaping a portion of such lot, provided that no permanent driveway was installed thereon.

Commissioner Hendrick stated that members of the police force were anxious for the adoption of open-necked white shirts for summer uniforms. The Commission stated that they had no objection to this, providing it met with the approval of the Director of Public Safety, and providing the men themselves purchased the shirts.

RESOLUTION NO. 3061

A RESOLUTION CALLING A SPECIAL MEETING  
OF THE CITY COMMISSION.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That a special meeting of the City Commission is hereby called, to be held at 9:30 A.M., June 30, 1948 for the purpose of discussing insurance and budget for the fiscal year 1948-1949, and for such other matters as may come before the meeting.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy and Hendrick; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*

MAYOR

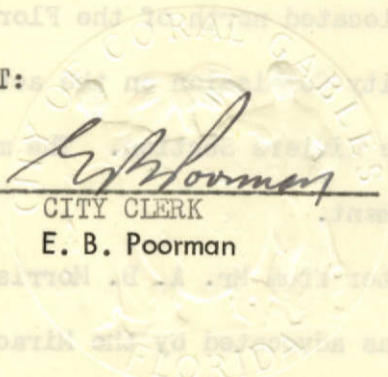
W. Keith Phillips

ATTEST:

*E. B. Poorman*

CITY CLERK

E. B. Poorman



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The City Clerk noted receipt of a letter from Mr. A. B. Morrison protesting against narrowing Coral Way 21 feet as shown by the plans. Mr. Morrison further urged that the cost of off-street parking lots be borne solely by property owners directly benefited, and suggested such sites, if acquired, be financed by mortgages to the lot owners, payable solely from revenue from the parking lots. The City Clerk presented a letter from Albert J. Roth requesting permission to use portions of city-owned Lot B, Block 17, Granada Section. The Commission declared that it would not sell or lease this lot, but had no objection to Mr. Roth clearing or landscaping a portion of such lot, provided that no permanent driveway was installed thereon. Commissioner Hendrick stated that members of the police force were anxious for the adoption of open-necked white shirts for summer uniforms. The Commission stated that they had no objection to this, providing it met with the approval of the Director of Public Safety, and providing the men themselves purchased the shirts.

RESOLUTION NO. 3061

A RESOLUTION CALLING A SPECIAL MEETING OF THE CITY COMMISSION.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That a special meeting of the City Commission be hereby called, to be held at 9:30 A.M., June 30, 1948, for the purpose of discussing insurance and budget for the fiscal year 1948-1949, and for such other matters as may come before the meeting.



MINUTES OF SPECIAL MEETING OF THE  
CITY COMMISSION FOR PUBLIC HEARING  
ON BUDGET AND APPROPRIATION  
ORDINANCE FOR FISCAL YEAR 1948-1949,  
JUNE 24, 1948

Pursuant to the provisions of Section 32 of the city charter, the Commission of the City of Coral Gables convened in special session as a committee of the whole at 5:00 o'clock P.M., June 24, 1948, for the purpose of holding a public hearing on the proposed budget and appropriation ordinance for the fiscal year 1948-1949. Mayor Phillips in the Chair; Commissioners Hendrick and Holley present. Commissioners Healy and Mayes absent.

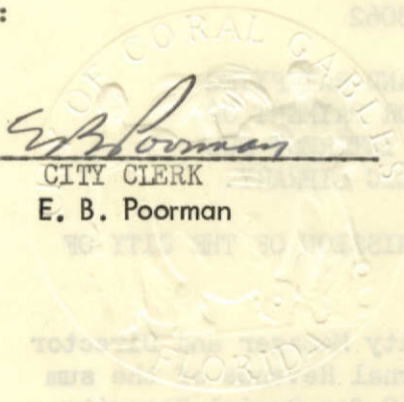
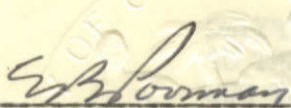
Mayor Phillips and City Manager McIlwain briefly outlined the budget provisions, and copies of the 1948-1949 budget were made available to the two citizens present.

There being no further discussion the public hearing was declared closed.

APPROVED:

  
MAYOR  
W. Keith Phillips

ATTEST:

  
  
CITY CLERK  
E. B. Poorman

That the payment by the City of Coral Gables to the Collector of Finance of the City of Coral Gables for the period of January 1, 1937 through March 31, 1948, and \$33,000 interest thereon, be and the same hereby is ratified and approved in all respects; that said payment shall be an advance for and on the account of the Coral Gables Public Library and shall be repaid to the city from the 1948-49 library appropriation, and the Director of Finance is hereby authorized to charge the 1948-49 library appropriation with that amount.

Motion for the adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yea" - Commissioners Hendrick and Holley; Mayor Phillips. "Nay" - None.

The question of placing public liability and property damage insurance upon city buses was discussed at length. The City Manager pointed out that in view of the anticipated large increase in premium, some insurance companies had been approached for this coverage and that only two propositions had been received, as follows:

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MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
JUNE 30, 1948

Pursuant to call thereof at the regular meeting of June 15, 1948, a special meeting of the Commission of the City of Coral Gables was held at 9:30 o'clock A.M., Wednesday, June 30, 1948. Mayor Phillips in the Chair; Commissioners Hendrick and Holley present. Commissioners Healy and Mayes absent.

The City Manager reported that the Collector of Internal Revenue had made a claim on the Coral Gables Public Library for \$1,613.50, representing Social Security tax and interest thereon unpaid since January 1, 1937. This figure does not include penalties which it was hoped could be avoided. He stated that the Library did not have sufficient funds to make this payment, which had to be made by June 29th to avoid further interest liability, and that the Library had requested the city to advance this amount, to be repaid from the 1948-49 appropriation for the Library. He further stated that in accordance with verbal approval of the Mayor, this money had been paid to the Collector's office by check dated June 29th.

RESOLUTION NO. 3062

A RESOLUTION AUTHORIZING AND RATIFYING  
AN ADVANCE OF \$1,613.50 FOR PAYMENT OF  
SOCIAL SECURITY TAXES AND INTEREST DUE  
FROM THE CORAL GABLES PUBLIC LIBRARY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the payment by the City Manager and Director of Finance to the Collector of Internal Revenue of the sum of \$1,613.50, consisting of \$1,278.60 for Social Security tax due from the Coral Gables Public Library for the period January 1, 1937 through March 31, 1948, and \$334.90 interest thereon, be and the same hereby is ratified and approved in all respects; that said payment shall be an advance for and on the account of the Coral Gables Public Library and shall be repaid to the city from the 1948-49 Library appropriation, and the Director of Finance is hereby authorized to charge the 1948-49 Library appropriation with that amount.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

The question of placing public liability and property damage insurance upon city buses was discussed at length. The City Manager pointed out that in view of the anticipated large increase in premium, some 15 insurance companies had been approached for this coverage and that only two propositions had been received, as follows:

Mr. Fred Hartnett-Carolina Casualty Company, \$50,000/500,000 public liability, \$10,000 property damage; all losses over \$5000/10,000/5000 to be reinsured by Peerless Casualty Company; reinsurance certificate to be attached to policy evidencing reinsurance contract between companies, with no direct contract between Peerless Casualty Company and the city; adjustment and claims service through independent adjusters in Miami; premium 5.5% of gross receipts, estimated cost: \$19,800 for year beginning July 1, 1948.

Coral Gables Insurance Inc.-New York Casualty Company, \$25,000/25,000 public liability, \$10,000 property damage; excess insurance, direct contract with American Reinsurance Company on all public liability over \$25,000/25,000 to limits of \$50,000/500,000; claims and adjustment service and safety engineer through company facilities in Miami; legal defense through New York Casualty Company attorneys, the excess coverage contract being identical in its terms in this respect with the primary policy; combined premium rate of 6.45% of gross receipts, estimated cost: \$23,220 for the year beginning July 1, 1948.

The City Manager and Director of Finance both recommended that public liability coverage be increased to \$50,000 one person, \$500,000 one accident; and because of the size and financial rating of the companies, the efficiency and availability of company adjustment and claims services, and the advantage of a direct excess coverage contract over a reinsurance certificate, that the insurance coverage be placed with the New York Casualty Company-American Reinsurance Company as outlined above.

RESOLUTION NO. 3063

A RESOLUTION AUTHORIZING THE PLACING  
OF PUBLIC LIABILITY AND PROPERTY  
DAMAGE INSURANCE FOR CITY BUSES.

WHEREAS, offers have been received from the Carolina Casualty Company and from the New York Casualty Company-American Reinsurance Company, for public liability and property damage insurance coverage for city buses for the year beginning July 1, 1948; and

WHEREAS it is hereby found and determined that the offer of the New York Casualty Company for primary coverage to the extent of \$25,000/25,000 public liability and \$10,000 property damage, and of the American Reinsurance Company for a direct excess coverage contract for public liability over \$25,000/25,000 to limits of \$50,000/500,000, at a combined premium rate of 6.45% of gross receipts, is, because of the financial size and ratings of the companies, the adjustment and claims service available, and the benefit to the city arising from a direct excess coverage contract as distinguished from a reinsurance certificate, the lowest responsible and most advantageous bid to the city;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the proper officers of the city be and they hereby are authorized and directed to secure public liability-property damage insurance for city owned and operated buses for the year beginning July 1, 1948, to limits of \$50,000/500,000/10,000 as above recited, from the New York Casualty Company and the American Reinsurance Company in accordance with the proposition submitted by Coral Gables Insurance Inc.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

The following resolution was presented and read:

RESOLUTION NO. 3064

A RESOLUTION GRANTING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting June 28, 1948 has recommended that a certain exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit special use of the west half of Lot 20 and all of Lots 21 and 22, Block 148, Riviera Section, for construction of 750,000 gallon steel water tank in accordance with plans submitted to the Zoning Board of Appeals, provided that the bottom of the tank be set 7 feet below existing grade, that an 8 foot berm be constructed around the tank, and that the 9 feet of the tank left exposed be properly landscaped with shrubbery and trees.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3065

A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE PURCHASE AGREEMENT FOR A WATER STORAGE TANK.

WHEREAS, it is imperative, for the protection of public health and safety of the citizens of the City of Coral Gables, that water storage facilities be immediately constructed within the city;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager and City Clerk are hereby authorized and directed to enter into a lease purchase agreement with the Department of Water and Sewers of the City of Miami, for the acquisition of a used one million gallon steel water tank.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF WEST HALF OF LOT 20 AND LOTS 21 AND 22, BLOCK 148, RIVIERA SECTION, CORAL GABLES.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Holley, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

The Mayor stated that the Commission was to meet later in the day with the Citizens' Tax Committee to discuss provisions of the proposed 1948-49 budget, and the meeting was adjourned for this purpose until 7:30 P.M.

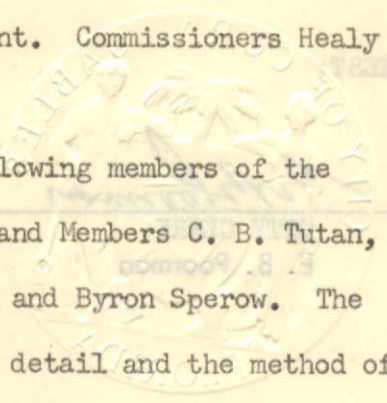
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The special meeting of June 30, 1948 was reconvened, pursuant to adjournment, at 7:30 P.M. at the City Hall in Coral Gables. Mayor Phillips in the Chair; Commissioners Hendrick and Holley present. Commissioners Healy and Mayes absent.

Also present at the meeting were the following members of the Citizens' Tax Committee: Chairman C. T. McCreedy and Members C. B. Tutan, James A. Henderson, Warren Lehman, Lowell Southern and Byron Sperow. The various provisions of the budget were discussed in detail and the method of raising the additional revenue needed for the budget was considered at length. The Citizens' Tax Committee strongly recommended that a cigarette tax be deferred; that certain reductions be made in the estimated expenditures; and that the garbage and trash collection fees be increased to a point where the Wastes Department would be on a self sustaining basis. At the close of the discussion the Mayor thanked the Tax Committee for their services, and the members of the Tax Committee left the meeting.

Discussion was continued as to various budget items, and the Commission decided that it should follow the recommendations of the Citizens' Tax Committee to increase garbage and trash collection fees, and to defer a

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levy of a cigarette or tobacco tax. The City Clerk presented a draft form ordinance and several schedules of increased garbage and trash fees, together with estimates of the income from such fees for the fiscal year 1948-49. At the conclusion of this discussion the following ordinance was presented by title on first reading:

ORDINANCE

AN ORDINANCE REGULATING THE ACCUMULATION, REMOVAL AND DISPOSAL OF GARBAGE, TRASH AND GARDEN TRASH IN THE CITY OF CORAL GABLES; PROVIDING FOR FEES FOR THE REMOVAL AND DISPOSAL OF GARBAGE, TRASH AND GARDEN TRASH BY THE CITY OF CORAL GABLES; PRESCRIBING LICENSE FEES AND CONDITIONS UNDER WHICH REMOVAL AND DISPOSAL MAY BE MADE BY PERSONS OTHER THAN EMPLOYEES OF THE CITY; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH.

Motion for its adoption on first reading was made by Commissioner Holley, seconded by Commissioner Hendrick. The ordinance was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips.

"Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*

MAYOR

W. Keith Phillips

ATTEST:

*E. B. Poorman*

CITY CLERK

E. B. Poorman

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JULY 6, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, July 6, 1948. Mayor Phillips in the Chair; Commissioners Hendrick and Holley present. Commissioners Healy and Mayes absent.

Minutes of the regular meeting of June 15, 1948 were read and approved.

The meeting was then turned over to public hearings upon the confirmation of Local Improvements H-59 and A-5. The City Clerk stated that requisite notice had been published, and owners of all properties abutting such improvements had been notified by mail.

The following persons appeared concerning Local Improvement H-59: Mr. N. E. Bowlby stated that he felt the improvement was a necessary one, but objected on the ground that the cost to him as owner of 920 feet of frontage would be prohibitive. Mr. John Bouvier, owner of 299 feet of frontage, declared that the improvement should be made, but stated that he thought the city should bear some share of the cost thereof. He was informed that the city share would be approximately one-fourth. Mr. C. G. Rebozo, owner of approximately 1128 feet frontage, strongly approved the improvement. Mr. William Krelitz approved the confirmation by letter. Mrs. L. H. Platt stated that she approved of the improvement, but believed that the H. L. Mills Company should pay part of the cost because of damage done to the road by its trucks. The City Manager pointed out that a survey showed that the Mills Company trucks did no damage to the street that would affect the cost of paving. Mr. N. E. Bowlby then stated he would withdraw any objections to the improvement. The following resolution was presented and read:

RESOLUTION NO. 3066

A RESOLUTION CONFIRMING THE RESOLUTION  
ORDERING LOCAL IMPROVEMENT H-59.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., July 6, 1948, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 2903 passed and adopted August 19, 1947 and ordering Local Improvement H-59, and to the plans, specifications and estimates of cost of such improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Resolution No. 2903 passed and adopted August 19, 1947 and ordering Local Improvement H-59, be and the same hereby is confirmed and the cost of such improvement, except intersections, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

Property owners appearing in person or by mail concerning Local Improvement A-5, were as follows: Dr. Roy Bovard, Fred Lewis and Adele Thrall, all approving the improvement, and Mr. Ben Turner, representing the Riddle Realty Company, owner of 22 out of the 48 lots involved, objecting to the improvement. Objections were made to the practice of the Gazley Riding Academy of dumping manure from their stables in the alley. The City Manager reported that he had referred the matter to the Dade County Health Board, and the Commission directed the City Manager to take any action necessary to stop this nuisance.

Mr. Turner declared that he would withdraw his objections to the improvement if the above situation were cleared up. The following resolution was presented and read:

RESOLUTION NO. 3067

A RESOLUTION CONFIRMING RESOLUTION ORDERING LOCAL IMPROVEMENT A-5.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., July 6, 1948, pursuant to legal notice duly published in accordance with the provisions of the Charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 3016, passed and adopted March 16, 1948, and ordering Local Improvement A-5, and to the plans, specifications and estimates of cost of such improvement, and no objections were heard;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Resolution No. 3016, passed and adopted March 16, 1948, and ordering Local Improvement A-5, be and the same hereby is confirmed, and the cost of such improvement, except that portion abutting city owned property, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.



Mr. Roy G. Nowlin, 730 Avenue Madeira, appeared to object to the construction of a house at 732 Avenue Madeira, claiming that it was to be partly of wood construction, did not conform to the requirements of the city building code, and was of a type tending to lower the value of surrounding properties. This construction is being carried on under a building permit issued by Dade County prior to the annexation of the area to the city. Mr. Nowlin declared that he could offer proof that the site was not surveyed until the last Saturday in May, and construction was not started until after that date. Since the Commission at its April 6, 1948 meeting had adopted the policy of permitting construction to be carried on under county permits issued prior to annexation, providing construction was started within 30 days after April 6, 1948, the Building Department was directed to ascertain if construction of this house had in fact been commenced after that period, and if so to take steps to insure compliance with the building code.

The City Manager reported that Mr. Frank Howard requested a local improvement district for resurfacing Pinto Court.

RESOLUTION NO. 3068

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-61.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That a local improvement described and designated as follows shall be made under Section 62, Chapter 13972, Special Acts of Florida, 1929, as amended:

Resurfacing Pinto Court from Bird Road to Santa Maria Street with 3/10 application of oil seal coat, sand finished, for an estimated cost of \$500.00.

2. That the cost of such improvement shall be defrayed by special assessment upon all lots and lands adjoining, contiguous, or bounding and abutting, upon such street, on a frontage basis, which said property is hereby designated Improvement District H-61.

3. That said special assessments shall be payable thirty days after confirmation of such assessments, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida, 1929, as amended.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

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## RESOLUTION NO. 3069

A RESOLUTION COMMENDING AND THANKING  
THE CITIZENS' TAX COMMITTEE FOR THEIR  
AID IN PREPARATION OF THE 1948-1949  
BUDGET.

WHEREAS the Citizens' Tax Committee, whose membership consists of C. T. McCreedy, Chairman, C. B. Tutan, John Halifax, James A. Lowry, James A. Henderson, Warren Lehman, Inman Padgett, Lowell Southern and Byron Sperow, did at the request of the Commission make a thorough study of the City Manager's budget estimate for the fiscal year 1948-1949, and did present their recommendations and report to the City Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA:

That the members of the Citizens' Tax Committee be commended and thanked for their thorough and sincere study of the city's fiscal problems and valuable aid and recommendations to the City Commission, in the preparation of the budget and appropriation ordinance for the fiscal year 1948-1949 for the City of Coral Gables.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:  
"Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

## RESOLUTION NO. 3070

A RESOLUTION PROVIDING FOR THE DEPOSITING  
OF THE FUNDS OF THE CITY OF CORAL GABLES  
AND AUTHORIZING THE SIGNING OF CHECKS AND  
DRAFTS OF THE CITY OF CORAL GABLES BY  
CERTAIN OFFICIALS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

1. That the Coral Gables First National Bank, the Florida National Bank at Coral Gables, and the Central Hanover Bank and Trust Company, of the City of New York, be and they are hereby designated as depositories for the monies of the several funds of the City of Coral Gables, Florida, and the Director of Finance, or his duly appointed assistants, be and they are hereby authorized to deposit said monies in any or all of said depositories upon being adequately secured with collateral as required hereby. Upon making any such deposit, the Director of Finance shall require that the depository file with him or in the name of the City of Coral Gables in the custody of some responsible third party, preferably an established bank or trust company, securities of the United States Treasury or of agencies or corporations of or established by the United States Government, of a par or market value, whichever shall be lower, equal to or in excess of the amount of monies of the City of Coral Gables on deposit in any such depository; and the Director of Finance is further authorized to release such collateral, or portions thereof, whenever it shall be found that the amount of collateral as defined above is in excess of the deposits secured thereby.

2. That such depositories be and they are hereby authorized to make payments from monies of the City of Coral Gables on deposit therein upon and according to checks and drafts of the City of Coral Gables signed by W. T. McIlwain,

as City Manager, and countersigned by E. B. Poorman, as Director of Finance; and the said W. T. McIlwain and E. B. Poorman, in the above respective capacities, be and they hereby are authorized to sign, endorse, accept, make, execute and deliver any and all checks and drafts on behalf of said City of Coral Gables; provided, also, that the City Manager and Director of Finance are hereby authorized to use a Todd Protectograph check signer for their signatures, in lieu of natural signatures, on such city checks and documents as they may deem advisable, and the depositories herein named are hereby requested, authorized and directed to honor all checks, drafts or other orders for the payment of money drawn in the name of the city upon any of its accounts, including the Tax Participation Certificate Fund Account, and including checks, drafts or other orders for the payment of money drawn to the individual order of any person or persons whose names appear thereon as signer or signers hereof, when bearing or purporting to bear the facsimile signature (by impression of Protectograph check signer) of both of the following:

W. T. McIlwain, City Manager  
E. B. Poorman, Director of Finance,

upon being furnished with an impression of such check signer duly certified by the Director of Finance.

3. That the provisions and authorization herein contained shall become effective upon the passage of this resolution and shall supersede all previous authorizations for the signing and countersigning of city checks and other cash instruments, and shall remain in effect until it shall be otherwise ordered by the Commission of the City of Coral Gables.

4. That the provisions hereof as to the filing of collateral for deposits shall not, until otherwise ordered, apply to monies deposited with the Central Hanover Bank and Trust Company of New York City for the payment of interest coupons or other service of the Issue of July 1, 1944, Refunding Bonds, or to monies deposited in said Bank for the payment of dividends upon Tax Participation Certificates of the Issue of January 1, 1937.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

Mr. John Bouvier and Mr. C. A. O'Neill appeared to request an extension of the authority granted the Coral Rock and Sand Company by Resolution No. 2685, to operate a rock processing plant in Block 26, Riviera Section, for a period of 2 years from August 6, 1946; of authority granted the Better Homes Investment Company by Resolution No. 2661 to excavate a canal in Blocks 24A and 25A, Riviera Section, and to construct a bridge over such canal at Biltmore Drive, said project to be completed by June 18, 1948; and of the authority granted Mr. O'Neill by Resolution No. 2973 to clear lots and excavate the canal in Block 42, Riviera Section, said project to be completed by June 1, 1948. Both men declared that due to unforeseen difficulties it would take an additional 6 months to complete the canal projects and that the continued use of the rock plant was imperative.

RESOLUTION NO. 3071

A RESOLUTION EXTENDING THE PERIOD FOR COMPLETION OF CANAL AND BRIDGE PROJECTS BY BETTER HOMES INVESTMENT COMPANY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the Better Homes Investment Company is hereby granted an extension of time, to January 1, 1949, for completion of canal excavation in Blocks 24A and 25A, Riviera Section, pursuant to terms of Resolution No. 2661 passed and adopted June 18, 1946, and upon the same terms and conditions as specified in Resolution No. 2661; this extension is granted upon the express condition that all bonds, deposits and insurance required under said Resolution No. 2661 remain in force and effect or be extended or rewritten to cover, to the satisfaction of the City Attorney, the extended period for completion of said project herein granted.

2. That the Better Homes Investment Company is hereby granted an extension of time, to January 1, 1949, for completion of construction of bridge over the canal described in Section 1 hereof, at Biltmore Drive, pursuant to the terms of Resolution No. 2661 passed and adopted June 18, 1946, and upon the same terms and conditions as specified in said Resolution No. 2661; this extension for construction of a bridge is granted upon the express condition that said bridge be completed by January 1, 1949, according to plans and specifications to be previously approved by the City Manager, and that the bonds, deposits and insurance required under Resolution No. 2661 and under Section 1 hereof specifically include the construction of said bridge.

3. That the above extensions of time are granted on the further express condition that said parties shall furnish evidence to the City Manager, and to the satisfaction of the City Attorney, of the extension to January 1, 1949 of all insurance, deposits, and bonds as above recited by July 20, 1948.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3072

A RESOLUTION EXTENDING THE PERIOD OF OPERATION OF A ROCK PROCESSING PLANT, BY CORAL ROCK AND SAND COMPANY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the Coral Rock and Sand Company is hereby granted an extension of time, to January 1, 1949, for continued operation of a rock processing plant on Block 26, Riviera Section, pursuant to terms of Resolution No. 2685 passed and adopted August 6, 1946, and upon the same terms and conditions as specified in said Resolution No. 2685; this extension is granted upon the specific condition that all bonds, deposits and insurance required in said Resolution No. 2685 remain in force and in effect or be extended or rewritten to cover, to the satisfaction of the City Attorney, the extended operation period herein granted.

2. That the above extensions of time are granted on the further express condition that said parties shall furnish evidence to the City Manager, and to the satisfaction of the City Attorney, of the extension to January 1, 1949 of all insurance, deposits, and bonds as above recited by July 20, 1948.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3073

A RESOLUTION EXTENDING THE PERIOD FOR COMPLETION OF CANAL PROJECT BY C. A. O'NEILL.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That C. A. O'Neill is hereby granted an extension of time, to January 1, 1949, for completion of lot clearance and canal excavation in Block 42, Riviera Section, pursuant to terms of Resolution No. 2973 passed and adopted December 4, 1947, and upon the same terms and conditions as specified in said Resolution No. 2973; this extension of time is granted on express condition that all bonds, deposits and insurance required in said Resolution No. 2973 remain in force and effect or be extended or rewritten to cover, to the satisfaction of the City Attorney, the extended period for completion of said project as herein granted.

2. That the above extensions of time are granted on the further express condition that said parties shall furnish evidence to the City Manager, and to the satisfaction of the City Attorney, of the extension to January 1, 1949 of all insurance, deposits, and bonds as above recited by July 20, 1948.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937, AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 25 TO 28 INCLUSIVE, BLOCK 57, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 566

AN ORDINANCE REPEALING ORDINANCE NO. 560, PASSED AND ADOPTED APRIL 15, 1948.

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which was read by title and adopted on first reading June 15, 1948, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 566.

ORDINANCE NO. 567

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF WEST HALF OF LOT 20 AND LOTS 21 AND 22, BLOCK 148, RIVIERA SECTION, CORAL GABLES.

which was read by title and adopted on first reading June 30, 1948, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 567.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 514, AS AMENDED, KNOWN AS THE "OCCUPATIONAL LICENSE ORDINANCE" BY ADDING THERETO SECTION 30A, PROVIDING A TEN PER CENT PENALTY IN ALL CASES WHERE A LICENSE TAX SHALL REMAIN UNPAID FOR MORE THAN 90 DAYS AFTER THE DUE DATE THEREOF.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Holley, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

The City Clerk stated that Mr. F. W. Kruse of What Cheer, Iowa, held two \$1000 bonds due 1-1-27, which bonds matured on 1-1-48; that the holder refused to accept 7-1-44 bonds in exchange or refund.

RESOLUTION NO. 3074

A RESOLUTION AUTHORIZING THE CITY CLERK TO SELL TWO \$1000 BONDS OF THE 7-1-44 ISSUE, AT MARKET, FOR THE PURPOSE OF PAYING MATURED BONDS OF THE 1-1-27 ISSUE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the City Clerk and Director of Finance is hereby directed and authorized to sell two \$1000, 3% city bonds of the issue of 7-1-44, due 7-1-74, at market plus accrued interest, and to use the proceeds thereof to pay and retire Bonds 3301/2, issue of 1-1-27, due 1-1-48, now outstanding; that the necessary amount to complete the retirement of the said two bonds of the 1-1-27 issue, plus accrued interest to maturity, if any amount is needed over and above the proceeds of the sale herein authorized, is hereby appropriated from the General Contingent Fund of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3075

A RESOLUTION AUTHORIZING THE TRANSFER  
OF RETAIL BEVERAGE STORE LICENSE OF  
LA SEVILLA RESTAURANT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the transfer of the retail beverage store license heretofore issued to the LaSevilla Restaurant and permitting the sale of beer and wine for consumption on the premises, from Carmine Sannino to Hillegunde de Vroedt, is hereby authorized, subject to purchaser's compliance with all the regulatory provisions of city ordinances, and provided that said license shall be issued subject to cancellation upon receipt of any unfavorable criminal record report for the purchaser.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 568

AN ORDINANCE REGULATING THE ACCUMULATION, REMOVAL AND DISPOSAL OF GARBAGE, TRASH AND GARDEN TRASH IN THE CITY OF CORAL GABLES; PROVIDING FOR FEES FOR THE REMOVAL AND DISPOSAL OF GARBAGE, TRASH AND GARDEN TRASH BY THE CITY OF CORAL GABLES; PRESCRIBING LICENSE FEES AND CONDITIONS UNDER WHICH REMOVAL AND DISPOSAL MAY BE MADE BY PERSONS OTHER THAN EMPLOYEES OF THE CITY; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH.

which was read by title and adopted on first reading June 30, 1948, was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 568.

Superintendent of Public Works Robinson reported that the proposed ordinance permitting use of wire fences at the rear of lots and on lot lines not abutting streets, had been recommended for passage by the Board of Architects. Action was deferred.

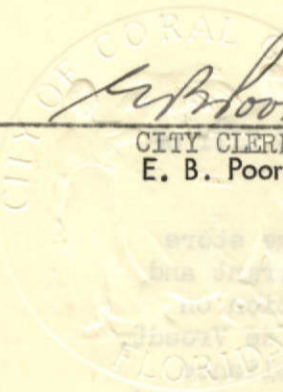
There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
W. Keith Phillips, Mayor

ATTEST:

*E. B. Poorman*  
CITY CLERK  
E. B. Poorman



That the transfer of the retail beverage license heretofore issued to the Lavelle Hotel and permitting the sale of beer and wine for consumption on the premises, from Lavelle Hotel to Hillman's Restaurant, is hereby authorized, subject to purchaser's compliance with all the regulatory provisions of city ordinance, and provided that said license shall be issued subject to cancellation upon receipt of any unfavorable criminal record report for the purchaser.

AN ORDINANCE REGULATING THE ACCUMULATION, REMOVAL AND DISPOSAL OF GARBAGE, TRASH AND GARDEN TRASH IN THE CITY OF CORAL GABLES; PROVIDING FOR FEES FOR THE REMOVAL AND DISPOSAL OF GARBAGE, TRASH AND GARDEN TRASH BY THE CITY OF CORAL GABLES; PRESCRIBING LICENSE FEES AND CONDITIONS UNDER WHICH REMOVAL AND DISPOSAL MAY BE MADE BY PERSONS OTHER THAN EMPLOYEES OF THE CITY; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HERewith.

which was read by title and adopted on first reading June 30, 1948, was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yes" - Commissioners Hendrick and Holley; Mayor Phillips. "Nays" - None.



MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
JULY 19, 1948

The Commission of the City of Coral Gables convened in special session at the City Hall at 7:30 o'clock P.M., Monday, July 19, 1948. Mayor Phillips in the Chair; Commissioners Hendrick, Holley and Mayes present. Commissioner Healy absent.

The following members of the Coral Gables Athletic Commission were present: Williams, Houston, Morgenthaler, Westerdahl and Singleton; and Secretary Lovett and Dr. W. W. Davies. Also present were Commander E. L. Shaw of Coral Gables American Legion Post 98, Mr. Paul H. Brinson, Chairman of the Boxing Committee of the Post, and approximately twelve members of Post 98.

Mayor Phillips reviewed the circumstances leading to the establishment of the Athletic Commission to supervise and regulate professional sports in Coral Gables. He stated that this meeting had been called for a hearing on charges or criticisms made of the Athletic Commission by the Executive Committee and Boxing Committee of the American Legion Post 98.

The Legion representatives discussed the following objections or criticisms of the Athletic Commission:

1. That the number of members on the Athletic Commission should be reduced to 3 or 5.
2. That personal feeling between members of the Commission and Boxing Promoter W. H. Peeples, Jr. has made proper supervision of boxing in Coral Gables impossible.
3. That the Athletic Commission has failed to show sufficient cooperation with the promoter in establishing a boxing program in Coral Gables.
4. That the Athletic Commission exceeded its jurisdiction in directing the seating of spectators, in prohibiting dissemination of propaganda at boxing events, and in directing payment of referees, and that the Commission's jurisdiction should be confined to supervision of personnel taking part in boxing events.
5. That the Athletic Commission acted improperly in suspending Promoter W. H. Peeples, and in refusing to lift the suspension of Manager Louis F. Perez and fighter Jesus Lemalas.

The above charges were answered at length by members of the Athletic Commission. At the conclusion of the discussion the following resolution was presented and read:

RESOLUTION NO. 3076

A RESOLUTION APPROVING THE ADMINISTRATION  
OF THE CORAL GABLES ATHLETIC COMMISSION.

WHEREAS, to maintain a high standard in professional sports in the City of Coral Gables, there has been established

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by the ordinances of this city an Athletic Commission, whose function it is to supervise and regulate the conduct of professional sports within the city; and

WHEREAS, certain charges and criticisms have been made of the Athletic Commission and of its performance of its functions, which charges have been given a hearing by this Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That this Commission hereby finds that the criticisms and charges made against the Athletic Commission and given on this date are not supported by evidence or law.

2. That this Commission hereby finds that the Coral Gables Athletic Commission has acted fairly at all times, and within its proper scope of authority to supervise and regulate professional sports in this city, for the protection and to the best interest of the city and the residents thereof.

3. That this Commission hereby declares its satisfaction with the present Athletic Commission and its appointed officers, and with the administration and performance of its functions as defined by the ordinances of this city.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Dr. W. W. Davies indicated his willingness to resume the post as physician for the Commission, and Mr. Houston and Mr. Williams agreed to continue as members of the Commission. No action was taken to appoint a successor of Mr. Robert Venn, who had previously resigned from the Commission.

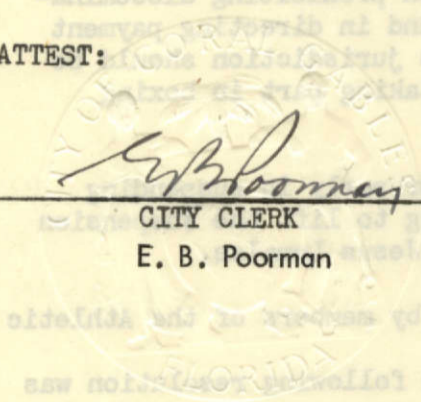
There being no other business the meeting was adjourned.

APPROVED:

Albert Phillips  
MAYOR  
W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman



MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JULY 20, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, July 20, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Mr. Dana Woodman of the Coral Gables Lions Club appeared before the Commission, on behalf of the Lions Clubs of Greater Miami, to request financial assistance from the Commission toward the expense of entertaining some 375 visiting Lions from Latin America. Mr. Woodman stated that the entertainment of these visitors would produce a great deal of publicity and good will for the City of Coral Gables.

RESOLUTION NO. 3077

A RESOLUTION APPROPRIATING \$50.00 TO THE CORAL GABLES LIONS CLUB.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That \$50.00 is hereby appropriated from the General Contingent Fund to the Coral Gables Lions Club to be used in defraying expense of entertaining Latin American visitors in Coral Gables.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3078

A RESOLUTION AUTHORIZING THE TRANSFER OF RETAIL PACKAGE LIQUOR STORE LICENSE OF CARL'S LIQUOR STORE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the transfer of the retail package liquor store license heretofore issued to Carl's Liquor Store, 238 South Dixie Highway, from Carl Singleton to The Happiness Boys, Inc., is hereby authorized and approved, providing that said transfer shall be made and license issued subject to cancellation upon receipt of any unfavorable criminal record upon any of the purchasers.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3079

A RESOLUTION GRANTING A CERTAIN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

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WHEREAS, the Zoning Board of Appeals at its meeting July 20, 1948 has recommended that a certain exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provision of Ordinance No. 271 be and the same hereby is granted:

Permit erection of dental clinic on Lots 10 to 13 inclusive, Block 206A, Riviera Section, having an average of 500 cubic feet per front foot instead of 750 cubic feet as now zoned.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager stated that he had asked the Coral Gables Board of Realtors for an appraisal of the 16½ acre tract adjoining the city incinerator, and recently offered for sale to the city by Mr. John Lamb. He stated that the Board had suggested an outside appraiser, and that he had retained Mr. C. R. Higgins, a member of the American Institute of Appraisers, to appraise the property. He stated that Mr. Higgins had appraised the property at \$12,500, or one half of the price asked by Mr. Lamb. The Commission directed the City Manager to contact Mr. Lamb again concerning the purchase price for this property.

Chairman H. C. Anderson of the Zoning Board of Appeals pointed out to the Commission that the Zoning Board was receiving numerous applications for exceptions to the Zoning Ordinance to permit wire fences in the rear of lots, which requests were being refused because such fences were in violation of the Zoning Ordinance, although the Zoning Board was in favor of an ordinance permitting standard chain-link fences in certain cases. The Commission expressed a reluctance to release all restrictions concerning such fences, and expressed a desire that each situation be handled on the basis of specific circumstances and as an exception to the Zoning Ordinance.

Mayor Phillips informed Mr. Anderson that the Commission desired the Zoning Board to again consider permitting residential duplex construction on lots adjoining present apartments on Bird Road. Mr. Anderson declared that the Zoning Board would look with favor on such an application.

The City Manager informed the Commission of a violation of the Building Code at 924 Bird Road. He stated that a permit had been taken out to stucco the building at that address, the permit declaring on its face that

"Perma-stone" should not be used. He stated that contrary to the provisions of the permit and the Building Code, the contractor had placed a Perma-stone covering on the front of the building, such work having been done on the July 5th holiday. The City Manager suggested that no action be taken against the contractor for violation of the ordinance, providing that the contractor give a written guarantee that no further installation of Perma-stone would be made in Coral Gables without a previous permit. The Commission agreed to this suggestion.

The City Manager stated that he had recommended an increase in bus advertising rates as follows: One card on each bus, \$25.00 a year; one card on 40-passenger Twin Coach buses only, \$12.50 per year. The Commission approved the rates recommended.

The City Manager noted the receipt of a letter of commendation for city bus drivers from Mr. Talmadge A. Buchanan, Jr.

The City Manager requested the approval of the Commission for the installation of the following street lights:

- (a) Overhead bracket street lights:
  - Corner of Avenue San Lorenzo and Laguna Street 2500 lumens
  - Corner of San Lorenzo and Aurora Street 1000 lumens
  - Corner of Avenue Altara and Estancia Street 2500 lumens
  - Corner of Avenue Altara and Aurora Street 2500 lumens
  - Corner of Avenue Greco and Avenue Granello 2500 lumens
  - Corner of Bird Road and Aurora Street 2500 lumens
- (b) Overhead bracket street lights 1000 lumens
  - 7 lights on Campo Santo
- (c) Overhead bracket street lights 1000 lumens
  - Corner of Granada Boulevard and Ave. Benevento
  - Corner of Granada Boulevard and Ave. Pisanto

The Commission approved the installation of such lights.

The City Manager noted that several conferences had been held with Veterans Administration authorities concerning the use of the Veterans Administration's sewage disposal plant for disposal of sewage under proposed Coral Gables sewage disposal system, and stated that negotiations were still in progress.

RESOLUTION NO. 3080

APPROVING AN ASSIGNMENT AGREEMENT BY AND BETWEEN THE CITY AND CONSUMERS WATER COMPANY, ASSIGNING TO SAID COMPANY THAT CERTAIN LEASE AGREEMENT BETWEEN THE DEPARTMENT OF WATER AND SEWERS OF THE CITY OF MIAMI AND THE CITY OF CORAL GABLES, DATED JUNE 30, 1948, RELATING TO A 1,000,000 GALLON STEEL WATER STORAGE TANK, AND SAID COMPANY COVENANTING WITH THE CITY TO ASSUME THE OBLIGATIONS TO BE PERFORMED BY THE CITY THEREUNDER AND TO HOLD THE CITY HARMLESS THEREUNDER, SETTING OUT THE TERMS AND CONDITIONS THEREOF, AND AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY CLERK OF THE CITY TO EXECUTE AND ENTER INTO SAID ASSIGNMENT AGREEMENT FOR AND ON BEHALF OF THE CITY.

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WHEREAS, the City has heretofore granted to the assignor of Consumers Water Company a thirty-year franchise for a water distribution system in the city, which franchise became effective April 1, 1926; and

WHEREAS, in accordance with Section III of said franchise, as well as the terms and conditions of that certain agreement dated March 26, 1931, by and between the City and the City of Maimi, Florida, the Miami Water Company and Consumers Water Company, the City has agreed to deliver to Consumers Water Company without cost or expense all the water necessary or requisite for or in connection with the distribution of water under said franchise in the City; and

WHEREAS, pursuant to the terms of that certain lease agreement between the Department of Water and Sewers of the City of Miami and the City of Coral Gables dated June 30, 1948, the city became obligated to pay to the said Department of Water and Sewers of the City of Miami the total sum of \$3,300 for the use of a certain 1,000,000 gallon steel water storage tank, the use of which will considerably benefit the citizens of this city by providing adequate water pressure; and

WHEREAS, Consumers Water Company has agreed to assume all obligations of the city under said lease agreement and to make all payments required of the city thereby and further to hold the city harmless on all of the agreements contained in said lease agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the proposed assignment agreement with Consumers Water Company, which is hereinafter set forth in form in Section 2 hereof, be and the same is hereby approved as to form and substance.
2. That the City Manager and the City Clerk, of and on behalf of the City of Coral Gables, Florida, be and they are hereby authorized and directed to execute and enter into with Consumers Water Company the said proposed assignment agreement approved in Section 1 hereof and hereinafter set forth in form as follows:

ASSIGNMENT AGREEMENT WHEREBY THE CITY OF CORAL GABLES ASSIGNS TO CONSUMERS WATER COMPANY THAT CERTAIN LEASE AGREEMENT BETWEEN THE DEPARTMENT OF WATER AND SEWERS OF THE CITY OF MAIMI AND THE CITY OF CORAL GABLES, DATED JUNE 30, 1948.

KNOWN ALL MEN BY THESE PRESENT:

In consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the City of Coral Gables, of the County of Dade and State of Florida, a municipal corporation (hereinafter sometimes called "City"), does hereby grant, bargain, sell, transfer, assign and set over to Consumers Water Company, a corporation organized and existing under the laws of the State of Florida, with its principal place of business at Coral Gables, Dade County, Florida (hereinafter sometimes called "Company"), its successors and assigns, all its right, title and interest in and to that certain "Lease Agreement Between The Department of Water and Sewers of the City Of Miami and the City of Coral Gables," dated June 30, 1948, relating to that certain 1,000,000 gallon steel water storage tank of said Department which is located at the present time near the intersection of N. E. 4th Avenue and N. E. 80th Street in Miami, Dade County, Florida, together with the pipes, valves and fittings appurtenant to said tank, together with all rights of every kind and character growing or arising out of said Lease Agreement. A copy marked "A" is attached hereto.

The Company hereby covenants with the City to assume and faithfully perform and discharge all terms, covenants and obligations assumed, or to be performed or discharged by the City under said Lease Agreement.

The Company further hereby covenants with the City to hold it harmless on all of the covenants and agreements made by it in said Lease Agreement.

IN WITNESS WHEREOF, the parties hereto have caused their corporate names to be hereunto affixed and the City has caused this assignment agreement to be signed and sealed by its City Manager and its corporate seal to be attested by its City Clerk for and in its behalf, and Consumers Water Company has caused this Assignment Agreement to be signed and sealed by its President and its corporate seal to be attested by its Secretary or an Assistant Secretary for and in its behalf.

Signed, sealed and delivered by the City of Coral Gables, Florida, in our presence:

CITY OF CORAL GABLES, FLORIDA (SEAL)

By \_\_\_\_\_ City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form and correctness this \_\_\_\_\_ day of

\_\_\_\_\_, 1948.

\_\_\_\_\_  
City Attorney of the City of Coral Gables, Florida

Signed, sealed and delivered by Consumers Water Company in our presence:

CONSUMERS WATER COMPANY (SEAL)

By \_\_\_\_\_ President

ATTEST:

\_\_\_\_\_  
Secretary

STATE OF FLORIDA )  
COUNTY OF DADE )

I HEREBY CERTIFY, that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared W. T. McILWAIN AND E. B. POORMAN, respectively City Manager and City Clerk of the City of Coral Gables, Florida, a municipal corporation, to me known to be the persons described in and who executed the foregoing instrument and severally acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said municipal corporation, and that said instrument is the act and deed of said municipal corporation.

WITNESS my hand and official seal in the County and State aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 1948.

\_\_\_\_\_  
Notary Public  
State of Florida at Large

My Commission expires \_\_\_\_\_

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Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3081

A RESOLUTION APPROVING MINUTES OF MEETINGS AND RATIFYING AND CONFIRMING ACTION AT SUCH MEETINGS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the minutes of special meeting of the Commission held June 30, 1948, and of the regular meeting of the Commission held July 6, 1948, are hereby approved, and all actions taken at said meetings are hereby ratified and confirmed.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 569

AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF OPERATION OF THE CITY OF CORAL GABLES AND ITS INCOME PRODUCING PROPERTIES, AND FOR PAYMENTS UPON DEBT SERVICE, FOR THE FISCAL YEAR COMMENCING JULY 1, 1948; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Holley, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 569.

ORDINANCE NO. 570

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1948 AND ENDING JUNE 30, 1949; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSES OF SERVICING THE DEBT AND MEETING THE OPERATING REQUIREMENTS; PROVIDING FOR THE SEGREGATION AND APPLICATION OF



THE PROCEEDS OF THE SEVERAL LEVIES;  
 PROVIDING FOR THE SEPARABILITY OF  
 THE PROVISIONS HEREOF; AND DECLAR-  
 ING THIS ORDINANCE TO BE AN EMER-  
 GENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes,  
 seconded by Commissioner Holley, that the requirement of reading on two  
 separate days be dispensed with and the ordinance be placed on second reading  
 at once. Motion was adopted by the following roll call: "Yeas" - Commissioners  
 Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its  
 adoption was made by Commissioner Mayes, seconded by Commissioner Holley, and  
 the ordinance was adopted by the following roll call: "Yeas" - Commissioners  
 Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted  
 and ordered its publication as Ordinance No. 570.

ORDINANCE NO. 571

AN ORDINANCE LEVYING A TAX FOR THE YEAR  
 BEGINNING JULY 1, 1948 AND ENDING JUNE 30,  
 1949 FOR THE PURPOSE OF DEFRAYING EXTRA-  
 ORDINARY EXPENSES RESULTING FROM STORM,  
 HURRICANE, AND/OR OTHER ACTS OF GOD;  
 PROVIDING FOR THE CREATION OF A "SPECIAL  
 BENEFITS FUND" AND FOR THE DISBURSEMENT  
 THEREFROM; PROVIDING FOR THE SEPARABILITY  
 OF THE PROVISIONS HEREOF; AND DECLARING  
 THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes,  
 seconded by Commissioner Hendrick, that the requirement of reading on two  
 separate days be dispensed with and the ordinance be placed on second reading  
 at once. Motion was adopted by the following roll call: "Yeas" - Commissioners  
 Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its  
 adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick,  
 and the ordinance was adopted by the following roll call: "Yeas" - Commissioners  
 Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted  
 and ordered its publication as Ordinance No. 571.

ORDINANCE NO. 572

AN ORDINANCE AMENDING ORDINANCE NO. 514,  
 AS AMENDED, KNOWN AS THE "OCCUPATIONAL  
 LICENSE ORDINANCE" BY ADDING THERETO  
 SECTION 30A, PROVIDING A TEN PER CENT  
 PENALTY IN ALL CASES WHERE A LICENSE TAX  
 SHALL REMAIN UNPAID FOR MORE THAN 90 DAYS  
 AFTER THE DUE DATE THEREOF.

which was read by title and adopted on first reading July 6, 1948, was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 572.

ORDINANCE NO. 573

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937, AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 25 TO 28 INCLUSIVE, BLOCK 57, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH.

which was read by title and adopted on first reading July 6, 1948, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 573.

RESOLUTION NO. 3082

A RESOLUTION GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its meetings of June 28 and July 12, 1948 has recommended that certain exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of duplex on Lot 13, Block 7, Section B, having two entrances, one on Avenue Aragon and one on LeJeune Road.
2. Permit construction of residence on Lots 1 and 2, Block 124, Country Club 6, facing north on Riviera Drive instead of west on Anderson Road.
3. Permit construction of residence on Lots 1, 2 and north half of 3, Alex Blair's Resubdivision, facing north on Avenue Sorolla instead of east on Cordova Street.
4. Permit construction of residence on Lot 13, Block 3, Section B, containing 1527 square feet instead of 1727 square feet as now zoned, provided that such house face Avenue Minorca.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3083

A RESOLUTION AUTHORIZING THE TRANSFER OF RETAIL BEVERAGE STORE LICENSE OF GABLES PARADISE RESTAURANT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the transfer of retail beverage store license heretofore issued to the Gables Paradise Restaurant, and permitting the sale of beer and wine for consumption on the premises, from the present owners to George M. Seese is hereby authorized provided that said license shall be issued subject to cancellation upon receipt of any unfavorable criminal record report upon the purchaser.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" -

None.

RESOLUTION NO. 3084

A RESOLUTION APPROPRIATING \$660.00 FROM THE CONTINGENT FUND TO APPROPRIATION ACCOUNT 2415-141F.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of \$660.00 is hereby appropriated from the General Contingent Fund of the city for the purpose of providing increased auto allowances for Building and Plumbing Inspectors for year ending June 30, 1949, and the Director of Finance is hereby authorized to transfer such amount to Appropriation Account 2415-141F.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
MAYOR

ATTEST:

*E. B. Poorman*  
CITY CLERK  
E. B. Poorman

W. Keith Phillips

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MINUTES OF REGULAR MEETING  
 OF THE CITY COMMISSION  
 AUGUST 3, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, August 3, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the special meeting of July 19th and regular meeting of July 20, 1948 were approved as read.

Mr. Earl DeNoon, President of the Coral Gables Country Club, requested Commission approval of proposed remodeling of the Country Club building, declaring that it had been approved by the Zoning Board and Board of Architects.

RESOLUTION NO. 3085

A RESOLUTION APPROVING CERTAIN ALTERATIONS AND IMPROVEMENTS AT THE CORAL GABLES COUNTRY CLUB.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the proposed alterations and improvements of the Coral Gables Country Club building, consisting of enlarging and air-conditioning the bar and removal of the old band shell, be and the same hereby is approved.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mayor Phillips declared that bids received for the construction of a bridge over Mahi Canal at Granada Boulevard, and for paving work under Local Improvements H-59 and A-5, would then be opened. The Clerk then opened all sealed bids received on such projects, which were as follows:

	Proposal 1	Proposal 2
GRANADA BRIDGE	To remove existing bridge and to construct Monolithic-type bridge.	To construct sub-grade approaches to bridge.
Leach Construction Company	\$30,569.65	\$2,927.90 *
W. T. Price Dredging Corp.	31,500.00	4,000.00
Ebsary Foundation Co.	31,600.00	No bid
Atlantic Construction Co.	33,875.00	2,847.00
Geo. E. Bunnell, Inc.	33,900.00	1,988.00 *
Reed Construction Corp.	38,560.00	3,835.00
H. H. Stringfellow	39,401.50 **	3,150.00
Sea-Land Construction Co.	No Bid	3,885.00
Troup Bros, Inc.	No Bid	2,465.00

\* Will not accept bid on Proposal #2 alone.  
 \*\* \$41,201.50 if steel sheet pile used.

The bids were referred to the City Manager for tabulation and recommendation.

H-59 Paving Blue Road from Orduna Drive to Ponce de Leon Boulevard. Price Per Square Yard

Troup Bros., Inc.	\$ 0.65
Brooks Paving Co.	0.67
Williams and Stockton	0.80
McFarlin Construction Co.	0.97
Belcher Oil Co.	1.13
W. T. Price Dredging Corp.	1.30

The bids were referred to the City Manager for tabulation and recommendation.

A-5 Paving Alley in Block 27, Section "K" Price Per Square Yard

Williams and Stockton	\$ 0.74
Brooks Paving Co.	0.79
Troup Bros., Inc.	0.88
McFarlin Construction Co.	0.97
W. T. Price Dredging Corp.	1.15

The bids were referred to the City Manager for tabulation and recommendation.

The meeting was then turned over to a public hearing upon acceptance of Local Improvement H-58, in accordance with notice published in the Coral Gables Riviera-Times, July 22nd, 1948. No persons appeared to object to the acceptance of the improvement, and the City Clerk advised the Commission that the City Manager had recommended its acceptance. The following resolution was presented and read:

RESOLUTION NO. 3086

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN IMPROVEMENT DISTRICT H-58

WHEREAS, by Resolution No. 2888 passed and adopted August 5, 1947, the Commission ordered Local Improvement H-58, and by Resolution No. 2984 passed January 20, 1948, said improvement was confirmed after public hearing; and

WHEREAS, the Commission subsequently authorized the execution of a contract for the paving of streets included in such improvement with Troup Bros. Inc., and the work covered by said contract has now been completed and the City Manager reports that the work was done in accordance with specifications and is satisfactory;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the street paving done by Troup Bros. Inc. in Local Improvement H-58 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

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3. That the City Clerk is hereby instructed to cause to be published in the Coral Gables Riviera-Times a notice of public hearing upon the assessment roll in said improvement district, said hearing to be convened at 8:00 o'clock P.M., Tuesday, September 7, 1948 in the Commission Chamber of the City Hall, Coral Gables, Florida.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy, Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The meeting was then turned over to a public hearing upon confirmation of Local Improvement H-61. No persons were present to object to such improvement.

RESOLUTION NO. 3087

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT H-61

WHEREAS, the Commission of the City of Coral Gables met at 8:00 o'clock P.M., August 3, 1948, pursuant to regular notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution No. 3068 passed and adopted July 6, 1948 and ordering Local Improvement H-61, and to the plans, specifications and estimates of cost of such improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Resolution No. 3068 passed and adopted July 6, 1948, and ordering Local Improvement H-61, be and the same is hereby confirmed, and the cost of such improvement shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. Louis Edwards appeared to appeal from a disapproval notice served on him by the Department of Public Works, ordering removal of a wooden front recently placed on his office building at 1709 Ponce de Leon Boulevard, in violation of the Building Code which requires masonry construction. He declared that he had covered the front of the office after completing inside repair work which had been done under a building permit, but that he had no specific permit to do work on the exterior. He requested an exception to the Building Code in this case because the building has a frame stucco front. After consideration the Commission refused approval of such construction, but suggested that the Building Department and Mr. Edwards work out a plan for correction of the condition at a minimum cost to him.

Mr. Paul Brinson, representing Mr. Morris, owner of apartment on Lots 15 and 16, Block 33, "Biltmore" Section, appeared to object to construction of apartments with a 25 foot setback from Ave. Anastasia on Lots 12 to 14 inclusive in said block, on the grounds that Mr. Morris' apartments established a 35 foot setback in such block, and on the ground that Section 21 of the Zoning Ordinance prohibited the construction of two buildings on three lots in that block. City Attorney Semple gave the opinion that the words "existing building", used in Section 15 (2) (a) of the Zoning Ordinance to establish a setback line, meant a building in existence at the time of the adoption of the Zoning Ordinance, and that the setback of the apartments in question was properly governed by the 25 foot setback of a duplex on Lots 10 and 11 of said block. The Commission felt that since a contrary interpretation had been followed in the past, construction of the apartments with a 25 foot setback should not be permitted, and referred the matter to the City Attorney to work out some solution in the matter. The following resolution was then presented and read:

RESOLUTION NO. 3088

A RESOLUTION AUTHORIZING THE CITY ATTORNEY  
TO INSTITUTE LEGAL PROCEEDINGS TO HALT  
CONSTRUCTION OF CERTAIN APARTMENT HOUSES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

1. That the City Attorney is hereby authorized to institute proceedings for an injunction to halt construction of two apartments on Lots 12 to 14 inclusive, Block 33, Biltmore Section, with a front setback of 25 feet, upon the grounds:

- (a) That the setback has been established at 35 feet in said block; and
- (b) That two buildings cannot be built on 3 lots at such location;

2. That the City Attorney is hereby directed in such case not to seek a temporary injunction pending a hearing on the bill.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The Commission requested that the Zoning Board make recommendations for an amendment to the Zoning Ordinance, concerning setbacks established by existing buildings, to provide some minimum and some maximum setback in each case.

Mrs. Betty Lewinson, 3015 Granada Boulevard, appeared to object to alleged rooming houses at 914, 918 and 930 Avenue Malaga. Mr. Robinson declared that a previous complaint at 930 had been investigated and that the owner denied renting rooms. The matter was referred to the Police Department for investigation.

The matter of the announced increase of water rates by the Consumers Water Company was discussed, and the following resolution was presented and read:

RESOLUTION NO. 3089

A RESOLUTION AUTHORIZING THE EMPLOYMENT  
OF A COMPETENT PERSON TO INVESTIGATE THE  
RAISE OF RATES BY THE CONSUMERS WATER CO.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL  
GABLES, FLORIDA:

That a competent and experienced person or persons, to be selected by the Mayor and City Attorney, be employed by the city to thoroughly investigate the accounts and records of the Consumers Water Company to ascertain if the announced raise in water rates is justified under the law.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. F. Burton Smith and Mr. H. E. Keating of the Consumers Water Company were present at the meeting. Mr. Smith was asked if the company would defer the increase of rates pending such investigation. Mr. Smith declared that if the investigation disclosed that the increased rates put into effect August 1 were not justified, the company would refund any excess to which it was found not entitled, and that the company would not request any increase for the period if it were determined that a still higher rate was justified. He offered full cooperation and complete access to the books and records of the company to the investigator employed by the city.

Mr. E. Bater appeared to request a license for a liquor package store on Lot 2, Tamiami Place Plan 1. He stated that he had applied for a public hearing for such use prior to the effective date of the limitation act May 20, 1947; that a hearing at that time had been refused because the building had not been erected; and that before the building was constructed the limitation law went into effect. He declared that he was entitled to such license on the ground that a hearing should have been held and the use approved before May 20, 1947. The City Attorney pointed out that use of such location for a liquor store could have been approved only after a public hearing, and that a public



hearing prior to May 20, 1947 had been rightfully denied because a license could not be issued to a vacant lot under the law; that on May 20, 1947, Mr. Bater therefore was not entitled to the issuance of a license; and that under the limitation act the Commission was now powerless to act otherwise under the facts of the case.

The approval of the Commission for the installation of the following street lights was requested:

1000 lumens overhead street lights at:  
 corner of Sunset Road and Yumuri Street,  
 corner of Avenue San Ignacio and Yumuri Street,  
 corner of Avenue San Remo and Yumuri Street,  
 corner of Avenue Venera and Yumuri Street,

no installation charge; pole rental charge of \$2.00 per year for 4 poles until they are used by the power company; annual cost of operation \$18.00 per year per light.

The Commission approved the installation of such lights.

The City Clerk reported that in answer to inquiry of the City Manager the War Assets Administration had advised that Chapman Field has been reclassified from "airfield" to "Farm land"; that 82 acres thereof was being transferred to the Department of Agriculture for experimental tropical plant work; that the Bureau of Fish and Wild Life, Department of Interior, had requested the balance of Chapman Field, and that the Wild Life Conservation Commission of the State of Florida had requested part of the field; that if the field is not disposed of in accordance with the above requests, or conveyed to the City of Coral Gables or Dade County for public use, it would be sold by the Farm Credit Administration. The City Manager was requested to keep in touch with the War Assets Administration concerning the ultimate disposal of this area.

The City Clerk noted the receipt of a letter from the State Road Department advising that Resolutions 3054, 3055 and 3056 had been discussed by the State Road Board and had been referred to the Chief Engineer for study and recommendation.

The City Clerk reported the request of the City Manager that the effective date of the increase in bus advertising rates, which were authorized at the July 20 meeting, be deferred until October 1st, on recommendation of the Chamber of Commerce. The Commission approved the postponement of the effective date of the rate increase.

The City Clerk reported the receipt of a letter from the Director of Dade County Parks, advising that maintenance and care of street trees on South Dixie Highway from Brooker Street to Le Jeune Road, and on Tamiami Trail, south side, from Ponce de Leon Boulevard to Salzedo Street, and from Lorca

Street to Red Road was being discontinued. No action was taken.

The City Clerk noted that a recent inquiry had been made concerning installation of a three-phase stop light at Douglas Road and Coral Way. He declared that the City of Miami owned and controlled such stop light, but that the Coral Gables Police Department had recommended the installation of a three-phase light. Such installation was presently under consideration by the City of Miami Traffic Department. The Clerk also reported that installation of a stop light at Douglas Road and SW 8th Street was expected within 30 days.

Commissioner Hendrick suggested that lines be painted on the street in the intersection of Coral Way and LeJeune Road to denote traffic lanes to be followed in turning at that intersection. The matter was referred to the Police Department for consideration and study.

RESOLUTION NO. 3090

A RESOLUTION APPOINTING AN ASSOCIATE MUNICIPAL JUDGE.

WHEREAS, due to the death of the late Eugene B. Hunter, there is now a vacancy in the office of the Associate Judge of the Municipal Court;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Mr. William F. Brown, Jr. be and he hereby is appointed as Associate Judge of the Municipal Court of the City of Coral Gables, to serve in such court in the event of the absence or disability of Municipal Judge C. S. Robertson.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Commissioner Hendrick stated that officials of the University of Miami were anxious to discuss with the City Commission the designation of an area in which construction of fraternity and sorority houses would be permitted. On motion made, seconded and unanimously passed, a special meeting of the Commission was called for 7:00 o'clock P.M., Tuesday, August 10, 1948, for the purpose of discussing the above question with the officials of the University of Miami and members of the Zoning Board, and for consideration of such other business as might come before the meeting.

RESOLUTION NO. 3091

A RESOLUTION RETAINING THE FIRM OF SMETHURST AND PARKER TO AUDIT CITY RECORDS FOR THE FISCAL YEAR 1948-49.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the firm of Smethurst and Parker of Miami, Florida, be and it hereby is retained to examine, audit and report upon the actions and accounts of the City of Coral Gables for the fiscal year ending June 30, 1949, at a fee of \$2,000 to be paid at such times and in such installments as the Director of Finance may determine, such fee to include an examination and audit of the accounts of the Coral Gables Retirement System for said period.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley, Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3092

A RESOLUTION ESTABLISHING SIGNATURES NECESSARY FOR ENTRY INTO THE SAFETY DEPOSIT BOX OF THE CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That from and after the date hereof, and until the further order of the Commission, entry into the safety deposit box rented from the Coral Gables First National Bank by the City of Coral Gables shall be made only upon the joint signatures of the Director of Finance, E. B. Poorman, and any one of the following officials of the City of Coral Gables:

- City Manager, W. T. McIlwain
- Mayor W. Keith Phillips
- Commissioner Andrew T. Healy
- Commissioner David H. Hendrick, Jr.
- Commissioner Frank N. Holley, Jr.
- Commissioner Thomas C. Mayes

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Superintendent of Public Works, Robinson, reported a request for the erection of a 6 foot wire fence around the playground at St. Theresa School, and fronting upon Indian Mound Trail, Palos Street and Avenue Valencia. He was instructed to contact owners of adjoining property to ascertain if there were any objections to the construction of such a fence.

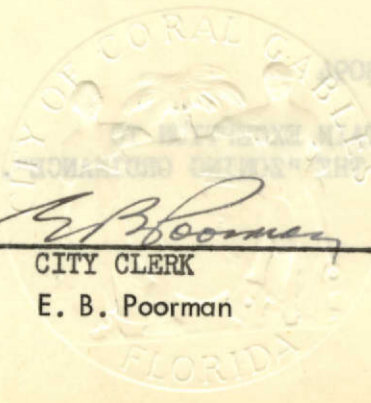
There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
MAYOR  
W. Keith Phillips

ATTEST:

*E. B. Poorman*  
CITY CLERK  
E. B. Poorman



ADA210

MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
AUGUST 10, 1948

The Commission of the City of Coral Gables convened in special session, pursuant to call thereof at the regular meeting of August 3, 1948, at 7:00 o'clock P.M., Tuesday, August 10, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present. Also present and taking part in the meeting were Chairman H. Clay Anderson and Thornton Fincher of the Zoning Board of Appeals.

During the discussion of the two exceptions to the Zoning Ordinance hereafter noted, the members of the Zoning Board of Appeals signified their approval of such exceptions as being in accordance with the policies of the Zoning Board.

RESOLUTION NO. 3093

A RESOLUTION GRANTING A CERTAIN  
EXCEPTION TO ORDINANCE NO. 271,  
KNOWN AS THE "ZONING ORDINANCE".

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That the following exception to Ordinance No.  
271 be and it hereby is granted:

Permit construction of a residence on Lots 10 to 12 inclusive, Block 60, Country Club Section 4, said residence having a setback on Avenue Placentia of 17 feet instead of 25 feet as now zoned, provided that the owners of property adjoining this site to the west give their consent to such setback.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

Mr. Robinson then stated that an application had been made for an exception permitting erection of a 6 foot wire fence at the playground at St. Theresa School. He advised that he had contacted four of the owners of adjoining property and such owners had expressed no objections to the fence. He further stated that owners of the rest of the adjacent property had not been available for contact by him since the last meeting. The following resolution was presented and read:

RESOLUTION NO. 3094

A RESOLUTION GRANTING A CERTAIN EXCEPTION TO  
ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That the following exception to Ordinance No.  
271 be and it hereby is granted:

Permit erection of a 6 foot cyclone-type wire fence around the perimeter of the St. Theresa School yard; Indian Mount Trail on the west, Avenue Valencia on the north, and Palos Street on the east; on condition that such fence shall have a hibiscus hedge between it and the street as a screen.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

City Attorney Semple advised that the contractors building an apartment on Lots 12 - 14 inclusive, Block 33, Biltmore Section, had reached a compromise agreement with Mr. Morris (who appeared at the last Commission meeting to object to erection of such apartment with a 25 foot setback) whereby the west apartment under construction was to be set back from the street an additional 4 feet, and stated that Mr. Morris, the objector, was satisfied with this arrangement. The Commission agreed that no further action should be taken in the matter, providing the owner of the adjoining property expressed his agreement to the compromise arrangement.

A general discussion was then had on amending the Zoning Ordinance to clarify the provision concerning front setbacks in apartment areas where there were existing buildings in the block. The Commission asked the Zoning Board to study this question, and to make recommendations for an ordinance amendment providing for minimum and maximum setbacks in apartment areas regardless of existence of buildings in the block.

Mr. William J. Hester, Miss Marion Manley, Dean Doren Tharp and Mr. Sid Maynard, representing the University of Miami, appeared before the Commission to discuss the designation of areas within the city wherein construction of fraternity and sorority houses will be permitted. At the present time the Zoning Ordinance does not permit fraternity or sorority houses in any part of the city, with the possible exception of the University of Miami campus. Mr. Hester stated that the University felt that there should be a designation of an area wherein such construction would be permitted, although the University had no preference as to locations. He pointed out that the University expected an attendance of some ten thousand students during the next school year, and

that it appeared obvious that there would be a need for fraternity and sorority locations in the very near future.

After a general discussion the Secretary of the Zoning Board was directed to advertise a public hearing, to be held before the Zoning Board September 13, 1948, on the question of zoning Blocks 183, 184, 185, 186, 188, 189, 190, 193 and 194, Riviera Section, for fraternity use.

The meeting was then turned over to a joint meeting between the Commission and members of the special committee on off-street parking.

The following members of the special committee were present: Mr. W. G. Ward, Chairman, M. B. Garris, Herbert Brown, Roy Page and Phil Laurence.

Mr. Mark Chartrand of the Wometco theatre company was also present.

Mr. Page declared that he had talked to owners of several sites available for off-street parking, and had found that the owners desired that the sites be pooled and so handled that all benefited property owners would bear a fair share of cost of such lots. He suggested the formation of some sort of organization of the merchants and lot owners through which the expense of acquiring such lots might be apportioned among property owners and merchants on the basis of benefits received from such parking lots, and through which organization such lots might then be conveyed to the city.

Commissioner Holley spoke against any reduction of street parking spaces on Coral Way, and stated that the city should keep all such available spaces and at the same time try to acquire additional off-street parking facilities.

Mr. Chartrand stated that his company felt that acquisition of parking areas was more important than the beautification of Coral Way, and while his company was in favor of such beautification, it believed that the latter plan should be deferred at the present time and all emphasis placed on acquisition of parking areas.

Mr. Ward stated that there might be legal difficulties involved in pledging any part of on-street parking meter revenue for acquisition of off-street parking lots. Mr. Ward recommended a program of acquiring parking lot sites as they were or became available, and where they were most needed, rather than trying to purchase all possible sites on one program. He also declared that he felt that financing must be privately done through merchants or property owners most interested and most affected by the parking problem. The City Attorney and Mr. Ward both suggested that the purchase price of parking sites might be paid for by the city by means of a purchase money mortgage

with the notes payable over a specific period solely out of revenue of the lots, or by lease option agreement, or by some similar method to be agreed upon where- by the purchase price is to come from lot revenues and is not to be a general obligation of the city. It was also pointed out that any mortgage or purchase payments could bear some nominal rate of interest to make the offer more attractive.

After further discussion it was agreed that the city should employ some agent who could work out the details of acquisition and financing of parking lot sites. It was agreed that Mr. A. B. Morrison would be approached to act as special agent of the city in this respect.

Mayor Phillips then appointed a committee consisting of the City Manager and Mr. Ward who, with Mr. Morrison, should proceed to contact owners of desirable sites and attempt to arrange acquisition and financing of such sites.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips  
MAYOR  
W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman

WHEREAS, bids have been received for truck for use, with aerial ladder equipment, for the Fire Department as follows: (without bid)

Bidder	Delivery with body, 2 - 4 months	\$1,475.00
Bidder	Delivery with body, 2 - 4 months	\$1,317.00

AND WHEREAS, bids have been received for a two-door sedan for use as a police patrol car, as follows:

Bidder	Delivery - 15 days	\$1,707.00
Bidder	Delivery - 30 days	\$1,940.00

WHEREAS, the City is now operating several Ford vehicles, the mechanics are trained in Ford maintenance, and the City has a stock of Ford parts on hand,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the bids of Huskamp Motor Company and/or its affiliate corporations for a Ford three-quarter ton heavy duty truck and for a Ford two-door sedan are hereby declared to be the most advantageous bids to the City.

ADA210

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
AUGUST 17, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, August 17, 1948. Mayor Phillips in the Chair; Commissioners Healy, Holley and Mayes present; Commissioner Hendrick absent.

Minutes of the regular meeting of August 3, 1948 and of the special meeting of August 10, 1948 were approved as read.

Mr. S. E. Giffen and Mr. M. L. Neher appeared before the Commission concerning installation of a railroad spur track in the alley in Blocks 3 and 7, Industrial Section, for which authority had been granted December 16, 1947 by Resolution 2977, subject to removal of part of the building of the Model Laundry Company encroaching upon the alley. Mr. Giffen declared that location of utilities prevented construction of the spur track on the center line of the alley or on the west side of the alley; and that the track could not be built upon the east side of the alley because of the encroachment of an underground fuel tank owned by Mr. Neher's company. The matter was referred to the City Manager to work out some agreement satisfactory to all parties by removal of the tank from the alleyway.

RESOLUTION NO. 3095

A RESOLUTION AUTHORIZING THE PURCHASE OF A FORD  
THREE-QUARTER TON TRUCK AND A FORD TWO-DOOR SEDAN  
FOR THE DEPARTMENT OF PUBLIC SAFETY.

WHEREAS, bids have been received for a three-quarter ton truck for use, with aerial ladder equipment, by the Fire Department electrician as follows: (without body)

Dodge	\$1,317.00	Delivery with body, 5 - 6 months
Ford	\$1,472.00	Delivery with body, 2 - 4 months

AND WHEREAS, bids have been received for a two-door sedan for use as a police patrol car, as follows:

Dodge	\$1,940.00	Delivery - 30 days
Ford	\$1,709.00	Delivery - 15 days

WHEREAS, the City is now operating several Ford vehicles, its mechanics are trained in Ford maintenance, and the City has a stock of Ford parts on hand,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the bids of Huskamp Motor Company and/or its affiliate corporations for a Ford three-quarter ton heavy duty truck and for a Ford two-door sedan are hereby declared to be the most advantageous bids to the City.



2. That the City Manager is hereby authorized to purchase from the Huskamp Motor Company or its affiliates, one three-quarter ton heavy duty Ford truck at a price not to exceed \$1,472.00, F.O.B. Cleveland, Ohio, at the plant of the American Coach and Body Company; and one Ford two-door sedan at cost not to exceed \$1,709.00, F.O.B., Coral Gables.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager advised that installation of a three-phase traffic light should be completed at Douglas Road and S.W. 8th Street by August 31. He stated that the cost of the light was to be divided evenly between the City of Miami and the City of Coral Gables; that the City of Miami was to pay for installation and operation of the light; and that the City of Coral Gables is to take care of maintenance of the light. The Commission authorized the City Manager to have buttons or a center strip installed at the intersection to establish traffic lanes on any plan approved by him.

#### RESOLUTION 3096

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO TWIN COACH FORTY-PASSENGER BUSES.

WHEREAS, proposals have been received for the purchase of buses as follows:

MAKE OF BUS	DELIVERY PRICE PER BUS F.O.B. FACTORY
Reo - 37 Passenger	\$12,403.00
ACF-Brill - 44 Passenger	15,370.00
ACF-Brill - 36 Passenger	13,257.00
Mack - 41 Passenger	15,429.00
Mack (Diesel) 41 Passenger	15,929.00
Twin Coach - 40 Passenger	13,849.00
White - 40 Passenger	14,721.75

WHEREAS, a 40-Passenger bus is recommended and desired in the City transportation system and the bid of the Twin Coach is the lowest bid therefor and the most advantageous bid to the City and;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized to purchase two forty-passenger Twin Coach buses at a price not to exceed \$13,849.00 each, F.O.B. factory.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager reported that Mr. John Lamb had requested approval of a plat of resubdivision of Block 64, Country Club Section 4. The matter was referred to the City Attorney for investigation to ascertain whether or not this block had ever been dedicated as public property.

Action upon bids for paving work under Local Improvement A-5 was deferred.

#### RESOLUTION 3097

A RESOLUTION ACCEPTING THE BID OF TROUP BROS., INC. FOR PAVING WORK IN THE CITY OF CORAL GABLES DESIGNATED AS LOCAL IMPROVEMENT H-59; AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to the City Charter the City Clerk has advertised for bids on the street paving designated as Local Improvement H-59, and bids were received as follows:

NAME	PRICE PER SQ. YARD
Troup Bros., Inc.	\$ .65
Brooks Paving Company	.67
Williams and Stockton	.80
McFarlin Construction Company	.97
Belcher Oil Company	1.13
W. T. Price Dredging Corp.	1.30

AND WHEREAS, the bid of Troup Bros., Inc. is low, and fully meets the specifications ordered,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. The above recited bid of Troup Bros., Inc. be and the same hereby is determined to be the lowest and most advantageous bid to the City, and is hereby accepted.

2. That the City Manager and City Clerk be, and they hereby are, authorized to execute a contract with the said Troup Bros., Inc. for work authorized under Resolution 2903 and designated as Local Improvement H-59, based upon the above bid and subject to the conditions and provisions of the Charter of the City.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

#### RESOLUTION 3098

A RESOLUTION ACCEPTING THE BID OF LEACH CONSTRUCTION COMPANY FOR CONSTRUCTION OF MAHI CANAL BRIDGE; REJECTING ALL BIDS FOR CONSTRUCTION OF BRIDGE APPROACHES, AND AUTHORIZING CONSTRUCTION THEREOF ON A PURCHASE AND HIRE BASIS; AND MAKING AN ADDITIONAL APPROPRIATION THEREFOR.

WHEREAS, bids have been received for the removal of the existing bridge and for construction of a monolithic type concrete bridge over the Mahi Canal on Granada Boulevard between Avenue Alfonso and South Alhambra Circle, as follows:

NAME	AMOUNT
Leach Construction Co.	\$30,569.65
W. T. Price Dredging Co.	31,500.00
Ebsary Foundation Company	31,600.00
Atlantic Construction Co.	33,875.00
Geo. E. Bunnell, Inc.	33,900.00
Reed Construction Corp.	38,560.00
H. B. Stringfellow	39,401.50

All of said bids being upon specifications furnished by the City and none of said bids including cost of bridge approaches; and

WHEREAS, bids have also been received for the construction of the approaches for said bridge.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the bid of Leach Construction Company is hereby determined to be the lowest and most advantageous bid to the City, and is hereby accepted.
2. That the City Manager and City Clerk are hereby authorized and directed to enter into a contract with said company in accordance with the said bid.
3. That all bids received for the construction and bridge approaches are hereby rejected, and the City Manager is hereby authorized and directed to have such approaches constructed on a purchase and hire basis.
4. That the necessary amount for construction of the above bridge and bridge approaches, over and above the amount of \$28,000.00 appropriated therefor in the 1948-1949 Appropriation Ordinance, is hereby appropriated from the Trust Fund Road and Bridge Reserve.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager reported receipt of a letter from the Chamber of Commerce advising that the Chamber had authorized the expenditure of \$170.00 from the Publicity Fund for the decorating of entrances to the City for the American Legion National Convention to be held in Miami in October, and recommending that the City expend \$125.00 for decoration of the City Hall.

#### RESOLUTION 3099

A RESOLUTION APPROPRIATING ONE HUNDRED AND TWENTY-FIVE DOLLARS FOR DECORATION OF THE CITY HALL FOR THE AMERICAN LEGION NATIONAL CONVENTION, OCTOBER, 1948.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That One Hundred and Twenty-five Dollars be, and the same is hereby appropriated, from the General Contingent Fund, for decoration of the City Hall for the American Legion National Convention, October, 1948.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

#### RESOLUTION 3100

A RESOLUTION PERMITTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its meeting of August 13, 1948 has recommended that the following exceptions to provisions of Ordinance 271, known as the "Zoning Ordinance" be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same are hereby granted:

1. Permit construction of office on Lot 30 and the west ten feet of Lot 29, Block 26, Crafts Section, having an average of 634 cubic feet per front foot instead of the required 750 cubic feet.

2. Permit erection of an apartment on Lots 13 and 14, Block 6, Section L, covering forty-nine per cent of the area of the lot. instead of thirty-five per cent now zoned.

3. Permit construction of four residences facing north and south, instead of east and west as now zoned, on Lots 1, 2, 29 and 30, Block 185, Riviera Section.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk noted the receipt of a letter from the Chamber of Commerce notifying the Greater Miami Philharmonic Society that no funds could be allocated to the Society from the City and Chamber of Commerce advertising and publicity appropriation, until the Society reorganizes on a business-like basis in an attempt to become self sustaining.

RESOLUTION 3101

A RESOLUTION APPOINTING MABEL F. CRISP AS DEPUTY CITY CLERK.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Mabel F. Crisp be, and she hereby is, appointed as Deputy City Clerk of the City of Coral Gables, with full power of certification of official city records.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION 3102

WHEREAS, Babe Ruth has for years been known and admired by millions of Americans as the outstanding figure in our great national game of baseball, and, since his retirement as an active player, as an idol and leader of of American "kids", whom he loved and whose best interests were always first in his thoughts; and

WHEREAS, the great heart and spirit of Babe Ruth was forcefully shown to this city only a few months ago, when, inspite of his mortal illness, he appeared in Coral Gables to officiate at an exhibition golf match sponsored by this city for charity purposes, and by his very presence to insure the success of the event; and

WHEREAS, God Almighty, in His Infinite Wisdom, has seen fit to take from us that outstanding sportsman, leader and friend, Babe Ruth;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That this Commission does hereby express, on behalf of its members and of the people of the City of Coral Gables, its deep sorrow at the passing of Babe Ruth, and its sympathy and condolences to his bereaved family:

That a certified copy of this resolution be sent to Mrs. Ruth, to convey to her this expression of the gratitude, esteem and respect which Babe Ruth so well earned from this community.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Holley and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman

W. Keith Phillips  
MAYOR  
W. Keith Phillips

ADA210

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
SEPTEMBER 7, 1948.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, September 7, 1948. Vice Mayor Holley in the Chair; Commissioners Healy, Hendrick and Mayes present. Mayor Phillips absent.

Minutes of the regular meeting of August 17, 1948 were approved as read.

RESOLUTION NO. 3103

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR PAVING OF MILLER ROAD ON UNIVERSITY OF MIAMI CAMPUS; AND AUTHORIZING EXECUTION OF CONTRACT THEREFOR.

WHEREAS, the City Clerk has advertised for bids for paving of Miller Road on the University of Miami campus, and for construction of necessary culverts and sleeve, and bids were received as follows:

<u>Company</u>	<u>Price Per Square Yard Paving</u>	<u>Culverts</u>
Troup Bros., Inc.	\$ .70	\$2,908.90
Belcher Oil Company	.89	2,870.00
D. M. Papy	.92½	2,700.00
Brooks Paving Company	1.05	2,998.00
McFarlin Construction Company	1.53	3,727.19

AND WHEREAS, the bid of the Troup Bros. Inc. is low and fully meets specifications ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest bid and is hereby accepted.

2. That the City Manager and City Clerk be, and they hereby are, authorized to execute a contract with said Troup Bros. Inc. for paving of Miller Road on the University of Miami campus, and for construction of necessary culverts and sleeve in connection therewith, in accordance with the terms of the above bid.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

RESOLUTION NO. 3104

A RESOLUTION ACCEPTING THE BID OF McFARLIN CONSTRUCTION COMPANY FOR SURFACING OF STREET IN THE CITY OF CORAL GABLES DESIGNATED AS LOCAL IMPROVEMENT H-61; AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to the City Charter the City Clerk has advertised for bids for surfacing of street designated as Local Improvement H-61, and bids were received as follows:

<u>Name</u>	<u>Cost Per Square Yard</u>	<u>Start and Finish Work</u>
McFarlin Construction Company	\$ .12 $\frac{1}{2}$	5 days - 2 days
D. M. Papy	.12 $\frac{1}{2}$	10 days - 6 days
Belcher Oil Company	.13	5 days - 10 days
Troup Bros. Inc.	.14	5 days - 10 days
Brooks Paving Company	.35	10 days - 20 days

AND WHEREAS, the bid of the McFarlin Construction Company is low, and fully meets the specifications ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the above recited bid of the McFarlin Construction Company is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be, and they hereby are, authorized to execute a contract with the said McFarlin Construction Company for work authorized under Resolution No. 3068 and designated as Local Improvement H-61, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

#### RESOLUTION NO. 3105

#### A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-58.

WHEREAS, the Commission of the City of Coral Gables met at 8:00 o'clock P.M., September 7, 1948, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-58, and no objections were voiced;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-58 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$7,891.63	Apportioned to abutting
Apportioned to City	<u>1,196.59</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.9183
abutting property	\$6,695.04	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable October 15, 1948, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November of each of the years 1948, 1949 and 1950, provided that the owner thereof shall file with the City Manager, on or before October 15, 1948, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 per cent per annum from October 15, 1948.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

Mr. Roy Page appeared before the Commission concerning plans in progress to acquire sites for off-street parking lots. The City Manager presented to the Commission a preliminary report on this subject, prepared by Mr. A. B. Morrison, who is acting as special agent of the city in this program. Mr. Morrison's report recommended the financing of such lots by merchants through some voluntary organization among themselves. Mr. Page explained a plan whereby non-profit corporations would be formed by merchants to acquire sites for deeding to the city. He was requested to try to organize merchants under this or a similar plan.

Mr. Page also presented a petition of property owners requesting the paving of the alley in Block 36, Section K. The matter was deferred until the next meeting of the Commission.

Mr. E. N. Claughton of the Claughton Theatres, appeared to request authority to permit smoking in the rear 16 rows on each side of the new Trail Theatre. He explained that there was an aisle completely around each of these sections, and that fire extinguishers were placed in each section. He also agreed to have the seats in such sections flame-proofed.

RESOLUTION NO. 3106

A RESOLUTION AUTHORIZING THE TRAIL THEATRE  
TO PERMIT SMOKING IN CERTAIN SECTIONS OF  
THE THEATRE ON A TRIAL BASIS FOR 90 DAYS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the Claughton Theatres are hereby authorized  
to permit smoking in the rear 16 rows on each side of the



new Trail Theatre for a trial period of 90 days hereafter, upon the condition that all seats in said sections be flame-proofed.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

Mr. Claughton also inquired concerning the status of the traffic light to be installed at Southwest 8th Street and Douglas Road. The City Manager stated that the delay in installation was due to the City of Miami, but he hoped that the light would be installed within a short time. Mr. Claughton requested, and the Commission authorized, the City Manager to place traffic buttons to denote traffic lanes at such intersection prior to the installation of the light.

Mr. H. F. Doughty appeared before the Commission to call attention to the fact that there was a mud ridge in the middle of the Coral Gables waterway at the site of the old Sunset Rock Plant, such material having been left in the canal at the time the site was cleaned. The City Manager stated that Dade County forces had agreed to clean out the canal, and should eliminate this situation within the next 30 to 60 days. In the meantime the City Manager was authorized to place markers in the canal to denote the obstruction.

Mr. Doughty also stated that the Riviera Property Owners Association strongly recommended the passage of an ordinance requiring all boats moored in the waterway to be registered at the Police Department. He suggested that written permission of the owners of the land along the canal be requested before non-owners' boats could be moored upon such property. He recommended such a regulatory ordinance as a means of preventing thefts and damage to boats along the canal. The matter was referred to the City Attorney.

Mr. Doughty also recommended the lowering of zoning in Blocks 92 and 128 along the canal.

The City Manager reported that Mr. Charles Fuchs had requested permission to install utility service to Lots 1 and 2, Block 257, Riviera Section (southeast corner of Hardee Road bridge) to service his boat moored at that location. Mr. Fuchs agreed that the electrical conduits would be placed under ground, and that some satisfactory structure or cover would be erected over the outlet. The Commission approved this request and authorized the installation of such utility service prior to the construction of any building on such lots, with authority to the City Manager to prescribe specifications of such installation, and on specific condition that the utility lines be installed under ground.

Mr. Gilbert Chapman appeared to request an exception to the Zoning Ordinance to permit erection of apartments on Lots 14 to 18, Block 30, Biltmore Section, having a front setback of 15 feet. This request had been approved at a special meeting of the Zoning Board held September 7th in spite of the existence of a building in such block having a front setback of 35 feet. The Commission felt that the owner of the adjacent lots, who had verbally expressed his objection to such exception, should be given an opportunity to voice his objections thereto before the Commission in person, and declared that a special meeting of the Commission should be called for such a hearing.

RESOLUTION NO. 3107

A RESOLUTION CALLING A SPECIAL MEETING OF THE COMMISSION FOR 5:00 O'CLOCK P.M., THURSDAY, SEPTEMBER 9, 1948.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That a special meeting of the City Commission is hereby called to be held at 5:00 o'clock P.M., Thursday, September 9, 1948, for the purpose of considering an exception to the Zoning Ordinance concerning erection of apartments on Lots 14 to 18, Block 30, Biltmore Section; and for such other business as may come before the meeting.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

RESOLUTION NO. 3108

A RESOLUTION AUTHORIZING THE PURCHASE OF A FORD THREE-YARD DUMP TRUCK FOR THE BILTMORE GOLF COURSE.

WHEREAS, bids have been requested and received for a three-yard dump truck for use at the Biltmore Golf Course as follows:

<u>Company</u>	<u>Make</u>	<u>Vehicle Gross Weight</u>	<u>Price</u>
Andrews Federal Truck Co.	Federal	13,500	\$2,894.48
All Miami Motors	Ford F5	14,000	2,510.37
Huskamp Motor Company	Ford F6	15,500	2,757.75
Tutan Motors, Inc.	Dodge	13,500	2,449.00
" " "	Dodge	16,500	2,987.00
Nolan Brown	White	15,000	3,403.25
Freeman and Sons	Reo	16,000	2,862.91
Thiel Chevrolet	Chevrolet	16,000	2,829.85
Howe Moredock	International	13,500	2,642.15

(Federal, Ford F6 and Reo trucks having two speed rear axle)

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the bid of the Huskamp Motor Company for Ford F6 three-yard dump truck is hereby determined to be the lowest and most advantageous bid to the city, considering the type of equipment desired and best suitable for the purpose.

2. That the City Manager is hereby authorized to purchase from the Huskamp Motor Company one three-yard Ford F6 dump truck at a price not to exceed \$2,757.75 FOB Coral Gables.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

The City Manager presented a request of the Miami Transit Company to operate its bus route No. 34 from Coconut Grove through Coral Gables to the 20th Street Airport and Miami overhaul base, with a stop at the city bus terminal to pick up and discharge passengers for the terminal points of the line, and with no other service to be furnished. The City Manager was authorized to permit such operation on a trial basis for 90 days, and to continue the same if it proved satisfactory.

The City Manager reported that the Police Department had investigated a complaint that rooming houses were being conducted at 914, 918 and 930 Avenue Malaga. The police reported that a continuous eight-day check of these locations was made; that no rooms were being rented at 914 and 918 Avenue Malaga; and that the owner of 930 Avenue Malaga was renting one room. In addition, a relative of the owner of 930 Avenue Malaga was living rent-free in the garage apartment at that address.

Commissioner Hendrick reported that he had received further complaints concerning the alleged use of residence at 501 Alhambra Circle as a fraternity house. The City Manager was directed to check this situation.

The City Manager reported that Mr. S. A. Naughton, 629 Avenue Palermo, had objected to the increase of garbage fee on the ground that he had been absent from the city when notices of the increase were sent out. The Commission declined to make any adjustment in the matter.

The City Manager reported a change in the plans for remodeling the Police and Fire Station to relocate the kitchen and dining room. He stated that he now planned to eliminate construction of an extra room in the areaway behind the station by moving the present office to a front room now used by the Fire Prevention Bureau, and cutting a door into such offices from the west side of the building. He stated that this plan would result in a saving over the budget figure, and requested and was granted permission to purchase new furniture and fixtures for the office with the savings effected.

Commissioner Hendrick stated that members of the Police and Fire Departments requested the city to advance \$250 to defray expenses of a pistol team to attend the State Pistol Meet to be held at St. Petersburg, September 16

and 17. The Commission approved the general plan of sending city representatives to such meets, but felt that because city teams had been to two such meets within the past five months, at considerable cost, any further expenditure at this time was not possible. It was suggested that the department head plan an annual program in this respect in advance so that it might be considered at the time the budget was prepared.

The City Manager requested approval of installation of a 1000 lumen overhead street light at a point on Granada Boulevard approximately 400 feet north of Sunset Road, no installation charge, annual cost of operation to be \$18.00 per year. The request was approved.

ORDINANCE NO. 574

AN ORDINANCE AMENDING SECTION 28 OF ORDINANCE NO. 514, KNOWN AS THE OCCUPATIONAL LICENSE ORDINANCE, BY ADDING THERETO THE CLASSIFICATION "PAWN BROKER", AND FIXING A LICENSE FEE THEREFOR; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

Thereupon Vice Mayor Holley declared the ordinance passed and adopted and ordered its publication as Ordinance No. 574.

Commissioner Mayes stated that he had had several conferences with Municipal Judge Robertson, and that Judge Robertson recommended the retention of a special attorney for the city to prepare a set of proper warrant forms for violations of city ordinances, and for the prosecution of cases in the Municipal Court when considered necessary. The City Manager was directed to contact qualified attorneys concerning preparation of a set of model warrant forms.

There being no other business the meeting was adjourned.

APPROVED:

*Frank N. Holley, Jr.*  
VICE MAYOR  
Frank N. Holley, Jr.

ATTEST:

*E. B. Poorman*  
CITY CLERK  
E. B. Poorman

MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
SEPTEMBER 9, 1948.

The Commission of the City of Coral Gables convened in special session at the City Hall at 5:00 o'clock P.M., Thursday, September 9, 1948, pursuant to call of such meeting at the regular meeting of September 7th. Vice Mayor Holley in the Chair; Commissioners Healy, Hendrick and Mayes present. Mayor Phillips absent.

Mr. F. J. Neff and Mr. Delbert F. Edwards appeared before the Commission to request financial assistance in sending the Police and Fire Department pistol team to the state pistol matches.

RESOLUTION NO. 3109

A RESOLUTION APPROPRIATING \$250.00 TO  
SEND A POLICE AND FIRE DEPARTMENT  
PISTOL TEAM TO STATE PISTOL MATCHES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That \$250.00 is hereby appropriated out of the General Contingent Fund of the city to defray the expense of sending the Police and Fire Department pistol team to the state pistol matches at St. Petersburg, Florida, September 16 and 17.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

Representatives of the South Miami Methodist Church appeared to request permission to build their new church in Block 196, Riviera Section, over part of the present alley in such block, agreeing to dedicate Lot 35 thereof as a new outlet for the alley. The City Manager pointed out that this had been agreed to by the Commission at its meeting of June 15, 1948, when an ordinance vacating the alley was put on first reading, providing that the church and Florida Power and Light Company could reach an agreement concerning relocation of power lines now in the portion of the alley requested to be vacated. Mr. William Fuller of the Florida Power and Light Company was present and stated that such an agreement was now under negotiation. The Commission declared that it would take necessary action when the Florida Power and Light Company informed the City Manager in writing that it agreed to the dedication and released all its rights to the vacated alley.

The meeting was then turned over to a hearing on the requested exception to the Zoning Ordinance to permit erection of apartments on Lots 14 to 18

inclusive, Block 30, Biltmore Section, with a front setback of 15 feet, such exception having been recommended by the Zoning Board at a special meeting September 7, 1948. Mr. A. Fortunata, owner of the apartment situated on Lots 12 and 13, having a setback of 35 feet, and his attorney, Mr. T. H. Engelhardt, appeared to object to the allowance of the exception. Mr. Samuel Spector and Mr. Gilbert Chapman appeared to support the request for the exception. After a lengthy discussion the following resolution was presented and read:

RESOLUTION NO. 3110

A RESOLUTION GRANTING THE FOLLOWING EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its special meeting September 7, 1948 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit erection of apartments on Lots 14 to 18 inclusive, Block 30, Biltmore Section, having a front setback of 15 feet.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

Representative Okell appeared to request financial assistance from the city to defray the expense of providing an entertainment program for members of the State Legislature and high state officers, for 3 days beginning December 3rd. The program will be designated as being under the auspices of Dade County and the Cities of Miami, Miami Beach and Coral Gables, which governmental units were bearing the cost thereof. He stated, and the Commission agreed, that such program should be very beneficial toward securing the support of the Legislature to locate the state medical school in Dade County, and in furthering requests for state financial aid for cities.

RESOLUTION NO. 3111

A RESOLUTION APPROPRIATING \$500.00 TOWARD DEFRAYING THE EXPENSE OF AN ENTERTAINMENT PROGRAM FOR THE STATE LEGISLATURE AND HIGH STATE OFFICERS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That \$500.00 is hereby appropriated from the General Contingent Fund to assist in defraying the expense of a three-day entertainment program in Dade County beginning December 3, 1948, for members of the State Legislature and high state officers.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

The City Manager reported that he had received information that Phi Epsilon Pi Fraternity was planning to use the house at 501 Alhambra Circle as a fraternity house. He stated that he had been in contact with University authorities and he believed the University was giving no support to this proposed plan. The City Commission urged the City Manager to take every possible step toward stopping such use, and to consult with the University in this respect. In the event negotiations were unsuccessful in preventing the use of such location as a fraternity house, the Commission authorized the City Attorney to institute legal proceedings to enjoin such use.

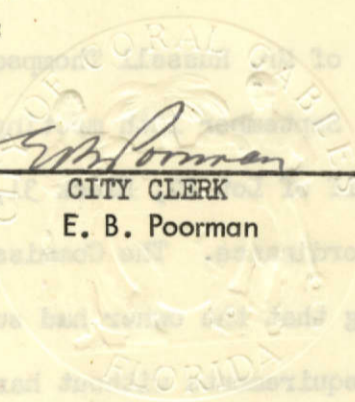
There being no other business the meeting was adjourned.

APPROVED:

*Frank N. Holley, Jr.*  
VICE MAYOR  
Frank N. Holley, Jr.

ATTEST:

*E. B. Poorman*  
CITY CLERK  
E. B. Poorman



ADA240

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
SEPTEMBER 23, 1948

Due to the hurricane the regular meeting of September 21, 1948 was postponed to September 23, 1948.

The Commission convened in regular session at 8:00 o'clock P.M., Thursday, September 23, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

The minutes of the regular meeting of September 7, 1948, and the special meeting of September 9, 1948, were approved as read.

The City Manager declared that Mr. John Lamb, owner of Block 64, Country Club 4, had requested, in connection with the proposed replat of Block 64, that the city deed to him Block 65 and 66 (small triangles in the street at the northwest and northeast corners of Block 64) in trade for two tracts in said block south of the canal, to be deeded to the city for park purposes. Mr. Lamb also agreed to widen the canal right of way when Block 64 was replatted. By such transfers Mr. Lamb desires to square off the north end of Block 64. Mr. F. B. Palbicke, 3310 Alhambra Circle and Mr. Robert Crowe, 3416 Alhambra Circle, appeared to object to the deeding of Block 65, and to the resulting narrowing of the intersection of Alhambra Circle and Salvatierra Drive. The matter was referred to the City Manager to work out some arrangement satisfactory to Mr. Lamb and to the objecting property owners.

Mr. William Merrian appeared, on behalf of Mr. Russell Thompson, to appeal from the ruling of the Zoning Board at the September 13th meeting, denying a request to construct a building on the south half of Lot 17, Block 31, Section L, having less depth than required by the zoning ordinance. The Commission affirmed the ruling of the Zoning Board, declaring that the owner had sufficient area available in the entire lot to meet zoning requirements without hardship.

Mr. H. F. Doughty appeared to ask for a review of the public hearing held for rezoning Blocks 92 and 128, Riviera Section. Mr. Doughty explained that he felt that improvements on this property had been retarded due to its high zoning, and recommended that the zoning in Block 92 be reduced from 2500 square feet to 2000 square feet, and that Block 128 be reduced to 3045 square feet to 2500 square feet. It was noted that a public hearing had been held before the Zoning Board in June 1948 upon rezoning of waterway lots and that action thereon had been deferred. On motion of Commissioner Hendrick, seconded by Commissioner Mayes and unanimously passed, it was directed that a public hearing be held by the Commission, jointly with the Zoning Board, to consider a possible revision



of zoning of all lots bordering upon the waterway south of U. S. Highway No. 1. The Zoning Board was also requested to study the zoning requirements of waterway lots north of U. S. Highway No. 1 with a view of possible revision thereof, and to present their findings to the Commission.

Mr. Franklin Parson, who had been requested to examine the police ordinances of the city in connection with preparation of model warrant forms for use in the Municipal Court, appeared to discuss the matter with the Commission. He recommended that all traffic and police ordinances be codified, and that model current forms be prepared from the revised ordinances. He stated that he would be able to do this work for a fee not to exceed \$2,000. The matter was deferred for further study.

Superintendent of Transportation Chester E. Smith discussed with the Commission the proposed changes in the Riviera bus route and the addition of a new Industrial Section route to serve the Industrial Section, the University of Miami housing project, and Hardee Road.

RESOLUTION NO. 3112

A RESOLUTION AUTHORIZING ADDITIONS  
AND CHANGES OF BUS ROUTES AND  
MAKING APPROPRIATIONS THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That changes in the Riviera bus route and the addition of a new Industrial Section route as outlined by Superintendent of Transportation Chester E. Smith are hereby approved, and that the necessary amount to meet expenses of such operations is hereby appropriated from unappropriated revenue to be derived therefrom.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. H. George Fink appeared to request the advice of the Commission concerning policies now being followed by the Board of Architects, wherein such Board was refusing to approve modernistic styles of architecture for residential buildings in the city. Mr. Fink said that a good deal of pressure was being brought on the Board of Architects to permit such type of architecture in the city, and declared that the Board was following a policy of requiring strict adherence to Mediterranean and allied types of architecture. The Commission expressed its approval of this policy, and directed that the Board of Architects continue its stand in the matter.

The matter of sign regulations was also discussed with Mr. Fink, and he stated that the Board of Architects would present its recommendations for

revised regulations concerning signs in the near future.

RESOLUTION NO. 3113

A RESOLUTION ORDERING LOCAL IMPROVEMENT A-6.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That a local improvement described and designated as follows shall be made under Section 62, Chapter 13972, Special Acts of Florida, 1929, as amended:

Paving the east and west alley in Block 36, Section K, of Coral Gables, running from Salzedo Street to LeJeune Road, with a 6" compacted lime rock base, primed and sealed with asphaltic oils and sand finished, to a width of 20', at an estimated cost of \$1,167.54.

2. That the cost of such improvement, except the portion of such alley on city owned parkway, which shall be borne by the city, shall be defrayed by special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such alley, on a frontage basis, which said property is hereby designated Improvement District A-6.

3. That said special assessment shall be payable 30 days after confirmation of such assessment roll, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida, 1929, as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3114

A RESOLUTION DIRECTING CITY OFFICERS TO PROCEED WITH LOCAL IMPROVEMENT H-60.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the proper city officers be and they hereby are authorized and directed to advertise for a public hearing for the confirmation of Local Improvement H-60, and to proceed with the paving of Avenue Catalonia as described in said local improvement, regardless of claims of private ownership of part of the street right of way; providing that the owners of adjoining and benefited property put up with the city a \$1,500 surety bond, to be approved by the City Attorney, conditioned upon saving the city harmless from any damages or expenses incurred because of the alledged private ownership of part of the street right of way.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

## RESOLUTION NO. 3115

A RESOLUTION REQUIRING CONSUMERS WATER COMPANY TO SHOW CAUSE AT THE TIME AND PLACE HEREIN SPECIFIED WHY RATES AND OTHER CHARGES NOW BEING CHARGED AND COLLECTED BY SAID COMPANY FOR WATER SERVICE RENDERED WITHIN THE CORPORATE LIMITS OF THE CITY OF CORAL GABLES SHOULD NOT BE REDUCED; AUTHORIZING AND DIRECTING THE CITY CLERK TO SEND DULY AUTHENTICATED COPIES OF THIS RESOLUTION BY REGISTERED MAIL TO THE PRESIDENT AND TO THE MANAGER OF CONSUMERS WATER COMPANY.

WHEREAS Consumers Water Company (herein sometimes called the "Company") is a public utility company and, as such, is rendering water service within the corporate limits of the City of Coral Gables under and subject to the valid provisions of Ordinance No. 26, passed and adopted on March 24, 1926, and ordinances and resolutions amendatory thereof and supplemental thereto, and

WHEREAS the Company placed in effect on or about August 1, 1948, and is now charging and collecting rates and charges for water service higher than the rates and charges prevailing for such service prior to August 1, 1948, and

WHEREAS such higher rates and charges were established and made effective by the Company without the official sanction or approval of the City Commission, and

WHEREAS, under the provisions of the charter of the City of Coral Gables, the City Commission is invested with full power and authority to establish, impose and enforce rates and charges for water service rendered or furnished by any person, firm or corporation within the corporate limits of the City, and

WHEREAS, in consequence of such provisions of the city charter, the rates and charges to be charged and collected by the Company for water service rendered within the corporate limits of the City are subject at all times to the regulatory authority and control of the City Commission, and

WHEREAS it is the belief of the members of the City Commission that the rates and charges which the Company is charging and collecting for such water service may be excessive and therefore, in the interest of the public, should be reduced by the City Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. That Consumers Water Company is hereby required to show cause at a public hearing to be held at 10:00 o'clock A.M. on November 9, 1948, at the regular meeting place of the City Commission in the City Hall, Coral Gables, Florida, why the rates and other charges now being charged and collected by said Company for water service rendered within the corporate limits of the City of Coral Gables should not be reduced upon the ground that such rates and charges are excessive and contrary to the public interest.

Section 2. That the City Clerk is hereby authorized and directed to send duly authenticated copies of this resolution by registered mail to the President and to the Manager of Consumers Water Company.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager was directed, pursuant to the authority of Resolution No. 3089, to retain a competent utility accountant to represent the city in the examination of the records of the Consumers Water Company.

The City Manager noted the receipt of a letter from the Chamber of Commerce inquiring the reason for the different regulations concerning the installation of fuel oil and bottle gas tanks. He explained that Ordinance 55 requires that fuel oil tanks be enclosed in a masonry structure, whereas there are no such requirements for bottle gas tanks, all of which resulted in some discrimination against dealers in the fuel oil appliances. The matter was referred to the City Manager to secure and recommend a form ordinance prescribing reasonably equal regulations for both types of installation.

The City Manager presented a bill from the Dade Commonwealth Title Insurance Company for title guarantee policy in the amount of \$71.35. He explained that this bill had been incurred in connection with the trade of lands between the city and Miami Corporation, in the establishment of public parks along the waterway at Cocoplum Plaza.

RESOLUTION NO. 3116

A RESOLUTION AUTHORIZING THE PAYMENT  
OF BILL FOR TITLE GUARANTEE POLICY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the payment of \$71.35 to the Dade Commonwealth Title Insurance Company for title guarantee policy, incurred in connection with the trade of lands between the city and the Miami Corporation in the establishment of public parks along the waterway, is hereby approved, and the necessary amount therefor is hereby appropriated from the General Contingent Fund.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted receipt of a letter from Mrs. John P. Byrne requesting financial assistance from the city. Mr. Byrne, a former employee of the Police Department, had been on a disability annuity at the time of his death in July, 1948. The City Manager declared that there appeared to be no way in which the city or retirement system could assist Mrs. Byrne.

The City Manager explained to the Commission that he had talked with Dr. Pearson, and had written a letter to Dr. Ashe, requesting that the University of Miami take all steps necessary to stop the use of 501 Alhambra Circle as a fraternity house by University of Miami students. He stated, however, that the

facts indicated that the house was in fact being used as a fraternity at the present time. The City Attorney was authorized to institute legal proceedings to enjoin the use of this residence as a fraternity house.

The City Attorney informed the Commission that he expected to argue the Biscayne Key ouster suit before the Florida Supreme Court on the 14th of October.

The City Manager advised that he, the City Attorney, and the Director of Public Safety had attended a recent meeting called by William Robertson, Deputy Administrator of the C.A.A. from Atlanta. The meeting had been attended by local C.A.A. personnel and representatives of all common carrier airlines operating out of Miami. He declared that after a general discussion, agreements were made concerning the policy that would be followed by the C.A.A. and the airlines to eliminate low flying planes over the City of Coral Gables, excepting in extreme weather conditions.

The City Manager stated that the Veterans' Administration had requested fire protection from the city for the Pratt General Hospital, and said that negotiations were in progress toward an agreement whereby the city would furnish fire protection to hospital facilities, and the Veterans' Administration would in return permit the city to use the Veterans' Administration's LaFrance pumper and to keep the same at the city fire station. He stated that the old fire truck of the city would be placed at the hospital in place of the LaFrance pumper.

The City Manager stated that he had had several requests from residents of the Laesh Tract off Sunset Road, for garbage collection service by the City of Coral Gables. He suggested that because of public health considerations that the city forces be authorized to render garbage collection service in this area, in spite of the fact that it was not in city limits. He was authorized to have such service furnished, at a fee of one and a half times the rates of residents of the city.

#### ORDINANCE

AN ORDINANCE AMENDING SUB-PARAGRAPH(a)  
OF PARAGRAPH NUMBERED 2 OF SECTION 15 OF  
ORDINANCE NO. 271, COMMONLY KNOWN AS THE  
"ZONING ORDINANCE", SO AS TO READ AS  
FOLLOWS: FRONT YARDS OF MINIMUM FIFTEEN  
(15) FEET DEPTH, EXCEPT AS ELSEWHERE  
HEREIN PROVIDED FOR LOTS FRONTING ON CORAL  
WAY BETWEEN LE JEUNE ROAD AND ANDERSON  
ROAD; REPEALING ALL ORDINANCES OR PARTS  
OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners

Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271,  
ADOPTED FEBRUARY 16, 1937 AND KNOWN AS  
THE "ZONING ORDINANCE" BY ESTABLISHING  
ZONING REQUIREMENTS FOR LOTS IN SUNRISE  
HARBOUR SECTION.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 575

AN ORDINANCE AMENDING ORDINANCE NO. 271,  
ADOPTED FEBRUARY 16, 1937 AND KNOWN AS  
THE "ZONING ORDINANCE", AS TO ZONING RE-  
QUIREMENTS FOR BLOCKS 183, 184, 185, 186,  
188, 189, 190, 193 AND 194, RIVIERA  
SECTION, TO PERMIT FRATERNITY AND SORORITY  
HOUSE USE THEREIN; REPEALING ALL ORDINANCES  
OR PARTS OF ORDINANCES IN CONFLICT HERE-  
WITH; AND DECLARING THIS ORDINANCE TO BE  
AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Holley, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 575.

RESOLUTION NO. 3117

A RESOLUTION GRANTING THE FOLLOWING  
EXCEPTIONS TO ORDINANCE NO. 271,  
KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting September 13, 1948 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of apartment on Lot 1, Block 34, Douglas Section, covering approximately 45% of the ground area and having a 10 foot setback from Salzedo Street.

2. Permit the Gordy Nursery, 2704 Ponce de Leon Boulevard, to extend its present nursery and landscaping to existing building to the south, on a temporary basis subject to revocation on 30 days notice.

3. Permit construction of a 6 foot chain link fence from rear of house to canal on both sides of the Patterson Tract, Block 257, Riviera Section.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3118

A RESOLUTION AUTHORIZING THE TRANSFER OF PACKAGE LIQUOR STORE LICENSE OF CLARKE C. ROWE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the transfer of the package liquor store license heretofore issued to Clarke C. Rowe at 222 Bird Road, to Clarke C. Rowe and Betty S. Rowe, dba Clarke's Package Store, subject to compliance with all regulatory provisions of city ordinances, and provided that said license shall be issued subject to cancellation upon receipt of any unfavorable criminal record report on Betty S. Rowe.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk advised that Coral Gables Insurance, Inc. had substituted Underwriters at Lloyds of London, England, for the American Reinsurance Company, upon the excess public liability contract for city buses. The City Manager and City Clerk recommended the acceptance of this substitution, and it was approved by the Commission.

ORDINANCE NO. 576

AN ORDINANCE AMENDING SECTIONS 1 AND 28 OF ORDINANCE NO. 514, KNOWN AS THE OCCUPATIONAL LICENSE ORDINANCE; PROVIDING THAT ANY PERSON HOLDING HIMSELF OUT AS BEING ENGAGED IN BUSINESS SHALL BE LIABLE FOR AN OCCUPATIONAL LICENSE THEREFOR; REVISION THE CLASSIFICATION OF CONTRACTORS FOR LICENSE PURPOSES AND FIXING LICENSE TAXES THEREFOR; DELETING CERTAIN PROFESSIONAL CLASSIFICATIONS; PROVIDING LICENSE TAXES FOR COMMERCIAL ARTISTS AND TAXIDERMISTS UNDER THE CLASSIFICATION "SERVICE ESTABLISHMENTS"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once.

Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 576.

ORDINANCE NO. 577

AN ORDINANCE AMENDING ORDINANCE NO. 557; CLARIFYING DEFINITION OF "CONTRACTOR" AS DEFINED THEREIN; ADOPTING FOR LICENSE PURPOSED THE CLASSIFICATIONS OF CONTRACTORS ESTABLISHED IN THE OCCUPATIONAL LICENSE ORDINANCES OF THE CITY; SPECIFYING CERTAIN CLASSIFICATIONS OF CONTRACTORS FOR WHICH AN EXAMINATION FOR PROFICIENCY IS REQUIRED PRIOR TO ISSUANCE OF LICENSE; REQUIRING THE FILING OF A CREDIT REPORT, EVIDENCE OF COMPLIANCE WITH WORKMEN'S COMPANBATION INSURANCE LAWS AND AN INDEMNITY BOND, OR EVIDENCE OF PUBLIC LIABILITY-PROPERTY DAMAGE INSURANCE IN LIEU THEREOF, PRIOR TO THE ISSUANCE OF ANY LICENSE FOR CONTRACTORS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Holley, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once.

Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 577.

There being no other business, the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
MAYOR

W. Keith Phillips

ATTEST:

*E. B. Poorman*

CITY CLERK  
E. B. Poorman



MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
OCTOBER 12, 1948

Due to the hurricane no regular meeting of the Commission was held on October 5, 1948.

The Commission of the City of Coral Gables convened in special session at 8:00 o'clock P.M., Tuesday, October 12, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular postponed meeting of September 23, 1948 were approved as read.

The meeting was turned over to a public hearing upon the confirmation of Local Improvements A-6 and H-60.

Mr. Roy Page, and Mr. James Moore of the Riviera-Times, were present to express their approval of Local Improvement A-6, and Mr. Eugene Mumpower and Schwob Realty Company expressed their approval in writing. No objections were voiced to the improvement.

RESOLUTION NO. 3119

A RESOLUTION CONFIRMING THE RESOLUTION  
ORDERING LOCAL IMPROVEMENT A-6.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., October 12, 1948, pursuant to regular notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution No. 3113 passed and adopted September 23, 1948 and ordering Local Improvement A-6, and to the plans, specifications and estimates of cost of such improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Resolution No. 3113 passed and adopted September 23, 1948 and ordering Local Improvement A-6, be and the same is hereby confirmed, and the cost of such improvement, except that abutting city owned parkways shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. Ridell and Mr. Irving Becker (by letter) expressed their approval of Local Improvement H-60, and no objections were voiced to such improvement.

RESOLUTION NO. 3120

A RESOLUTION CONFIRMING THE RESOLUTION  
ORDERING LOCAL IMPROVEMENT H-60.

ADA210

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., October 12, 1948, pursuant to regular notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution No. 3052 passed and adopted June 15, 1948 and ordering Local Improvement H-60, and to the plans, specifications and estimates of cost of such improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Resolution No. 3052 passed and adopted June 15, 1948 and ordering Local Improvement H-60, be and the same is hereby confirmed, and the cost of such improvement, except intersections, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3121

A RESOLUTION AUTHORIZING THE TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY HERETOFORE ISSUED TO ROMNEY J. SPENCER DBA UNIVERSITY CAB COMPANY.

WHEREAS, Romney J. Spencer dba University Cab Company has duly applied for a transfer of the Certificate of Public Convenience and Necessity for the operation of four taxicabs previously issued to him; and

WHEREAS, due notice under the ordinance of this city has been given to the holders of all such certificates now outstanding in the city;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the transfer to Julius Bauer III dba University Cab Company of the Certificate of Public Convenience and Necessity heretofore issued to Romney J. Spencer dba University Cab Company, for four taxicabs, be and the same hereby is approved.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3122

A RESOLUTION AUTHORIZING THE TRANSFER OF RETAIL BEVERAGE STORE LICENSE OF DORSAM INC.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the transfer of the retail beverage store license heretofore issued to Dorsam Inc. at the Antilla Hotel and permitting the sale of beer and wine for consumption on the premises, to S. D. Picciolo, 5434 S.W. 8th Street is hereby authorized and approved.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr Alex Smith appeared before the Commission to request consideration of establishment of a local improvement district for paving Orduna Drive from Granada Boulevard to Blue Road. He stated that all property owners agreed to this improvement, and it was suggested that he have all such property owners put up the necessary money to do such paving without the establishment of a local improvement district.

RESOLUTION NO. 3123

A RESOLUTION GRANTING EXCEPTIONS  
TO ORDINANCE NO. 271, KNOWN AS  
THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meetings of September 27th, October 4, and October 11th, 1948, has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of a chain link fence 4 feet in height from present wall down each side and across the rear of property, on Lots 8 and 9, Block 62, Riviera Section.
2. Construction of house on Lot 18, Block 18, Granada Section, facing south on Avenue Mariana instead of east on Pizarro Street.
3. Permit construction of 3 residences on Lots 39 to 42 inclusive, Block 241, Riviera Section, having a minimum area of 2250 square feet each, each lot to be built upon a 100 foot frontage with the largest house being constructed on the east portion of the lots and the smallest house to be constructed on the west portion of the lots.
4. Permit construction of wire fence 4 feet in height along the rear property line at 343 Avenue Madeira.
5. Permit construction of wire fence 4 feet in height along rear property line of Lots 30 to 32 inclusive, Block 16, Section B.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Colonel R. V. Eastman, 911 Avenue Anastasia, appeared to object to the renting of rooms by Mr. Skrzypkowski at 907 Avenue Anastasia. The matter was referred to the City Manager.

Mr. William A. Glass, Manager of the City of Miami Department of Water and Sewers, appeared concerning a request of such department to construct a 48"

water main through the City of Coral Gables. Upon recommendation of the City Manager the following resolution was presented and read:

RESOLUTION NO. 3124

A RESOLUTION AUTHORIZING THE CITY OF MIAMI DEPARTMENT OF WATER AND SEWERS, TO INSTALL A 48" WATER MAIN THROUGH THE CITY OF CORAL GABLES UPON CONDITIONS RECITED HEREIN; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO ENTER INTO AN AGREEMENT PURSUANT THERETO.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That permission and authority is hereby granted to the City of Miami Department of Water and Sewers to install a 48" water main through the City of Coral Gables upon the following route: Blue Road from Red Road east to Avenue Villabella, thence east on Avenue Villabella to LeJeune Road, thence north on LeJeune Road to Avenue Altara, thence east on Altara to Ponce de Leon Boulevard, thence north on Ponce de Leon Boulevard to Bird Road, thence east on Bird Road to the city limits of Coral Gables; upon the following conditions:

- (a) The pipe line crossing over the east branch of the Coral Gables waterway at Blue Road shall be constructed, in accordance with plans submitted to the City Manager, with the same clearance as the temporary bridge at that point; and providing further that such overhead or aerial crossing shall be removed and a submarine crossing installed, on specifications to be approved by the City Manager, at the time the temporary Blue Road Bridge is replaced with a permanent type bridge, or within 5 years from date hereof, whichever is sooner; provided that such period may be extended by resolution of the Commission of the City of Coral Gables.
- (b) That the pipe line crossing over the west branch of the Coral Gables waterway at Blue Road shall be constructed, in accordance with plans submitted to the City Manager, with no greater interference with navigation than that already caused by the existing culvert at that point; provided further that such crossing shall be removed and a submarine crossing installed, upon specifications to be approved by the City Manager, at the time the existing culvert is replaced with a permanent type bridge or within 5 years from date thereof, whichever is sooner; provided that such period may be extended by resolution of the Commission of Coral Gables.
- (c) That the Consumers Water Company will be given permission to make metered connections to said 48" water main at not more than 5 locations within the city limits of the City of Coral Gables as shown upon the City of Miami Department of Water and Sewers' drawing No. W300 A0, dated September 1, 1948.
- (d) That the City of Miami Department of Water and Sewers, or its contractors or agents, shall, during the installation of such main, provide the necessary safeguards, barricades, warning lights and all other requirements for good construction practice, without cost to the City of Coral Gables.
- (e) That the City of Miami Department of Water and Sewers, or its contractors or agents, shall provide a good and sufficient completion bond and public liability and property damage insurance, in amount and form as approved

by the City Attorney of the City of Coral Gables; and that a surety bond in an amount to be approved by the City Attorney of the City of Coral Gables shall be given to assure the repaving and resodding, regrading and replanting of trees and shrubbery that may be damaged or torn up during the installation of such water main, and replacement of any replanted trees and shrubbery that may die within a 6 months period after being replaced. The completion bond or insurance coverage required above shall include normal repairs, if any, for paving or parkway areas that may settle below the original grade and require repair within a period of 5 years after completion of installation of said water main.

(f) That the City of Miami Department of Water and Sewers shall agree that the water lines or other means of conveyance of water installed shall be located subject to the supervision of the City Manager of the City of Coral Gables, and installed at the Department of Water and Sewers' sole cost and expense, and in such manner as not unreasonable to interfere with any other utilities previously installed or constructed; and after the water line has been installed the City of Coral Gables will not permit the same to be interfered with except without cost to the Department of Water and Sewers and then only upon condition that any necessary alterations shall be made in such a manner as not to impair the operation of the water line. Provided, however, that the City of Coral Gables shall not in any event be liable to the Department of Water and Sewers for any costs or expenses in connection with construction, reconstruction, repair, location or relocation of the Department of Water and Sewers water lines made necessary by the construction, reconstruction, location or relocation of any existing or proposed street, alley, parkway, bridge, sanitary sewer, storm sewer, water main, duct or any other structure or facility operated and maintained by the City of Coral Gables, or by widening, grading, paving or otherwise improving by the City of Coral Gables of any of the present or future streets, avenue, alleys, highways, parks, parkways, plazas, bridges, and other public ways and places used or occupied by the Department of Water and Sewers water line.

(g) That a copy of the plans and specifications for the installation of said water main shall be furnished to the City of Coral Gables and to all other utility companies or utilities operating within the city limits of Coral Gables, and that after the installation has been completed two complete sets of "As-Built" plans and specifications shall be furnished to the City of Coral Gables, and one set of "As-Built" plans and specifications shall be furnished to all other utility companies or utilities operating within the city limits of Coral Gables.

2. That the City Manager and City Clerk are hereby authorized to enter into a written agreement with the City of Miami Department of Water and Sewers, consistent with conditions set forth above.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

#### ORDINANCE

AN ORDINANCE AMENDING SECTION 18 OF ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS AMENDED BY ORDINANCE NO. 565, BY PROVIDING MAXIMUM REDUCTIONS IN SQUARE FOOTAGE REQUIREMENTS PERMISSIBLE BECAUSE OF FRONTAGE USED.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Holley. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. James Rankin appeared to request an exception to the previous ruling denying permission to erect a sign upon the Coral Way Cafeteria, 123 Coral Way. Mr. H. George Fink explained the policy of the Board of Architects, which requires that any exterior sign must be an integral part of the building. He explained that Mr. Rankin had requested such a sign as part of his building at the time the building was under construction, but that a former member of the Board of Architects had erroneously advised Mr. Rankin that such sign would not be permitted. Inasmuch as a sign on this building had been erroneously refused the following resolution was presented and read:

RESOLUTION NO. 3125

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to Ordinance No. 271 be and it hereby is granted:

Permit construction of exterior sign on Coral Way Cafeteria at 123 Coral Way, such sign to extend approximately one foot out from the building and approximately three feet above the building parapet, providing that such sign be properly anchored and the construction thereof be approved by the Board of Architects.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3126

A RESOLUTION APPROVING A PLAN FOR ACQUISITION AND OPERATION OF OFF-STREET PARKING FACILITIES IN CORAL GABLES.

WHEREAS, The City Commission of the City of Coral Gables, Florida, realizing the importance of making adequate provisions for off-street parking, heretofore appointed a committee to study this problem and submit its findings to the Commission, and,

WHEREAS, this committee has made a careful and exhaustive study of the problem, from all angles, and has submitted a plan of handling the proposition which, briefly and generally, is as follows:

1. The city to purchase certain areas, paved and equipped with meters, which are suitable for off-street parking; payment for such areas to be represented by revenue certificates to be issued by the city in amounts equal

to the appraised value of the parking areas purchased; such certificates to run for a period of 20 years and for their payment only the net revenue derived from the parking lots is to be pledged; no obligation on the part of the city to levy taxes to be included; from net revenue derived from the parking areas after necessary deductions of amounts necessary for operation and maintenance the city to pay interest at the rate of 3% per annum, cumulative, but payable only if, as and when earned; with the balance, if any, to be paid on the purchase price; such certificates may be additionally secured by a mortgage specifically stating that only the property covered thereby can be looked to for payment and disavowing and disclaiming any general obligation of the city.

2. Provision to be made by proper instrument giving the city the right at the end of 20 years to acquire the title by paying the net amounts which then remain due on the mortgage or, in the event that the city should permit the property to revert to the former owner the city to be reimbursed in toto, for whatever it may have paid to such owner on the principal.
3. Provision is to be made requiring the city to maintain the tracts as parking lots and to operate them for that purpose for a period of 20 years and to adopt and enforce such ordinances as may be necessary and desirable for the proper and orderly use of such property and, to charge such sums for parking privileges as the city shall deem appropriate, necessary and advisable, and

WHEREAS the City Commission believes that the general plan as outlined above offers the most feasible and workable method of obtaining off-street parking sites and is fair and equitable and relieves the owners of such properties of taxes thereon and promises a fair return to such owners on their investments, particularly inasmuch as under the present laws such interest payments are tax free,

NOW THEREFORE, BE IT RESOLVED that the City Commission adopts, in principle the plan as recommended by the committee and is desirous of putting it into effect as soon as possible;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Coral Gables Chamber of Commerce, the Merchants Association, The Miracle Mile Association and any others interested and that they be advised that the City Commission of the City of Coral Gables is prepared to negotiate with owners of desirable off-street parking spaces along the lines of the plan above indicated and set forth.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. H. George Fink of the Board of Architects presented the recommendations of such Board concerning certain changes in the sign regulations.

#### ORDINANCE NO. 578

AN ORDINANCE AMENDING SECTION 31 OF ORDINANCE NO. 1 AS AMENDED BY ORDINANCE 536, BY SPECIFYING THE MAXIMUM SIZE OF NEON TUBING SIGNS PERMITTED ON INSIDE OF GLASS SHOW WINDOWS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HERewith; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Healy, seconded by Commissioner Holley, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 578.

Mr. C. Edwin Roberts appeared before the Commission to discuss a proposed series of radio programs to be based upon facts and information about the city government. The matter was deferred.

The City Manager stated that he had received a petition of owners of 13 lots in Block 88, Country Club 5, requesting the paving of Avenue Algardi between San Amaro Drive and Alhambra Circle. He noted that several other streets in the neighborhood should be included in any paving project in that area. The matter was deferred.

The possibility of securing a loan from local banks for financing sidewalk and other local improvements was discussed.

#### RESOLUTION NO. 3127

A RESOLUTION AUTHORIZING THE RETAINING OF FRANKLIN PARSON FOR CODIFYING OF POLICE AND TRAFFIC ORDINANCES OF THE CITY AND FOR PREPARATION OF MODEL WARRANT FORMS, AND MAKING AN APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That Franklin Parson be and he hereby is retained, at a fee not to exceed \$1400, to codify and revise all general police and traffic ordinances of the city, and to prepare model warrant forms for such revised ordinances for use in the Coral Gables Municipal Court.

2. That the amount of Mr. Parson's fee, not to exceed \$1400, is hereby appropriated from the General Contingent Fund of the city.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager stated that he had a petition from 17 property owners in the neighborhood of Avenue Madeira and Segovia Street, requesting the drilling



of drainage wells at that intersection to carry off storm water. The City Manager pointed out that there was no health hazard involved and that there did not appear to be sufficient money in the budget to drill such wells. The matter was taken under advisement.

The City Manager stated that entrance signs were planned to be erected at Coral Way and Red Road, and U. S. Highway No. 1 and Red Road. The Commission suggested the following wording on such signs, respectively, "Coral Way Entrance" and "Entering Coral Gables".

RESOLUTION NO. 3128

A RESOLUTION AUTHORIZING INSTALLATION OF A RAILROAD SPUR TRACK IN ALLEYS IN BLOCKS 3 AND 7, INDUSTRIAL SECTION, AND ACROSS AVENUES SAN LORENZO AND ALTARA.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That authority and permission is hereby granted to the Giffen Roofing Company and the Florida East Coast Railroad to install a railroad spur track across Avenues San Lorenzo and Altara, and along the east side of alleys in Blocks 3 and 7, Industrial Section, to a point 100 feet south of the south line of Bird Road in said Block 7, when the encroachment of the building of the Model Laundry Company is removed from the said alley in Block 7. The authority and permission hereby granted is subject, however, to the following conditions:

1. That steel guard rails be installed at the crossings over Avenues San Lorenzo and Altara; and
2. That the railroad tracks in said alleys be installed at necessary elevation to permit proper drainage and later paving of said alleys.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271, PASSED AND ADOPTED FEBRUARY 16, 1937, AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 2 TO 9 INCLUSIVE, BLOCK 212; LOTS 1 TO 5 INCLUSIVE BLOCK 213, LOTS 2 TO 23 INCLUSIVE BLOCK 218 AND ALL OF BLOCKS 211 AND 214, RIVIERA SECTION

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Holley, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

## ORDINANCE NO. 579

AN ORDINANCE AMENDING SUB-PARAGRAPH (a) OF PARAGRAPH NUMBERED 2 OF SECTION 15 OF ORDINANCE NO. 271, COMMONLY KNOWN AS THE ZONING ORDINANCE, SO AS TO READ AS FOLLOWS: FRONT YARDS OF MINIMUM FIFTEEN (15) FEET DEPTH, EXCEPT AS ELSEWHERE HEREIN PROVIDED FOR LOTS FRONTING ON CORAL WAY BETWEEN LEJEUNE ROAD AND ANDERSON ROAD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading September 23, 1948, was read again in full. Motion for its adoption was made by Commissioner Healy seconded by Commissioner Holley and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 579.

## ORDINANCE NO. 580

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE" BY ESTABLISHING ZONING REQUIREMENTS FOR LOTS IN SUNRISE HARBOUR SECTION.

which was read by title and adopted on first reading September 23, 1948, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 580.

The City Clerk presented a communication from the City of Jacksonville requesting the passage of a resolution urging that Mr. E. P. Owen Jr. be reinstated as secretary of the Florida League of Municipalities, particularly for his assistance during the 1949 Legislature. The matter was tabled.

The City Attorney stated that Mr. Irving Becker had been unable to secure a surety bond in connection with Improvement District H-60, and had agreed to deed to the city 13 lots as security for cost of condemnation of street right of way in such improvement.

## RESOLUTION NO. 3129

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS FOR A RIGHT OF WAY OVER AVENUE CATALONIA AS NECESSARY FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT H-60

UPON DEEDING TO THE CITY BY MR. IRVING BECKER  
OF 13 LOTS TO BE HELD BY THE CITY AS SECURITY  
FOR COST OF CONDEMNATION.

WHEREAS, by Resolution No. 3114, passed and adopted September 23, 1948, city officers were authorized to proceed with Local Improvement H-60 regardless of claims of private ownership of part of the right of way of Avenue Catalonia, on condition that owners of adjoining and benefited property put up with the city a \$1500 surety bond conditioned upon saving the city harmless from any damage or expense incurred in the completion of the paving of said street in spite of private ownership claims; and

WHEREAS, by Resolution No. 3038, passed and adopted May 4, 1948, the City Attorney was authorized to institute legal proceedings to condemn the said privately owned portion of Avenue Catalonia between Segovia and Cardena Streets; and

WHEREAS, Mr. Irving Becker, the affected owner, is unable to put up a surety bond as above recited, but is willing to pay all cost of condemnation of said right of way, and is willing to deed to the city, or its nominee, Lots 2 to 14 inclusive, Block 38, Biltmore Section, as security for the payment of all condemnation costs;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

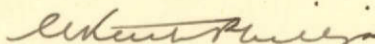
1. That the City Attorney is hereby again authorized to institute legal proceedings to condemn the right of way of Avenue Catalonia as required to construct Local Improvement H-60.

2. That the proper city officers be, and they are hereby authorized to accept from Mr. Irving Becker a deed of Lots 2 to 14 inclusive, Block 38, Biltmore Section, to the city, or to the city's nominee, such lots to be held for the benefit of the city as security for payment of all costs of condemnation of the privately owned portion of the right of way of Avenue Catalonia as required for construction of Local Improvement H-60, which said costs Mr. Becker has assumed and agreed to pay; such lots shall bear their full share of the assessment of costs for such improvement; in the event Mr. Becker does not reimburse the city upon demand therefor for all costs and expense of said condemnation, the proper city officers are hereby authorized to sell and dispose of, or have sold and disposed of, said lots or any part of them at the best price obtainable and to apply the proceeds thereof to payment of costs of the condemnation, turning over to Mr. Becker any balance that may remain after payment of such costs.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

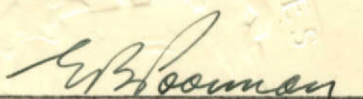
APPROVED:

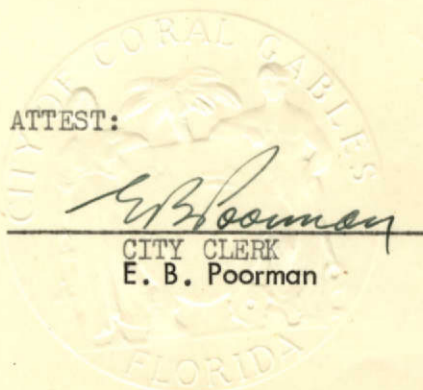


MAYOR

W. Keith Phillips

ATTEST:

  
CITY CLERK  
E. B. Poorman



"DUE TO THE NATIONAL AMERICAN LEGION CONVENTION, THE REGULAR MEETING OF THE COMMISSION SCHEDULED FOR OCTOBER 19, 1948 WAS NOT HELD".

WHEREAS, by Resolution No. 2111, passed and adopted September 23, 1948, city officers were authorized to proceed with local improvement H-60 regardless of claims of private ownership of part of the right of way of Avenue Catalonia, on condition that owners of adjoining and demarcated property put up with the city a \$1500 surety bond conditioned upon saving the city harmless from any damage or expense incurred in the completion of the paving of said street in spite of private ownership claims; and

WHEREAS, by Resolution No. 2038, passed and adopted May 4, 1948, the City Attorney was authorized to institute legal proceedings to condemn the said privately owned portion of Avenue Catalonia between Gogova and Gardens Streets; and

WHEREAS, Mr. Irving Becker, the affected owner, is unable to put up a surety bond as above recited, but is willing to pay all cost of condemnation of said right of way, and is willing to deed to the city, or its nominee, Lots 2 to 14 inclusive, Block 38, Biltmore Section, as security for the payment of all condemnation costs;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the City Attorney is hereby again authorized to institute legal proceedings to condemn the right of way of Avenue Catalonia as required to construct local improvement H-60.

2. That the proper city officers be, and they are hereby authorized to accept from Mr. Irving Becker a deed of Lots 2 to 14 inclusive, Block 38, Biltmore Section, to the city, or to the city's nominee, such lots to be held for the benefit of the city as security for payment of all costs of condemnation of the privately owned portion of the right of way of Avenue Catalonia as required for construction of local improvement H-60, which said costs Mr. Becker has assumed and agreed to pay; such lots shall bear their full share of the assessment of costs for such improvement; in the event Mr. Becker does not reimburse the city upon demand therefor for all costs and expense of said condemnation, the proper city officers are hereby authorized to sell and dispose of, or have sold and disposed of, said lots or any part of them at the best price obtainable and to apply the proceeds thereof to payment of costs of the condemnation, turning over to Mr. Becker any balance that may remain after payment of such costs.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holly. Resolution was adopted by the following roll call: "Yes" - Commissioners Healy, Hendrick, Holly and Hayes; Mayor Phillips. "No" - None. There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips  
MAYOR



MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
OCTOBER 26, 1948

The Commission of the City of Coral Gables convened in special session at the City Hall at 5:00 o'clock P.M., Tuesday, October 26, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Mr. H. E. Keating, Manager of the Consumers Water Company, was present to discuss with the Commission a proposed new water main extension policy to be hereafter followed by the Consumers Water Company. After detailed discussion of the proposed policy, and upon recommendation of the City Manager, the following resolution was presented and read:

RESOLUTION NO. 3130

A RESOLUTION APPROVING A POLICY FOR THE  
EXTENSION OF WATER MAINS, TAPPING FEES  
AND METER DEPOSITS BY THE CONSUMERS WATER  
COMPANY IN THE CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the policy and rules set out below for the extension of water mains and water service to new buildings, for tapping fees and meter deposits, by the Consumers Water Company, within the City of Coral Gables, be and the same hereby is approved:

1. Water Main Extensions

- (a) Consumers Water Company will make requested extensions of its water mains without cost to the customer up to a maximum of 100 feet, provided that extensions will not be required unless the proposed customer produces sufficient proof, acceptable to the Company, that a residence, apartment or commercial building will be actually constructed and completed at the location as shown on the application for service.
- (b) For water main extensions of more than 100 feet, the first 100 feet will be installed at no cost to the customer, and the excess distance over 100 feet shall be at the expense of the proposed customer who will pay the actual cost of installation of a two-inch galvanized water main, including labor and materials, but not including any system betterment items such as valves, valve boxes, tees and plugs for future connections, and any other normal water works accessories. The cost to the customer for water main extensions will not include water services which are normally installed between the water main and water meter. The size of water main actually installed will be in accordance with standard water works practice without regard to the amount of money paid by the proposed customer to the Consumers Water Company.
- (c) Whenever a proposed customer has complied with the provisions of paragraphs (a) and (b) above and has paid to Consumers Water Company the actual cost for construction of a water main, he shall then be entitled to a refund for any future connections to the water main extension, as shown in subparagraphs (1) or (2) below, as may be elected by the customer at the time of actual payment of money to the Company:

(1) For each new residence, or equivalent separate living unit having a separately metered service or commercial account having a separately metered service, connected to that portion only of the water main for which payment was made, the customer will receive a refund of \$50 for each unit or separately metered water service at the time arrangements have been completed with the Company for connection of the new water service. The word "unit" will include each separate apartment unit although metered on one water meter. For example, the connection of a four unit apartment will entitle the customer to a refund of \$200. The customer shall not receive refunds for water services connected to that portion of the water main extended at the expense of the Consumers Water Company. Any such refunds to the customer shall be limited to a period of five years from the date of completion of the water main extension or whenever the entire amount paid by the customer for such extension has been refunded to said customer, whichever circumstance occurs first.

or

(2) For each new residence, or equivalent separate living unit having a separately metered service, or commercial account having a separately metered service, connected to that portion only of the water main for which payment was made, the customer will receive a semi-annual refund of 20% of the gross revenue derived from all metered water services connected to that portion only of the water main extension for which he has paid the Consumers Water Company. The customer shall not receive refunds for water services connected to that portion of the water main extended at the expense of the Company. Any such refunds to the customer shall be limited to a period of five years from the date of completion of the water main extension, or until the entire amount paid by the customer for such extension has been refunded to said customer, whichever circumstance occurs first.

For the purpose of determining whether or not a refund is due under (1) or (2) above, the connection of each new service to the water main extension as located shall be made, or considered to be made, at that point in the water main extension that is closest in a straight line distance to the meter location for such new service.

**2. Tapping Fees**

The following charges shall be applicable for tapping fees:

3/4"	tap	\$15
1 "	tap	20
1 1/2 "	tap	35
2 "	tap	50
Larger size taps		Actual Cost

**3. Meter Deposits**

(a) Residential

Size of Meter	Owner	Non-Owner
5/8"	\$5.00	\$10.00
1 "	10.00	15.00
1 1/2 "	15.00	25.00

Larger sizes - proportional charge according to size.

(b) Apartments

A deposit equal to \$5.00 for each separate living unit.

(c) Commercial and Industrial

An amount equal to the estimated cost of water service for two months, subject to adjustment after actual

experience.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. Victor Levine and Sam Weissel appeared to discuss with the Commission the use of the premises at 501 Alhambra Circle as a fraternity house by Phi Epsilon Pi Fraternity. Dr. Jay F.W. Pearson, Vice President of the University of Miami, and Mr. Wm. G. Kimbrough, Director of Public Safety, were also present and took part in the discussion. Mr. Levine requested permission of the Commission for the fraternity to continue to occupy such premises as a fraternity house until the end of the school term in May, 1949. On behalf of the fraternity he agreed that the fraternity would move from the premises, however, and accept the University's offer of living quarters in the new University Housing Project, if the Commission so ordered. After considerable discussion the Commission requested the fraternity to move from the above premises within two weeks, and the following resolution was presented and read:

RESOLUTION NO. 3131

A RESOLUTION DIRECTING THE CITY ATTORNEY TO WITHHOLD LEGAL PROCEEDINGS TO ENJOIN USE OF CERTAIN PREMISES AS A FRATERNITY HOUSE, AND DIRECTING THE CITY MANAGER TO TAKE CERTAIN ACTION IN CONNECTION WITH CERTAIN PREMISES USED AS FRATERNITY HOUSES.

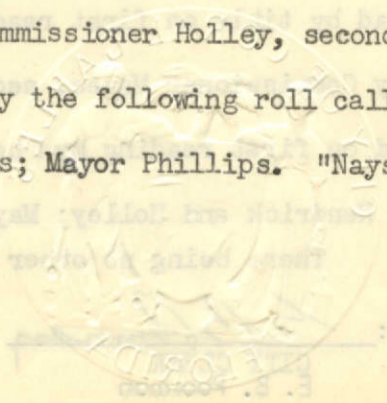
BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES FLORIDA:

1. That in consideration of the agreement of the Phi Epsilon Pi Fraternity to vacate the premises now used as a fraternity house at 501 Alhambra Circle within two weeks of this date, the City Attorney is hereby authorized to withhold the filing of any legal proceedings to enjoin such use of the above described premises for a period of two weeks from this date;
2. That the City Manager is hereby directed to formally notify the Phi Epsilon Pi Fraternity to vacate the premises at 501 Alhambra Circle within two weeks of this date;
3. That the City Manager is further directed to serve formal notice upon the occupants of the premises at 2817 Columbus Boulevard that the continued use of such premises as a fraternity house will not be permitted by the City Commission, and directing that such occupants vacate said premises within two weeks of this date.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ADA240

APPROVED:                       
MAYOR  
W. Keith Phillips



ATTEST:

## RESOLUTION NO.. 3132

A RESOLUTION AUTHORIZING TRANSFER OF  
RETAIL BEVERAGE STORE LICENSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the transfer of retail beverage store license permitting consumption on the premises of alcoholic beverages containing not more than 14 per cent of alcohol by weight, heretofore issued to Mrs. B. J. Obarski, Tri-Corner Inn, 375 South Dixie Highway, to Mrs. Viola Fosselman, is hereby approved subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon the receipt of an unfavorable criminal record on the transferee.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

## RESOLUTION NO. 3133

A RESOLUTION AUTHORIZING AN EXCEPTION  
TO ORDINANCE NO. 271, KNOWN AS THE  
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting October 25, 1948 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit facing of residence on Avenue Venetia instead of Red Road as required, on Lots 1 and 2, Block 78, Granada Section.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

## ORDINANCE

AN ORDINANCE AMENDING SECTION 18 OF ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937, AND KNOWN AS THE ZONING ORDINANCE, AS AMENDED BY ORDINANCE NO. 565, BY PROVIDING MAXIMUM REDUCTIONS IN SQUARE FOOTAGE REQUIREMENTS IN CERTAIN RESIDENTIAL ZONES AS HEREIN DEFINED IN CASES WHERE RESIDENCES ARE BUILT UPON 75 FEET OR MORE OF FRONTAGE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

ATTEST:

*E. B. Poorman*  
CITY CLERK  
E. B. Poorman

APPROVED:

*W. Keith Phillips*  
MAYOR

W. Keith Phillips



MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
NOVEMBER 2, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, November 2, 1948. Vice Mayor Holley in the Chair; Commissioners Hendrick and Mayes present. Mayor Phillips and Commissioner Healy absent.

RESOLUTION NO. 3134

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR PAVING OF STREET IN THE CITY OF CORAL GABLES DESIGNATED AS LOCAL IMPROVEMENT H-60, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to the city charter the City Clerk has advertised for bids for paving of street designated as Local Improvement H-60, and bids were received as follows:

<u>Name</u>	<u>Cost Per Square Yard</u>	<u>Start and Finish Work</u>
Troup Bros. Inc.	\$ .70	10 days - 30 days
W.T.Price Dredging Corp.	.90	
Mills Construction Co.	1.14 $\frac{1}{2}$	10 days - 15 days
C.B.Brooks d/b/a Brooks Paving Company	.89	10 days - 30 days
Belcher Oil Company	.88	10 days - 30 days
McFarlin Construction Co.	.90	30 days - 90 days

AND WHEREAS, the bid of the Troup Bros. Inc. is low, and fully meets the specifications ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be, and they hereby are, authorized to execute a contract with the said Troup Bros. Inc. for work authorized under Resolution No. 3052 and designated as Local Improvement H-60, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

RESOLUTION NO. 3135

A RESOLUTION ACCEPTING THE BID OF C. B. BROOKS d/b/a BROOKS PAVING COMPANY FOR PAVING OF ALLEY IN THE CITY OF CORAL GABLES DESIGNATED AS LOCAL IMPROVEMENT A-6, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to the city charter the City Clerk has advertised for bids for paving of alley designated as Local Improvement A-6, and bids were received as follows:

<u>Name</u>	<u>Cost Per Square Yard</u>	<u>Start and Finish Work</u>
Troup Bros. Inc.	\$ .90	10 days - 30 days
W.T. Price Dredging Corp.	1.00	10 days - 30 days
C.B. Brooks d/b/a Brooks Paving Company	.85	10 days - 30 days
Belcher Oil Company	.97	10 days - 30 days
Mills Construction Co.	1.16	10 days - 15 days
McFarlin Construction Co.	1.25	30 days - 90 days

AND WHEREAS, the bid of C. B. Brooks d/b/a Brooks Paving Company, is low, and fully meets the specifications ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the above recited bid of C. B. Brooks d/b/a Brooks Paving Company is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be, and they hereby are, authorized to execute a contract with the said C. B. Brooks d/b/a Brooks Paving Company for work authorized under Resolution no. 3113 and designated as Local Improvement A-6, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioner Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

Representatives of the Riviera Property Owners Association and the Coral Gables Board of Realtors appeared to discuss ways and means to effect a reduction in Dade County taxes on real estate, which have increased substantially in the past few years. The Commission stated that it would give any assistance requested in this regard, but suggested that any movement to combat tax increases by Dade County be initiated by private persons or groups, on a county-wide basis. Members of the Coral Gables Board of Realtors declared that their organization would take the preliminary action necessary to organize various real estate boards and civic organizations in the county as a group to work for lowering of county taxes.

The City Manager stated that he had received an offer for the exchange by Charles A. Radway, of Block 7, Section A, for 65 feet of frontage of city property in Block 36A, Riviera Section. The above Block 7 is a triangular block situated just west of the Venetian Pool. The City Manager pointed out that acquisition by the city of Block 7 would be advantageous in the future development of the Venetian Pool, and recommended the exchange of a 50 foot tract of Block 36A for such property.

## RESOLUTION NO. 3136

A RESOLUTION AUTHORIZING THE EXCHANGE  
OF 50 FEET OF CITY OWNED PROPERTY IN  
BLOCK 36A, RIVIERA SECTION, FOR BLOCK  
7, SECTION A.

WHEREAS, there has been offered to the city a proposition for the exchange of Block 7, Section A, Coral Gables, for a portion of the property owned by the city in Block 36A, Riviera Section;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the proper city officers are hereby authorized to exchange the northeasterly 50 feet of city owned property in Block 36A, Riviera Section, for a good and merchantable title for Block 7, Section A, Coral Gables, abstracts of title to be furnished and taxes through 1948 to be paid by each of the respective owners before trade.

2. That if such exchange is agreed upon the proper city officers are hereby authorized to execute the necessary deed to the city owned property described above.

3. That the above exchange is authorized upon condition that the City Attorney can clear from the title to the city owned property in Block 36A, Riviera Section, any existing restrictions limiting the use of such property to park purposes.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

## RESOLUTION NO. 3137

A RESOLUTION AUTHORIZING THE CITY  
ATTORNEY TO CLEAR TITLE TO A PORTION  
OF BLOCK 36A, OWNED BY THE CITY.

WHEREAS, the city has sold property in Block 36A, Riviera Section, which is being used for commercial purposes, and is now the owner of the major portion of such block; and

WHEREAS, the best and most profitable use that such property can be put is commercial use; and

WHEREAS, a title search of such block has disclosed a possible existence of a restriction in the title thereto limiting use of such property to park purposes;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Attorney is hereby authorized and directed to take all necessary steps to eliminate any restrictions in the title to Block 36A, Riviera Section, limiting the use of said property.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

The City Manager stated that Building Inspector Gilbert Campbell had resigned, and recommended the appointment of C. B. Strange, present Assistant

Building Inspector, as Acting Building Inspector. Vice Mayor Holley concurred in the recommendation and the following resolution was presented and read:

RESOLUTION NO. 3138

A RESOLUTION APPOINTING C. B. STRANGE  
AS ACTING BUILDING INSPECTOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the appointment of C. B. Strange as Acting  
Building Inspector for the City of Coral Gables, is hereby approved.

Motion for its adoption was made by Commissioner Mayes, seconded by  
Commissioner Hendrick. Resolution was adopted by the following roll call:  
"Yeas" - Commissioners Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

The City Manager noted the receipt of a letter from the Florida Power  
and Light Co. releasing their easement in a portion of alley in Block 196,  
Riviera Section. The vacation of the southwesterly portion of the alley in  
this block had been requested by the South Miami Methodist Church, to enable  
construction of a church on such block. Further action by the Commission to  
vacate such alley was deferred until such time as a dedication of a new alley  
outlet was received.

The City Manager stated that he had a request from Mr. Joseph Teresi  
to purchase Lots 41 to 43 inclusive, Block 2, Central Miami Part 2, a part of  
the city nursery tract. The Commission directed that such offer be refused.

The City Manager noted receipt of a letter from Dr. Carlton Deederer  
suggesting that the city take steps to prevent the use of the name "Coral Gates"  
for the new subdivision at the northeast corner of Douglas Road and Coral Way,  
on the ground that such name would result in confusion with the name Coral Gables.  
No action was taken.

The City Manager requested authority to install two street lights as  
follows: one 1000 lumen overhead bracket light at northwest end of Mariola  
Court, \$10.00 installation cost, \$2.00 annual pole rental, \$18.00 per year power;  
one 2500 lumen overhead bracket light at Alhambra Circle and Blue Road, no in-  
stallation charge, \$2.00 annual pole rental, \$22.50 per year power. The  
Commission approved the installation of such lights.

The City Manager requested advice of the Commission as to whether or  
not the current Consumers Water Company bills to the city should be paid at the  
increased rate recently put into effect without approval of the City Commission.  
The Commission directed that the city pay current bills at the increased rate,

pending a final decision upon the allowance of such rate by the Commission.

The City Attorney stated that he had an offer for the sale of an old Dictaphone machine, and the Commission authorized its sale at \$25.00.

The City Manager noted that a city flag had been donated to the American Legion Post 98, at a cost of \$55.00. The Commission approved such donation, to be charged to the Contingent Fund, but stated that presentation of similar flags to other veterans' posts should be deferred until a request was made therefor.

The City Manager declared that when Mr. John Bouvier, through the Better Homes Investment Company, was granted permission to excavate a canal in Blocks 24A and 25A, Riviera Section, a condition of such permission had been the construction of a bridge over the newly excavated canal at Biltmore Drive. He stated that the performance bond given by the Better Homes Investment Company included construction of such bridge by January 1, 1949. He pointed out that a contract had not yet been let for the construction of such bridge, and that Mr. Bouvier desired to discuss with the City Planning Board the elimination of this bridge on the ground that construction thereof would be a traffic hazard. The City Manager recommended that the Better Homes Investment Company be held to its agreement to construct a bridge at that location, and all members of the City Commission present concurred in this recommendation,

RESOLUTION NO. 3139

A RESOLUTION AUTHORIZING EXCEPTIONS  
TO ORDINANCE NO. 271, KNOWN AS THE  
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting November 1, 1948 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence on Lots 11, 12 and 13, Block 227, Riviera Section, with the front entrance on Sunset Road instead of Maynada Street; and permit the construction of residences on Lots 9 to 13 inclusive, Block 227, Riviera Section, with a building line up to the alley line now existing in said block.
2. Permit construction of two apartments having a side setback from the east line of 9 feet 3 inches, on the west 7 feet of Lots 17 and 24, and all of Lots 13 to 16 inclusive, and Lots 25 to 28 inclusive, Block 204, Riviera Section.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioner Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

ORDINANCE NO. 581

AN ORDINANCE AMENDING SECTION 18 OF ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937, AND KNOWN AS THE ZONING ORDINANCE, AS AMENDED BY ORDINANCE NO. 565, BY PROVIDING MAXIMUM REDUCTIONS IN SQUARE FOOTAGE REQUIREMENTS IN CERTAIN RESIDENTIAL ZONES AS HEREIN DEFINED IN CASES WHERE RESIDENCES ARE BUILT UPON 75 FEET OR MORE OF FRONTAGE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading October 26, 1948, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes and the Ordinance was adopted by the following roll call: "Yeas" - Commissioners Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

Thereupon Vice Mayor Holley declared the ordinance passed and adopted and ordered its publication as Ordinance No. 581.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271, PASSED AND ADOPTED FEBRUARY 16, 1947, AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 2 TO 9 INCLUSIVE, BLOCK 212, LOTS 1 TO 5 INCLUSIVE BLOCK 213, LOTS 2 TO 23 INCLUSIVE BLOCK 218, AND ALL OF BLOCKS 211 AND 214.

which was passed on first reading October 12, 1948 was brought up for further consideration, and action thereon was deferred.

RESOLUTION NO. 3140

A RESOLUTION POSTPONING THE DATE OF PUBLIC HEARING FOR THE CONSUMERS WATER COMPANY TO SHOW CAUSE WHY RATES AND OTHER CHARGES NOW BEING COLLECTED BY SAID COMPANY SHOULD NOT BE REDUCED.

WHEREAS, by Resolution No. 3115 passed and adopted September 23, 1948, the Consumers Water Company was required to show cause at a public hearing to be held at 10 o'clock A. M. November 9, 1948, why rates and other charges now being charged and collected by said company for water services rendered within the corporate limits of the City of Coral Gables should not be reduced, upon the ground that such rates and charges are excessive and contrary to public interest; and

WHEREAS, the City has employed a special attorney and an accountant to assist in the investigation of rates and charges of the water company and such attorney and accountant have been working with the Consumers Water Company, which has furnished information in this respect for which a large amount of research work by the company was necessary; and

WHEREAS, due to the preparation and furnishing of such information the company has been delayed in preparation of information that it would need in answering the above show cause order, and because of such fact has requested a postponement of at least 30 days in the public hearing above ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the time of public hearing at which the Consumers Water Company has been ordered to show cause why the rates and other charges now being charged and collected by said company for water service rendered within the Corporate limits of the City of Coral Gables should not be reduced, is hereby continued and postponed until 10 o'clock A.M., Tuesday, January 11, 1949, at the regular meeting place of the City Commission, City Hall, Coral Gables, Florida.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

ORDINANCE

AN ORDINANCE OF THE CITY OF CORAL GABLES DEALING WITH THE USE OF THE CORAL GABLES WATERWAY BY CRAFT OF ALL KINDS AND DESCRIPTIONS; DECLARING IT TO BE UNLAWFUL TO TIE UP CRAFT TO WATER FRONT PROPERTY ABUTTING SAID WATERWAY UNLESS THE OWNERS OF SUCH CRAFT ARE THE OWNERS OR LESSEES OF THE PROPERTY, OR WRITTEN PERMISSION FROM THE OWNER THEREOF; REQUIRING CERTAIN INFORMATION; DESIGNATING THE DIRECTOR OF PUBLIC SAFETY TO ISSUE PERMITS AND TO CARRY OUT THE PROVISIONS OF THIS ORDINANCE; PROHIBITING MOORING OR ANCHORING IN CORAL GABLES WATERWAY EXCEPT IN PLACES DESIGNATED BY THE DIRECTOR OF PUBLIC SAFETY; PROHIBITING THE DUMPING OF GARBAGE, TRASH OR OTHER SUBSTANCES IN THE CORAL GABLES WATERWAY; PROVIDING PENALTIES FOR VIOLATION HEREOF; AND REPEALING ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

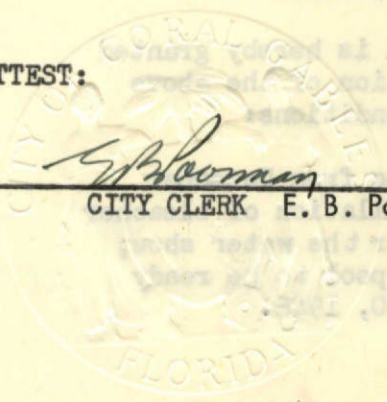
There being no other business the meeting was adjourned.

APPROVED:

*Frank N. Holley, Jr.*  
VICE MAYOR  
Frank N. Holley, Jr.

ATTEST:

*E. B. Poorman*  
CITY CLERK E. B. Poorman



ADA210

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
NOVEMBER 16, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, November 16, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

The minutes of the postponed regular meeting of September 23, 1948, and of the special meetings of October 12 and October 26, 1948, were approved as read.

The City Manager presented a revised replat of Block 64, Country Club Section 4, which had been proposed by Mr. John Lamb, owner. Mr. and Mrs. F. B. Palbicke and Mr. and Mrs. Robert Crowe, owners of adjacent property, appeared to discuss the plat. The City Manager advised that Mr. Lamb had made all changes suggested and had dedicated a strip on the south side of the block for a public park. The plat was referred to the City Manager and City Attorney for examination.

Mr. Mike Ford appeared to object to his arrest and conviction in Municipal Court on November 1st on a charge of blasting without a permit, claiming that he had been convicted on insufficient evidence. Director of Public Safety Kimbrough was present and declared that Ford had admitted his guilt at the trial. The matter was referred to Mr. Kimbrough for investigation and report to the Commission.

RESOLUTION NO. 3141

A RESOLUTION AUTHORIZING THE UNDERWRITING OF \$3,000 EXPENSE OF WATER SHOW TO BE HELD AS PART OF THE 1948-1949 ORANGE BOWL FESTIVAL, AND STATING CONDITIONS FOR USE OF VENETIAN POOL THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the amount of \$3,000 be paid to the Orange Bowl Committee to underwrite the expense of the water show, or "Aqua Follies", to be held at the Venetian Pool, Coral Gables, December 28-29, 1948, as part of the Orange Bowl Festival, it being understood that net receipts of such show shall be applied to repaying the amount underwritten by the city.

2. That the Director of Finance is hereby authorized and directed to pay to the Orange Bowl Committee the said sum of \$3,000, to be charged to Appropriation Account 2470-231 for the fiscal year ending June 30, 1949.

3. That use of the Venetian Pool is hereby granted to the Orange Bowl Committee for presentation of the above described water show under the following conditions:

- (a) The pool will be closed to the public from December 23rd through December 29th for installation of bleacher seats, and for other preparations for the water show; all equipment to be removed and the pool to be ready for reopening by 10 A.M., December 30, 1948.



- (b) The Orange Bowl Committee will pay for installation costs of temporary electric service.
- (c) The Coral Gables Chamber of Commerce will handle AP/UP and other wire service publicity upon the water show.
- (d) The Orange Bowl Committee shall secure an endorsement upon the Public Liability-Property Damage insurance carried by the Committee, specifically protecting the City of Coral Gables for any liability that may arise through or by the presentation of the water show at the Venetian Pool.
- (e) The Orange Bowl Committee will be responsible for cleaning the pool and surrounding premises between and after the presentation of the water shows.
- (f) The Orange Bowl Committee will handle all ticket sales and collection of admissions for the water shows.
- (g) The Orange Bowl Committee will be responsible, through agreement with the Director of Public Safety, for extra police protection during the presentation of the water show and for compensation of extra policemen assigned thereto.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. Malcolm S. H. Kneale appeared before the Commission to complain at length of alleged wrongful acts by the Police Department in regards to himself and his son, Malcolm Lewis Kneale.

Mr. John Bouvier appeared in connection with the construction of a bridge at Biltmore Drive over the canal excavated by his Better Homes Investment Company, in Blocks 24A and 25A, Riviera Section. The City Manager advised that the completion bond heretofore given to the city for the excavation of the canal and construction of such bridge expires January 1, 1949. Mr. Bouvier declared that for better traffic control the bridge at Biltmore Drive, in his opinion, should not be constructed, and requested that the advisability of construction of the bridge be referred to the Planning Board. He said that if, after a Planning Board hearing, the City Commission directed that the bridge be built in accordance with the original agreement and completion bond, he would construct such bridge. The City Manager was directed to arrange a meeting of the Planning Board to consider Mr. Bouvier's contention in this respect.

Concerning the proposed exchange of 50 feet of Block 36A, Riviera Section, for Block 7, Section A, the City Manager advised that a contract for the exchange had been submitted by Mr. S. S. Pederson, but that the form did not appear entirely acceptable. The matter was referred to the City Attorney for preparation of a contract.

ORDINANCE NO. 582

AN ORDINANCE VACATING AND DISCONTINUING THAT CERTAIN ALLEY RUNNING SOUTHWESTERLY AND NORTHEASTERLY IN BLOCK 196, RIVIERA SECTION, FROM RED ROAD TO THE NORTHEASTERLY BOUNDARY LINE OF LOT 36 IN SAID BLOCK, EXTENDED, ACCORDING TO PLAT THEREOF FILED IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, FOR THE PURPOSE OF PERMITTING CONSTRUCTION OF CHURCH OVER SAID ALLEY, WHICH WOULD BE IMPOSSIBLE WITHOUT SUCH VACATION AND DISCONTINUANCE.

which was read by title and adopted on first reading June 15, 1948, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley and the ordinance was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley, and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 582.

ORDINANCE NO. 583

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE" AS TO ZONING REQUIREMENTS OF LOTS 2 TO 9 INC., BLOCK 212; LOTS 1 TO 5 INC., BLOCK 213; AND LOTS 2 TO 23 INC., BLOCK 218; ALL OF BLOCKS 211 AND 214; RIVIERA SECTION.

which was read by title and adopted on first reading October 12, 1948, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 583.

RESOLUTION NO. 3142

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting November 4, 1948 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit construction of wire fences 4 feet in height along the south line of property beginning at an existing concrete block wall and running from residence to south property line, on Lot 8, Welbon Subdivision.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3143

A RESOLUTION AUTHORIZING TRANSFER  
OF RETAIL BEVERAGE STORE LICENSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the transfer of retail beverage store license, permitting consumption on the premises of alcoholic beverages containing not more than 14% of alcohol by weight, heretofore issued to S. D. Picciolo, 5434 S.W. 8th Street, to Leonard Loffler, 280 Alhambra Circle, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of an unfavorable criminal record on the transferee.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a report of Mr. A. B. Morrison, named as special agent of the city to negotiate with property owners concerning the acquisition of sites for off-street parking lots in the business section. The report stated that the plan proposed by Resolution No. 3126, adopted October 12, 1948, had been presented to numerous property owners without success, and recommended that further active efforts to secure action by property owners be deferred for the present time. Mr. Morrison stated in the report that the committee would continue to study the problem and endeavor to arouse the interest of property owners in the plan. Mr. Morrison's bill for \$600.00 for services was presented.

RESOLUTION NO. 3144

A RESOLUTION APPROVING A FEE OF \$600.00  
TO MR. A. B. MORRISON, AND APPROPRIATING  
THE NECESSARY AMOUNT THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the statement of Mr. A. B. Morrison in the amount of \$600.00 for services to date as special agent of the city in negotiating with property owners for acquisition of sites for off-street parking lots, be and the same hereby is approved, and the necessary amount therefor is hereby appropriated from the General Contingent Fund of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

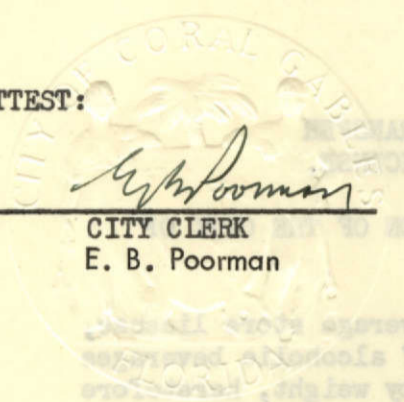
There being no other business the meeting was adjourned.

APPROVED:

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman

W. Keith Phillips  
MAYOR  
W. Keith Phillips



That the transfer of retail beverage...  
permitting consumption on the premises of alcohol...  
containing not more than 1 1/2% of alcohol by weight...  
issued to S. D. Pictorial, 2431 S.W. 25th Street, to be...  
lottery, 280 Alhambra Circle, is hereby approved, subject to...  
compliance with all regulatory ordinances in respect thereto...  
and subject to cancellation upon receipt of an unfavorable...  
original record on the transfer.

Motion for its adoption was made by Commissioner Holley, seconded by...  
Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas"  
- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a report of Mr. A. B. Morrison, named as...  
special agent of the city to negotiate with property owners concerning the acq-  
sition of sites for off-street parking lots in the business section. The report...  
stated that the plan proposed by Resolution No. 3135, adopted October 12, 1948,  
had been presented to numerous property owners without success, and recommended...  
that further active efforts to secure action by property owners be deferred for...  
the present time. Mr. Morrison stated in the report that the committee would...  
continue to study the problem and endeavor to arrange the interest of property...  
owners in the plan. Mr. Morrison's bill for \$600.00 for services was presented.

RESOLUTION NO. 3135

A RESOLUTION APPROVING A FEE OF \$600.00  
TO MR. A. B. MORRISON, AND APPROPRIATING  
THE NECESSARY AMOUNT THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the statement of Mr. A. B. Morrison in the...  
amount of \$600.00 for services to date as special agent of...  
the city in negotiating with property owners for acquisition...  
of sites for off-street parking lots, be and the same here-  
by is approved, and the necessary amount therefor is hereby...  
appropriated from the General Contingent Fund of the city.

11-16-48

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
DECEMBER 7, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 4:00 o'clock P.M., Tuesday, December 7, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meetings of November 2nd and November 16th, 1948 were approved as read.

A petition of merchants located in the Miracle Mile section of Coral Way, requesting the Southern Bell Telephone and Telegraph Co. to use the designation "Miracle Mile" instead of "Coral Way" for addresses in telephone book listings, was presented. The Commission noted that by Resolution No. 2791 it had declared that the portion of Coral Way between Douglas Road and LeJeune Road be known as the "Miracle Mile Section of Coral Way". On motion of Commissioner Hendrick, seconded by Commissioner Mayes and unanimously passed, the City Manager was directed to notify the Telephone Company that it was agreeable with the city that the addresses in such area be designated as "Miracle Mile".

The meeting was then turned over to a public hearing upon the acceptance of Local Improvements H-59 and H-61, in accordance with notice published in the Coral Gables Riviera-Times as provided by charter.

Several property owners were present concerning Local Improvement H-59 and no objections were made to the acceptance of the work.

RESOLUTION NO. 3145

A RESOLUTION ACCEPTING CONSTRUCTION WORK  
IN LOCAL IMPROVEMENT DISTRICT H-59.

WHEREAS, by Resolution No. 2903 passed and adopted August 19, 1947, the Commission ordered Local Improvement H-59, and by Resolution No. 3066 passed July 6, 1948, said improvement was confirmed after public hearing; and

WHEREAS, the Commission subsequently authorized the execution of a contract for the paving work done in such improvement with Troup Bros. Inc., and the work covered by said contract has now been completed and the City Manager reports that the work was done in accordance with specifications and is satisfactory;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-59 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

No property owners were present concerning Local Improvement H-61, and no objections were made to the acceptance of the work therein.

RESOLUTION NO. 3146

A RESOLUTION ACCEPTING WORK IN  
IMPROVEMENT DISTRICT H-61.

WHEREAS, by Resolution No. 3068 passed and adopted July 6, 1948, the Commission ordered Local Improvement H-61, and by Resolution No. 3087 passed August 3, 1948, said improvement was confirmed after public hearing; and

WHEREAS, the Commission subsequently authorized the execution of a contract for resurfacing the street included in the improvement with McFarlin Construction Co., and the work covered by said contract has now been completed and the City Manager reports that the work was done in accordance with specifications and is satisfactory;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the street resurfacing work done by McFarlin Construction Co. in Local Improvement H-61 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mayor Phillips advised that Mr. M. S. H. Kneale had requested permission to examine the records of the Police Department concerning matters about which he complained at the Commission meeting November 16, 1948. The matter was referred to the City Attorney.

Chairman Williams of the Coral Gables Athletic Commission called the attention of the Commission to the fact that the Roller Derby and the Ice Follies were scheduled to be presented at the Coliseum during the coming winter. He questioned whether or not such exhibitions fell within the jurisdiction of the Athletic Commission, and whether or not the 5 per cent admissions tax would apply. The Commission expressed the opinion that such events were not in fact athletic or sports contests or exhibitions, and that they did not come within the jurisdiction of the Athletic Commission. The City Manager and Director of Finance were requested to make a recommendation at the next meeting concerning an amendment to the occupational license ordinance to provide specific license fees for such events.

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The City Manager and Mr. M. B. Garriss discussed with the Commission the status of plans for the proposed sanitary sewer system. The City Manager noted that the balance of the federal grant allowed to the city for preparation of plans and specifications would be withdrawn if plans and specifications were not completed by April 30, 1949. He also advised that the Veterans Administration had denied city request to use and enlarge the Pratt Hospital disposal plant as part of the city sewer system, and stated that the grant allowed for plans and specifications would not be sufficient to cover the preparation of plans for a separate disposal plant. At the time the federal grant was made it had been contemplated that the proposed Miami disposal plant would be used. To protect the city and secure maximum benefit from the federal grant, the Commission authorized the engineers to complete the plans and specifications of the sewer system, based upon a tie-in with the proposed Miami system and use of the Miami disposal plant. The City Manager was directed at the same time to contact Florida representatives in Congress and the Veterans Administration in an effort to reverse the Veterans Administration's decision denying use of Pratt Hospital disposal plant.

The City Manager presented a plat of a subdivision of Block 64, Country Club Section 4, and the following resolution was presented and read:

RESOLUTION NO. 3147

A RESOLUTION APPROVING THE PLAT OF  
 SUBDIVISION OF BLOCK 64, COUNTRY  
 CLUB SECTION PART 4, CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
 CORAL GABLES, FLORIDA:

1. That that certain plat of subdivision of Block 64, Coral Gables Country Club Section Part 4, presented by J. J. Lamb Inc., dated November 16, 1948, be and the same hereby is approved.
2. That the Mayor and City Clerk are hereby authorized to sign the above plat on behalf of the city, upon fulfillment of the following conditions:
  - (a) That evidence be presented to the City Clerk showing payment of all city taxes due and outstanding upon the land included in the plat, and the redemption or cancellation of all outstanding tax certificates for city taxes on said land.
  - (b) That an opinion of title to the land included in said plat, prepared by a practicing attorney of Dade County, Florida, evidencing the fact that all persons having any claim or interest in and to said land have joined in the making of said plat, be presented to the city attorney.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager stated that the city had been for some time using a one and one-half ton International stake truck and a five ton Reo stake truck owned by the F.W.A. He said that this equipment was now available for purchase at a total price of approximately \$960.00, a price considerably below the actual value thereof. He requested authority to purchase the two trucks above rather than certain new equipment authorized to be purchased by the current appropriation ordinance. The Commission approved such request.

The City Clerk presented a letter from Mr. Frank Kelly requesting the City Commission to approve a proposed site for the new Florida East Coast Railroad station in Miami, such proposed site being at 19th street and the present railroad tracks. No action was taken.

RESOLUTION NO. 3148

A RESOLUTION REAPPOINT MR. PHIL LAURENCE AS A MEMBER OF THE CITY TRIAL BOARD.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Phil Laurence be and hereby is reappointed as a member of the Trial Board of the City of Coral Gables for a term ending December 1, 1950.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3149

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL BEVERAGE STORE LICENSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the transfer of the retail beverage store license, permitting consumption on the premises of alcoholic beverages of not more than 14 per cent of alcohol by weight, heretofore issued to Wesley Miller d/b/a Alhambra Drive In, 147 Alhambra Circle, to Herbert B. Brooks, doing business under the same name and at the same location, is hereby approved.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3150

RESOLUTION AUTHORIZING THE CONDEMNATION FOR STREET PURPOSES OF CERTAIN PORTION OF LOT 13, OF BLOCK 2 OF ANDERSON'S LITTLE GROVES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8 AT PAGE 30, DADE COUNTY, FLORIDA RECORDS.



BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. That a suit be instituted in behalf of the City of Coral Gables for the purpose of acquiring by eminent domain, for the City of Coral Gables, a municipal corporation of Florida, the fee simple title in and to the following described property, located in the City of Coral Gables, Dade County, Florida, to-wit:

Begin at the South West corner of Lot 13, Block 2 of the subdivision of Anderson's Little Groves, according to the plat thereof recorded in Plat Book 8 at page 30 of the public records of Dade County, Florida; thence northerly along the west line of the aforesaid Lot 13 for a distance of 168.45 feet to a point on the north boundary line of Avenue Catalonia as shown on the plat of Coral Gables Biltmore Addition, Plat Book 30, Page 45, public records of Dade County, Florida; thence easterly along the north boundary line of the said Avenue Catalonia for a distance of 20.94 feet to a point; thence southerly along the prolongation north of the east boundary line of Cardena Street as shown on the said plat of Coral Gables Biltmore Addition for a distance of 60 feet to a point on the prolongation east and west of the south boundary line of the said Avenue Catalonia; thence east along the prolongation east and west of said Avenue Catalonia for a distance of 9.86 feet to the beginning of a curve tangent to the south boundary line of the said Avenue Catalonia; thence southwesterly along said curve having a radius of 10 feet thru a central angle of 89 degrees 10 minutes 34 seconds for an arc distance of 15.56 feet to the end of said curve; thence southerly along the easterly boundary line and the prolongation south thereof of the said Cardena Street for a distance of 98.64 feet to a point on the south boundary line of Lot 13, Block 2 of the said Anderson's Little Groves; thence west along the south boundary of the said Lot 13 for a distance of 20.24 feet to the point of beginning.

Section 2. That said property be acquired for use in connection with the completion of Catalonia Avenue and Cardena Street and for street purposes.

Section 3. It is hereby declared that it is necessary that the fee simple title to said property be acquired by the City of Coral Gables for use for street purposes.

Section 4. That the City Attorney be and he is hereby instructed immediately to take all steps necessary in connection with the acquisition of the fee simple title to said property.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3151

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting November 22, 1948 has recommended that the

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following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of glass greenhouse at rear of garage on Lots 4 and 5, Block 129, Riviera Section; such structure to be located more than 35 feet from the canal and to be landscaped.
2. Permit construction of two residences on Lots 1, 2 and 3, Block 233, Riviera Section, with one of said residences having a side setback of 5 feet.
3. Permit construction of a 4-foot wire fence at rear of property and along one side of Lot 12, Block 71, Riviera Section.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

#### ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271  
PASSED AND ADOPTED FEBRUARY 16, 1937,  
AND KNOWN AS THE "ZONING ORDINANCE", AS  
TO ZONING REQUIREMENTS OF LOTS 3 AND 4,  
BLOCK 266, RIVIERA SECTION

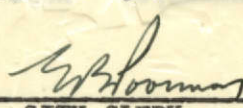
was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a letter from the 41st Street Association of Miami Beach, requesting the City Commission to go on record favoring the construction of a causeway between Miami and Miami Beach at 36th Street. Because of remoteness of direct interest to this city the Commission deferred any action thereon.

There being no other business the meeting was adjourned.

APPROVED:

ATTEST:

  
CITY CLERK  
E. B. Poorman

  
MAYOR

W. Keith Phillips

MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
DECEMBER 9, 1948

The Commission of the City of Coral Gables convened in special session at the City Hall at 8:00 o'clock P.M., Thursday, December 9, 1948. Vice Mayor Holley in the Chair; Commissioners Healy, Hendrick and Mayes present. Mayor Phillips absent.

The City Manager explained that this special meeting was called for the purpose of discussing whether or not the City of Coral Gables should send a representative to the hearings to be held by the Florida Railroad and Utilities Commission in Jacksonville, Florida, beginning at 9 A.M., December 10th, upon the request of the Southern Bell Telephone and Telegraph Company for an increase in rates. The City Manager explained that part of the hearing had been conducted in the City of Miami during the previous week and that at such hearing the City of Miami Beach had been represented by Mr. Sidney Hoehl, although Mr. Hoehl had taken no active part in the hearing. He further explained that Mr. Vivian Edwards, a C. P. A., had appeared at this hearing in his own behalf and had been effective in his cross examination of Telephone Company witnesses, and had been instrumental in inserting into the record many items of evidence which would be valuable in the event this or any other city desired to file a brief contesting the Telephone Company request for an increase in rates.

The City Manager stated that he had discussed this matter with City Manager Hart of Miami and with representatives of Miami Beach, and that neither city planned to have a representative at the continuation of the hearings in Jacksonville. He stated that he had discussed this matter with Mr. Vivian Edwards, who was present at the meeting, and that Mr. Edwards was planning to attend and take part in the hearings at Jacksonville.

The Commission discussed the matter at length, and decided that while the city did not care to be officially represented at such hearing, it would be beneficial to this city and to its citizens for some person to appear at the hearing to question and cross examine witnesses presented by the Telephone Company, and to insure that a proper record be made at such hearings so that an intelligent protest or appeal could be made to the Railroad and Utilities Commission in the event a telephone rate increase were granted. To that end the Commission agreed that the city would advance up to \$450 of the expenses incurred by Mr. Edwards during his attendance at such hearings, and the following resolution was presented and read:

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RESOLUTION NO. 3152

A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$450.00 TO DEFRAY EXPENSES OF MR. VIVIAN EDWARDS' ATTENDANCE AT TELEPHONE COMPANY HEARINGS BEFORE THE FLORIDA RAILROAD UTILITIES COMMISSION, AND APPROPRIATING THE NECESSARY AMOUNT THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of not more than \$450.00 be and hereby is appropriated from the General Contingent Fund of this city to be paid to Mr. Vivian Edwards for expenses incurred in his appearance at and participation in hearings before the Florida Railroad and Utilities Commission upon the petition of the Southern Bell Telephone and Telegraph Company for increased rates in this city and in this area, such hearings to commence in Jacksonville, Florida, on December 10, 1948.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick and Mayes; Vice Mayor Holley. "Nays" - None.

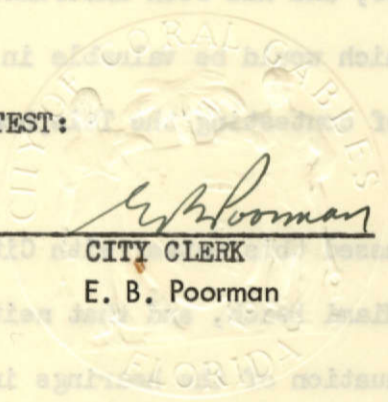
There being no other business the meeting was adjourned.

APPROVED:

*Frank N. Holley, Jr.*  
VICE MAYOR  
Frank N. Holley, Jr.

ATTEST:

*E. B. Poorman*  
CITY CLERK  
E. B. Poorman



MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
DECEMBER 21, 1948

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, December 21, 1948. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Mr. John Bouvier appeared before the Commission concerning his proposition to close Biltmore Drive by the elimination of the proposed bridge over the newly excavated canal in Blocks 24A and 25A, Riviera Section. Mr. Bouvier stated he admittedly was under obligation by agreement with the City Commission to build a permanent type bridge at this location, but felt that it was for the best interest of the city and adjacent area that the bridge at that point be eliminated. He declared that the City Planning and Advisory Board had refused to recommend his proposed request at the meeting December 6, 1948, and requested the Commission to hold a public hearing upon the matter. The Commission directed the City Clerk to publish a notice in the Coral Gables Riviera-Times calling for a public hearing upon said request to be held at the regular meeting of the City Commission, January 18, 1949, and to request the members of the Planning Board to be present at the hearing.

In the meantime Mr. Bouvier and/or Better Homes Investment Co. was given extended time to February 1, 1949 to complete the excavation in Blocks 24A and 25A, Riviera Section, and to remove the temporary rock processing plant at Blue Road and the canal. It was also agreed that Mr. C. A. O'Neill would have a similar extension of time for completion of excavation of the canal in Block 42, Riviera Section. All the above extensions were granted pending a final agreement upon the completion of the work.

Mr. Mike Ford appeared again before the Commission to object to his arrest and conviction in Municipal Court on November 1st on a charge of blasting without a permit. He produced a blasting permit for blasting on October 29th and stated he had been convicted for not having a permit for such date. Lt. Scobee of the Fire Department was present and declared that Ford had taken out such blasting permit at 11 A.M., October 29 after having blasted without a permit on October 27, 28 and 29. Mayor Phillips informed Mr. Ford that inasmuch as he had been found guilty in Municipal Court, his only remedy would be an appeal from that court and that the Commission had no power to act in the matter.

Dr. A. H. Weiland, Dr. A. D. Amerise and Mr. Charles Tutan appeared before the Commission concerning the new Doctors Hospital, which they stated was

nearing completion and was expected to open on or about February 15, 1949.

Dr. Weiland informed the Commission that this hospital was a private project financed by some fifty-two private physicians and by a mortgage loan, to meet the pressing need for hospital facilities in this area. He pointed out that the hospital will be operated essentially as a non-profit institution, although it had been necessary, to secure mortgage financing, to incorporate the hospital as a corporation for profit. He pointed out that it now appeared that this technicality of incorporation would make the hospital liable for city and county taxes, at a time when all possible available funds had been used in landscaping and equipping the hospital. He declared that the finished hospital building would represent an investment of some \$800,000, and that present plans called for an annual pay roll of around \$300,000. He requested that the Commission consider the granting of a tax exemption to Doctors Hospital on the grounds that its essential nature was that of a non-profit institution.

The matter was referred to the City Attorney to determine if it would be legally possible to grant any tax exemption to this hospital.

RESOLUTION NO. 3153

A RESOLUTION AUTHORIZING PURCHASE OF SUPPLIES FOR THE TAX ASSESSOR'S OFFICE, AND MAKING AN APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of \$526.00 be, and the same hereby is appropriated from the departmental portion of the General Contingent Fund of this city for the fiscal year ending June 30, 1949, for the purpose of purchasing frames for Addressograph plates for use in the Tax Assessor's office.

Motion for its adoption was made by Commissioner Mayes, seconded by

Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3154

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting December 13, 1948 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence on Lots 13 and 14, Block 3, Riviera Section, said residence containing only 1800 square feet instead of 2500 and 1727 square feet as such lots are now zoned.

2. Permit erection of apartment on Lot 1, Block 34, Douglas Section, having a 10-foot setback and a maximum ground coverage of 49 per cent.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. Dutch Kirkland appeared before the Commission to recommend a proposition to eliminate the present five-man Board of Supervising Architects and to establish in its place an office of Supervising Architect, who would examine and pass on all plans. No action was taken.

A discussion was then had concerning the establishment of a set fee for presentations such as the Roller Derby and the Ice Follies, which are scheduled to be presented at the Coliseum during the coming winter. The Commission discussed an amendment to the license ordinance providing a flat fee of \$150.00 per day for such events, and expressed the opinion that a flat fee in a similar amount should be fixed or that the 5 per cent admissions tax should be applied. The City Manager was directed to discuss this matter with Mr. Robert Lane, one of the sponsors of the Roller Derby.

#### ORDINANCE

AN ORDINANCE AMENDING SECTION 28 OF ORDINANCE NO . 514 AS AMENDED, KNOWN AS THE OCCUPATIONAL LICENSE ORDINANCE OF THE CITY OF CORAL GABLES, TO FURTHER DEFINE AND AMEND THE CLASSIFICATION "THEATRICAL TROUPE" TO INCLUDE OTHER FORMS OF PUBLIC ENTERTAINMENT, AND TO PROVIDE A LICENSE TAX THEREFOR; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Holley, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager pointed out that the current city contract with Atlantic Refining Company for furnishing of gasoline to the city expires January 7, 1949, and declared that bids had been requested from numerous gasoline companies. Bids were received from the following gasoline companies as set forth below:

Company Submitting Bid	Basis	Net Price (Gasoline Only) Dec. 13 Market	Estimated Net Cost Based on Dec. 13, 1948 Market Corrected 60° 302,000 Gals. No Correction 305,171 Gals.
American Oil Co.	Tank Wagon Less 1¢	13.1¢	\$ 60,306.38
Atlantic Refining Co.	Tank Wagon Less 1¢	13.1¢	61,339.37
Gulf Oil Corporation	Tank Wagon	14.1¢	64,391.08
Orange State Oil Co.	Transport	11.3¢	57,138.45
Shaw Bros. Oil Co.	Tank Wagon Less 1¢	13.1¢	60,702.00
Sinclair Ref. Co.	Transport	11.3¢	56,691.44
Standard Oil Co.	Transport	11.6¢	56,199.18
Superior Oil Co.	Tank Wagon Less 1¢	13.1¢	60,306.38
Texas Company	Tank Wagon	14.1¢	64,772.54

American, Sinclair, Standard and Superior oil companies offer 1% discount on 10 day payment; American, Orange State, Shaw Brothers, Sinclair, Standard and Superior oil companies base cost on gallonage corrected to 60° Fahrenheit; Orange State and Sinclair oil companies add cost for transportation to city tanks.

The City Manager stated that the Standard Oil Company bid was the lowest and best bid, and recommended that it be accepted.

#### RESOLUTION NO. 3155

A RESOLUTION ACCEPTING THE BID OF THE STANDARD OIL COMPANY FOR FURNISHING OF GASOLINE TO THE CITY FOR ONE YEAR, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR.

WHEREAS, bids have been requested from numerous oil companies for furnishing of gasoline to the City of Coral Gables for a one-year period, January 8, 1949 through January 7, 1950, and nine bids were received; and

WHEREAS, this Commission hereby finds that the bid of the Standard Oil Company is the lowest and most advantageous bid to the city;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the bid of the Standard Oil Company to furnish gasoline to the city for one year beginning on January 8, 1949, at posted transport truck price at time of delivery, with temperature corrected to 60° at loading point, with 1% discount, excluding taxes, for payment within 10 days, is hereby accepted, and the City Manager is hereby authorized to execute a contract with said company in compliance with such bid.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mayor Phillips pointed out the need of the Coral Gables Youth Center for additional city funds over and above the 1948-1949 appropriation therefor, and suggested that any unneeded balance in the funds of the Coral Gables Athletic Commission be allocated to the contingent fund of the city with the understanding that additional funds so allocated might later be appropriated for the Youth



Center. The City Manager was directed to discuss the matter with the Athletic Commission.

Commissioner Hendrick pointed out that a vacancy now existed on the Coral Gables Athletic Commission, and suggested that Mr. Pat Cesarano be considered for such position. No action was taken.

RESOLUTION NO. 3156

A RESOLUTION ACCEPTING THE BID OF W. T. PRICE DREDGING CORPORATION FOR PAVING APPROACHES TO BRIDGE OVER MAHI CANAL AT GRANADA BOULEVARD, AND AUTHORIZING EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, the City Clerk has advertised for bids for paving of approaches to the bridge over the Mahi Canal at Granada Boulevard, and bids were received as follows:

Name	Oil and Sand Sq. Yard	Trap Per Sq. Yard	Rock Per Sq. Yard	Alternate Slag Per Aq. Yard	Start-Finish	Gross
W. T. Price Dredging Corp.	\$.75	No bid		\$.80	10-30 days	\$1261.30
Troup Bros. Inc.	.70	No bid		.85	10-30 days	1270.27
Helms Construction Co.	.85	No bid		1.00	14-30 days	1513.52

AND WHEREAS, the bid of the W. T. Price Dredging Corp. is low and fully meets specifications ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the above recited bid of W. T. Price Dredging Corp. is hereby determined to be the lowest bid and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with said W. T. Price Dredging Corp. for paving of approaches to bridge over Mahi Canal At Granada Boulevard in accordance with terms of the above bid.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager informed the Commission that he was examining a possible contract for sale of tin can salvage at the city incinerator. He stated that such a contract would necessitate the city forces hauling incinerator residue to a plant in Miami, and might entail the purchase of an additional truck. The City Manager was authorized to continue negotiations for such contract, and to present his recommendations at a later date.

The City manager requested an opinion from the City Attorney as to the status of Local Improvement H-60, the paving of Avenue Catalonia. The City

ADA240

Attorney declared that Mr. Irving Becker, who had agreed to indemnify the city for any cost of condemnation of right of way, had recently passed away, and recommended that the City Manager negotiate with Troup Bros. Inc. to cancel or defer the completion of the contract entered into for such paving. The Commission approved such recommendations.

The City Clerk informed the Commission that Mr. John Rosasco had, on December 3, 1948, been elected as the employee member of the Board of Trustees of the Coral Gables Retirement System for a five-year term ending January 1, 1954; and that Mr. J. F. Gordon had been reelected, on December 10, 1948, by the employees of the city as a member of the Trial Board of the city for a term ending December 1, 1950.

The City Clerk presented a resolution urged by the Retail Merchants Division of the Miami Chamber of Commerce requesting that the granting of permit to any circus in the Miami area be limited to a two-day stand. No action was taken.

#### ORDINANCE

AN ORDINANCE RESCINDING THE PROVISIONS OF ORDINANCES NO. 530 AND 543 PERTAINING TO ESTABLISHING A SPECIAL USE FOR ERECTION OF STEEL WATER TANK UPON LOTS 1 TO 6 INCLUSIVE, BLOCK 89, RIVIERA SECTION; AND REPEALING ORDINANCE NO. 559.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Holley. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

#### ORDINANCE

AN ORDINANCE AMENDING AND CORRECTING ORDINANCE NO. 513 PASSED AND ADOPTED OCTOBER 1, 1946, INsofar AS SAID ORDINANCE PERTAINS TO BLOCKS 95, 96 AND 97, RIVIERA SECTION; AND PERMITTING CE-3½ USE FOR LOTS 33 TO 39 INCLUSIVE BLOCK 95, LOTS 1, 2, 12 AND 13, BLOCK 96, AND LOTS 1 TO 8 INCLUSIVE AND 17 TO 22 INCLUSIVE BLOCK 97, RIVIERA SECTION.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

ATTEST:

*E. B. Poorman*

CITY CLERK E. B. Poorman

*W. Keith Phillips*  
MAYOR  
W. Keith Phillips

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JANUARY 4, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, January 4, 1949. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meetings of December 7 and 21, 1948, and of the special meeting December 9, 1948 were approved as read.

Mr. James Santacroce appeared before the Commission with a petition filed by 33 property owners and merchants urging that the city owned property in Block 35, Section K, be prepared as a public parking space for the coming season. The City Manager stated that the estimated cost of paving all city lots in that block, affording space for some 250 cars, would be \$6500. He added that paving of the portion of such lots west of the present riding ring would cost approximately half as much. He pointed out that he believed use of such lots after clearing and without paving would be unsatisfactory. The Commission suggested to Mr. Santacroce that he discuss the matter with interested merchants and property owners and ascertain whether or not such persons would be in a position to advance the cost of such paving to the city.

Mrs. Charles E. Shay appeared before the Commission to offer for sale to the city Lot A between Blocks 1 and 16, Section B. Ownership by the city of such lot would permit extension of Segovia Street into Coral Grove and Coral Estates subdivision. After discussion the following resolution was presented and read:

RESOLUTION NO. 3157

A RESOLUTION AUTHORIZING PURCHASE OF  
LOT A BETWEEN BLOCKS 1 AND 16, SECTION B,  
AND MAKING APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the proper city officers are hereby authorized to purchase Lot A between Blocks 1 and 16, Section B, Coral Gables, at a purchase price not to exceed \$1250, seller to furnish abstract to show merchantable title; and the necessary amount for such purchase is hereby appropriated from the Road and Bridge fund in the Trust and Reserve Funds of the city, to appropriation account 2470-303 for the fiscal year ending June 30, 1949.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager stated that after the foundations for the wing walls of the new bridge over the Mahi waterway on Granada Boulevard were excavated, it

was found that the rock under these wing walls was unsatisfactory for a foundation. As a result it had been necessary to give a change order to the contractor to increase the excavation under these walls until a satisfactory foundation was secured. The total cost of additional concrete poured as a result thereof amounted to \$526.24. He stated that Mr. M. B. Garris had approved this change as necessary.

RESOLUTION NO. 3158

A RESOLUTION AUTHORIZING EXPENDITURE OF  
\$526.24 FOR EXTRA WORK IN CONSTRUCTION  
OF GRANADA BRIDGE OVER MAHI WATERWAY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the sum of \$526.24 is hereby appropriated from the Road and Bridge fund, Trust and Reserve funds of the city, to appropriation account 2445-321F for the fiscal year ending June 30, 1949 for payment of cost of extra excavation and concrete, made necessary by unforeseen conditions arising during the construction of the Granada bridge over the Mahi waterway.

Motion for its adoption was made by Commissioner Healy, seconded by

Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager discussed with the Commission the need of extensive street paving in Sections C and E, and the advisability of ordering local improvements for such work. No action was taken.

RESOLUTION NO. 3159

A RESOLUTION ORDERING LOCAL  
IMPROVEMENT H-62.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That a local improvement described and designated as follows shall be made under Section 62, Chapter 13972, Special Acts of Florida as Amended:

Paving to a 20 foot width with a 6 inch compacted lime rock base, primed and sealed with asphaltic oils and sand finished, at an estimated cost of \$21,400, the following streets:

Avenue Algardi between Red Road and Alhambra Circle, and between Alhambra Circle and San Amaro Drive;

Avenue Sarria, Avenue Dorado and Avenue Palancia, between Alhambra Circle and San Amaro Drive; Avenue Mercado between Red Road and Alhambra Circle, and between Alhambra Circle and San Amaro Drive;

Avenue Alegriano between Red Road and Alhambra Circle; between San Amaro Drive and Santa Maria Street, and between Santa Maria Street and Avenue Mendavia;

Avenue Mendavia between Santa Maria Street and Blue Road.

San Amaro Drive between Blue Road and Avenue Alegriano; between Avenue Alegriano and Avenue Mendavia; between Avenue Mendavia and Avenue Dorado; and between Blocks 114 and 90;

all in Country Club Section 5, Coral Gables.

2. That the cost of such improvement, except inter-sections and except any portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets, on a frontage basis, which said property is hereby designated as Improvement District H-62.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida, 1929 as Amended.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted that beginning January 16, 1949 the Miami terminal for the municipal bus system would be relocated at the northwest corner of Southeast First Street and South Miami Avenue.

The City Manager noted that he had attended a meeting of the legislative committee of the Florida League of Municipalities held at Orlando, December 20. He stated that a second meeting of this committee was to be held at Orlando on January 24. The Commission requested that the City Manager attend this second meeting.

The City Manager reported that he had conferred with the Southern Bell Telephone Company concerning the petition of merchants located in the Miracle Mile Section of Coral Way requesting that telephone book listings use the designation "Miracle Mile" instead of "Coral Way" as addresses in such section. He declared that the telephone company was willing to list all addresses in such section as Miracle Mile if desired, but it insisted, to avoid confusion, that all addresses in the area involved be listed in the same manner, in other words all "Miracle Mile" or all "Coral Way". The City Manager was instructed to notify the Merchants Division of the Chamber of Commerce of such attitude on the part of the telephone company, and to inform them that the telephone company desired a 100 per cent agreement upon address designation.

The City Manager noted the Commission had heretofore agreed to make approximately six members of the Riviera Property Owners Association special police of the city. He stated that an indemnity bond in the amount of \$1000 for each man could be obtained, to indemnify the city against suits for false arrests or against

other action taken by such special policemen beyond the scope of their authority.

RESOLUTION NO. 3160

A RESOLUTION AUTHORIZING THE CITY  
MANAGER TO OBTAIN INDEMNITY BONDS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

1. That the City Manager is hereby authorized to obtain indemnity bonds in the amount of \$1000 each, at a cost of \$10.00 for each bond, indemnifying the city against any damage or liability incurred from or because of the actions of six special policemen of the city heretofore designated from among the members of the Riviera Property Owners Association; and that the sum of \$60.00 is hereby appropriated therefor from the General Contingent Fund of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 584

AN ORDINANCE RESCINDING THE PROVISIONS OF ORDINANCES NO. 530 AND 543 PERTAINING TO ESTABLISHING A SPECIAL USE FOR ERECTION OF STEEL WATER TANK UPON LOTS 1 TO 6 INCLUSIVE, BLOCK 89, RIVIERA SECTION; AND REPEALING ORDINANCE NO. 559.

which was read by title and adopted on first reading December 21, 1948, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 584.

ORDINANCE NO. 585

AN ORDINANCE AMENDING AND CORRECTING ORDINANCE NO. 513 PASSED AND ADOPTED OCTOBER 1, 1946, INsofar AS SAID ORDINANCE PERTAINS TO BLOCKS 95, 96 AND 97, RIVIERA SECTION; AND PERMITTING CF-3½ USE FOR LOTS 33 TO 39 INCLUSIVE BLOCK 95, LOTS 1, 2, 12 AND 13 BLOCK 96, AND LOTS 1 TO 8 INCLUSIVE AND 17 TO 22 INCLUSIVE BLOCK 97, RIVIERA SECTION.

which was read by title and adopted on first reading December 21, 1948, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays"

- None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 585.

The Director of Finance advised that there was presently in the 7-1-44 bond sinking fund the sum of approximately \$70,000, which according to the terms of the bond ordinances and resolutions is required to be built up in anticipation of future maturities, but which would not be necessary for use for several years. He pointed out that in the period up to approximately July 1, 1954 this sinking fund would increase, and that additional monies would be in such fund not required for immediate use in redemption of bonds. He requested authority to invest any such surplus funds not immediately needed in U. S. Government bonds, with earnings thereof to accrue to the city.

RESOLUTION NO. 3161

A RESOLUTION AUTHORIZING INVESTMENT OF SURPLUS FUNDS OF 7-1-44 BOND FUND

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the Director of Finance is hereby authorized to invest surplus funds of the 7-1-44 bond fund, not needed within six months for payment of bonds and interest, in U. S. Government 2 or 2 1/2% Bonds of an appropriate series.

2. That the Director of Finance is authorized likewise to invest future surplus funds accruing and on hand in the 7-1-44 bond fund.

3. That the net income from all such investments shall be credited to the general fund of the city.

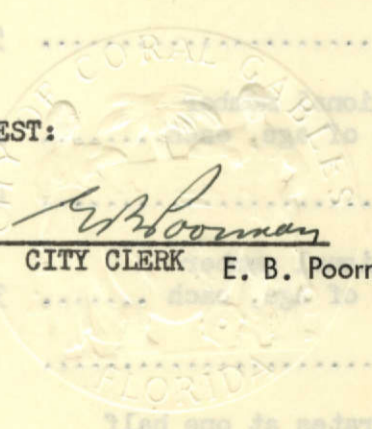
Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None. There being no other business the meeting was adjourned.

APPROVED:

ATTEST:

E. B. Poorman  
CITY CLERK

W. Keith Phillips  
MAYOR



ADA240

MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
JANUARY 11, 1949

The Commission of the City of Coral Gables convened in special session at the City Hall at 9:30 A.M., Tuesday, January 11, 1949. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

RESOLUTION NO. 3162

A RESOLUTION FIXING GREENS FEES  
AND CHARGES FOR THE CORAL GABLES  
BILTMORE GOLF COURSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

1. That the following charges and fees shall be in effect at the Coral Gables Biltmore Golf Course from the date hereof and until otherwise provided by the Commission:

Greens Fees - Daily

Summer - April 16 to December 14 .....	\$1.50
Winter - December 15 to April 15 .....	2.50
Strip tickets .....	15.00

Greens Fees - Annual

For bona fide permanent residents of Dade County .....	100.00
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For coaches, athletic directors, teachers and principals of schools in Dade County, and members of intercollegiate golf teams of schools in Dade County .....	75.00
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For spouse, and each additional member of family under 21 years of age (above two classifications) each.....	25.00
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For non-residents of Dade County .....	150.00
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For spouse and each additional member of non-resident's family under 21 years of age, each .....	50.00
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Greens Fees - Special Periods

<u>Summer</u> - June 1 to November 30 .....	50.00
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For spouse, and each additional member of family under 21 years of age, each.....	20.00
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<u>Winter</u> - December 15 to May 31 .....	85.00
---	-------

For spouse, and each additional member of family under 21 years of age, each .....	30.00
---	-------

<u>Caddy Carts</u> (for 18 holes).....	.50
--	-----

City of Coral Gables employees - all rates at one half  
resident rates.

2. That the Manager of the Biltmore Golf Course is hereby authorized to accept payment of annual greens fees, of \$100 or more, in two installments, one half at time of acceptance of application, and one half within 90 days thereafter, subject to the condition that the down payment of one half of the fee shall be forfeited in case of default of payment of balance due at the time required.



Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

During the general discussion concerning the Biltmore Golf Course it was agreed that Manager Clark should make a bid for the 1950 Junior Amateur National Championship Tournament for the Biltmore Golf Course.

RESOLUTION NO. 3163

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting January 10, 1949 has recommended that the following exceptions to the provisions of the Zoning Ordinance and Building Code, be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 and the Building Code, be and the same hereby are granted:

To permit construction of Senior High School building or buildings on the tract at the southwest corner of LeJeune Road and Bird Road, with a flat roof without parapet wall and according to construction plans required by the State of Florida.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. Hiss of the University of Miami informed the Commission that the University had been approached upon the acquisition of a portion of Chapman Field for use by the botany and marine zoology departments. He stated that University needs would call for a 150 to 200 acre tract adjoining the present Plant Induction station. He stated that Chapman Field had been transferred by the War Assets Administration to the Federal Land Bank, and was now available for disposition, although an appraisal thereof had not yet been made. On recommendation of the City Manager the following resolution was presented and read:

RESOLUTION NO. 3164

A RESOLUTION AUTHORIZING THE JOINT APPLICATION OF THE CITY AND UNIVERSITY OF MIAMI FOR ACQUISITION OF CHAPMAN FIELD.

WHEREAS, the University of Miami desires to acquire a 150 to 200 acre portion of Chapman Field, said tract to adjoin present Plant Induction station, for educational use, and the city is desirous of acquiring the remaining portion of Chapman Field, and both parties desire to make a joint application for such property on the above basis of use;

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NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That joint application by the city and University of Miami for acquisition of Chapman Field from the Federal Land Bank is hereby approved and authorized, on condition that such property can be acquired from the Federal Government without cost to the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The meeting was then turned over, at 10:00 o'clock A.M., to a public hearing for the Consumers Water Company to show cause why the rates and other charges now being charged and collected by the said company for water service rendered within the corporate limits of the City of Coral Gables should not be reduced, on the ground that such rates and charges are excessive and contrary to public interest, as ordered by Resolutions 3115, passed and adopted September 23, 1948, and 3140, passed and adopted November 2, 1948.

Mr. Burton Smith, Mr. H. E. Keating and Mr. D. S. Colborn were present for the company. Mr. Sidney S. Hoehl and City Attorney E. L. Semple were present representing the city. Mr. Smith stated that because necessary records had not been made available to it until recently, the company had not been able to prepare the necessary information on distribution of property revenue and expenditures as between operations within the City of Coral Gables and operations outside the city, and requested that the hearing be continued 90 days to afford the company opportunity to prepare such information.

Mr. Hoehl and Mr. Semple declared that it appeared that the company had not been diligent in seeking and preparing the necessary information to answer the rule to show cause, and recommended that any further postponement of the hearing be on the express condition that the company file an indemnity bond, conditioned on return to customers of all collections since August 1, 1948 that are or may be in excess of such rates as are subsequently adjudged to be just and reasonable. The following resolution was presented and read:

RESOLUTION NO. 3165

A RESOLUTION POSTPONING THE DATE OF PUBLIC HEARING FOR THE CONSUMERS WATER COMPANY TO SHOW CAUSE WHY RATES AND OTHER CHARGES NOW BEING COLLECTED BY THE SAID COMPANY SHOULD NOT BE REDUCED, AND REQUIRING SAID COMPANY TO FILE AN INDEMNITY BOND CONDITIONED UPON REFUND TO CUSTOMERS OF ALL CHARGES COLLECTED SINCE AUGUST 1, 1948 IN EXCESS OF RATES ADJUDGED TO BE JUST AND REASONABLE.

WHEREAS, by the terms of Resolutions No. 3115 and 3140 heretofore adopted by this Commission, the Consumers Water Company was directed to show cause at a public hearing to be held at 10 o'clock A.M., January 11, 1948, why the rates and other charges now being charged and collected by the said company for water service rendered within the corporate limits of the City of Coral Gables should not be reduced upon the ground that such rates and charges are excessive and contrary to the public interest; and

WHEREAS, the said Consumers Water Company has requested, at such hearing, that it be given additional time to answer to the said rule to show cause;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the public hearing to which the Consumers Water Company is directed to show cause why the rates and other charges now being charged and collected by the said company for water service rendered within the corporate limits of the City of Coral Gables should not be reduced upon the ground that such rates and charges are excessive and contrary to the public interest, is hereby continued to 10 o'clock A. M., Saturday, March 19, 1949.

2. That as a condition to said continuation and the postponement, the said Consumers Water Company is hereby required and directed to execute and file with the City Clerk of Coral Gables, on or before 10 o'clock A.M., January 26, 1949, an indemnity bond, in such amount and in such form as shall be approved on behalf of the city of Coral Gables by City Attorney E. L. Semple and special counsel Sidney S. Hoehl, conditioned upon the return or refund to all customers of said company of all charges and collections made since August 1, 1948 that are or may be in excess of such rates and charges subsequently adjudged to be just and reasonable.

3. That this public hearing is hereby recessed to 10 o'clock A.M., January 26, 1949, to be reconvened in the event that the indemnity bond described in paragraph 2 hereof is not on or before that time filed with the City Clerk of this city; and if such indemnity bond has not on or before that time been filed with said City Clerk, then the continuation and postponement of the public hearing made in paragraph 1 hereof shall be void and of no effect, and in such event the said rule to show cause shall be returnable at such time.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

#### RESOLUTION NO. 3166

A RESOLUTION AUTHORIZING THE EXECUTION  
OF AN AGREEMENT WITH THE WILSON AND  
TOOMER FERTILIZER COMPANY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That the City Manager and City Clerk are hereby authorized and directed to execute on behalf of the city the following agreement with Wilson and Toomer Fertilizer Company:

#### AGREEMENT

THIS AGREEMENT, made this 12th day of January A. D. 1949, by and between Wilson and Toomer Fertilizer Company and The City of Coral Gables, Florida,

WITNESSETH:

WHEREAS, the plats of Industrial Section of Coral Gables, Florida, show a 38 foot alley or street between Lot 4, Block 10, of said section on the west and Lots 42 to 46, inclusive, Block 10 of said section on the east; and

WHEREAS, Wilson and Toomer Fertilizer Company, owner of said Lots 42 to 46, inclusive, Block 10, Industrial Section as aforesaid, desire to construct and maintain a loading platform in that portion of the 38 foot alley or street immediately adjoining aforesaid Lots 42 to 45, inclusive, such platform to extend into said alleyway to a line 7'6" easterly of and parallel to the center line of the railroad spur track now existing in said alleyway (the location of such platform being more particularly shown by plans to be filed in connection with an application to the City of Coral Gables for a building permit therefor); and

WHEREAS, doubt or controversy exists as to whether such platted 38 foot alley or street is a public or private way, and if said platted 38 foot alley or street is a public way the City of Coral Gables desires, by this agreement, to protect the rights and interests of the public in such way;

NOW, THEREFORE, in consideration of the premises above recited, it is hereby agreed by and between the parties hereto as follows:

1. That the City of Coral Gables will issue a building permit for the construction of the loading platform located as above recited, upon compliance with all proper regulations in respect thereto.
2. That if it is hereafter determined that said 38 foot alley or street as above described is a public way, then and in that event Wilson and Toomer Fertilizer Company hereby agrees that on and after 3 years from the date hereof it will, at its own expense, remove said loading platform from said 38 foot alley or street within 60 days after notice so to do has been given to said company by the City of Coral Gables, (either by service of such notice in person upon any employee of the company at the company's Coral Gables address, or by mailing such notice in the U. S. Mails, postage prepaid, addressed to the company at its Coral Gables address); and the said company hereby agrees that it will save and hold the City of Coral Gables, Florida, harmless from any liability, damages or expense incurred by said City arising from and out of permission hereby granted to the Wilson and Toomer Fertilizer Company to construct the loading platform described above.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

## RESOLUTION NO. 3167

A RESOLUTION AUTHORIZING EXCEPTIONS  
TO ORDINANCE NO. 271, KNOWN AS THE  
"ZONING ORDINANCE".

WHEREAS, The Zoning Board of Appeals at its regular meeting January 10, 1949 has considered or approved the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance":

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence on east 38 feet of Lot 8 and all of Lot 9, Block 42, Country Club 3, having 1732 square feet instead of 1800 square feet as now permitted.

2. Permit, on a temporary basis for 6 months from date hereof, the use of present building at 135 Avenue Madeira by the Wood Letter Company for storage of trucks used in connection with company business and for installation and use therein of jig saw, band saw, drill press and a small paint spray machine for cutting, painting and assembling wood letters.

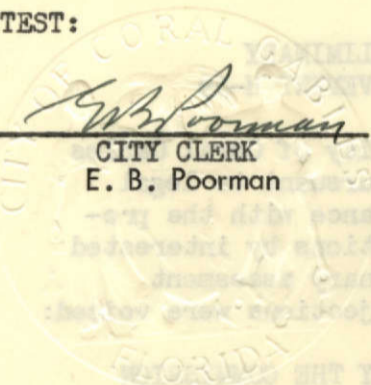
Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None. There being no other business the meeting was adjourned.

APPROVED:

ATTEST:

W. Keith Phillips  
MAYOR  
W. Keith Phillips

E. B. Poorman  
CITY CLERK  
E. B. Poorman



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1. That the assessments as imposed and indicated in the preliminary assessment roll for local improvement H-59, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$4,663.45
Apportioned to City	1,234.00
Apportioned to	
shutting property	\$3,429.45
linear front foot:	\$ 822
lots and parcels, per	
Apportioned to shutting	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable March 1, 1949, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in two equal installments on or before the first day of November, 1949, and 1950, provided that the owner thereof shall file with the City Manager, on or before March 1, 1949, his written undertaking waiving all irregularities and liabilities in connection with said assessments against such lot or parcel; all delinquent payments or delinquent payments to bear interest at the rate of 6 per cent per annum from March 1, 1949.

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JANURAY 18, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, Januray 18, 1949.

Mayor Phillips in the Chair; Commissioners Healy, Hendrick and Mayes present. Commissioner Holley absent.

The meeting was turned over to a public hearing upon confirmation of assessment rolls for Local Improvements H-59 and H-61, and for acceptance of work in Local Improvement A-6. No persons appeared to object to any of said local improvements.

RESOLUTION NO. 3168

A RESOLUTION CONFIRMING THE PRELIMINARY  
ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-59

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., January 18, 1949, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assesment roll for Local Improvement H-59, and no objections were voiced:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-59 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.
2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.
3. That the toal amount of said assessment and the apportionment of cost of said improvement as follows:
 

Total cost	\$4,663.45	Apportioned to abutting
Apportioned to City	<u>1,234.00</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.825
abutting property	\$3,429.45	
- be and the same hereby is confirmed.
4. That each and every assessment described herein shall become due and payable March 1, 1949, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in two equal installments on or before the first day of November 1949 and 1950, provided that the owner thereof shall file with the City Manager, on or before March 1, 1949, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 per cent per annum from March 1, 1949.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-59 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$1234 shall be repaid in two annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement districts;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3169

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-61.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., January 18, 1949, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-61, and no objections were voiced:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-61 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total Cost	\$360.33	Apportioned to Abutting
Apportioned to City	<u>19.45</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.1625
abutting property	\$340.88	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable March 1, 1949.

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5. That the Director of Finance is hereby authorized to transfer the cost of said local improvement as above shown from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid by transferring to the Trust and Reserve Fund all payments received, including interest thereon, from the assessments levied in said improvement district.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3170

A RESOLUTION ACCEPTING CONSTRUCTION WORK  
IN LOCAL IMPROVEMENT A-6.

WHEREAS, by Resolution No. 3113 passed and adopted September 23, 1948, the Commission ordered Local Improvement A-6, and by Resolution No. 3119 passed and adopted October 12, 1948 said improvement was confirmed after public hearing; and

WHEREAS, the Commission subsequently authorized the execution of a contract for paving the alley included in such improvement with C. B. Brooks d/b/a Brooks Paving Co., and the work covered by said contract has now been completed and the City Manager reports that the work was done in accordance with specifications and is satisfactory;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the alley paving done by Brooks Paving Co. in Local Improvement A-6 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

3. That the City Clerk is hereby instructed to cause to be published in the Coral Gables Riviera-Times a notice of public hearing upon the assessment roll in said improvement district, said hearing to be convened at 8 o'clock P.M., Tuesday, February 15, 1949 in the Commission Chamber of the City Hall, Coral Gables, Florida.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The meeting was then turned over to a public hearing upon the proposal submitted by Mr. John Bouvier and/or Better Homes Investment Co.:

1. To extend the branch canal through Blocks 24A and 25A, Riviera section (between Avenue San Jeronimo and Avenue Vilabella) at a full 100 foot width to its junction with the Coral Gables Waterway, and to thereby eliminate the present proposed bridge over such canal at Biltmore Drive and to close Biltmore Drive at that point.

2. To change the name of "Biltmore Drive", from Avenue San Jeronimo to Granada Boulevard, to "Avenue San Jeronimo".

in accordance with notice published in Coral Gables Riviera-Times of January 4 and 11, 1949.



The following members of the City Planning and Advisory Board were present and took part in the meeting: Chairman Garris and Members Brown, Skinner and Shikany. Chairman of the Zoning Board of Appeals, H. C. Anderson, was also present and took part in the meeting. Mr. Bouvier outlined his proposals and stated that if a bridge were not required to be built over the canal at Biltmore Drive he would agree to convey to the city some of his property at the mouth of the new canal to be used as a public park, and would agree to repave Biltmore Drive from the canal north to Granada Boulevard. He pointed out that he believed that the elimination of the bridge would not create a precedent in the city, inasmuch as the Miller Road bridge had been previously eliminated in the past, and other streets such as Alhambra Circle in the University campus had been closed.

He declared that Biltmore Drive did not serve any useful purpose as an arterial street for through traffic, and alleged that the elimination of the bridge would leave all necessary and essential arteries intact; he pointed out that the streets in the area are primarily neighborhood streets, and that elimination of the bridge would be desirable to discourage through traffic on nearby residential streets and would tend to improve traffic conditions in the neighborhood. He also claimed that construction of a bridge at Biltmore Drive would create a traffic hazard at the corner of Biltmore Drive and Blue Road. Numerous residents of the area appeared to support Mr. Bouvier's proposal.

In answer to a question by Commissioner Mayes, Mr. Bouvier stated that if a bridge at Biltmore Drive were required, he planned to construct a bridge with concrete abutments and with a concrete floor supported by steel girders. Mr. Bouvier estimated the cost of such a bridge at \$8,000, although Chairman Garris figured the cost at \$15,000.

Mr. Garris noted that the City Planning and Advisory Board had twice recommended against elimination of the bridge over Biltmore Drive, and that the Board had recommended construction of the bridge to enable Anderson Road to be used as an arterial street for University traffic. Mr. L. G. Walters also spoke against elimination of the bridge.

At the conclusion of the hearing Mayor Phillips stated that the Commission would take the proposals under advisement.

Mr. Robert Lane, Mr. W. H. Peeples and Mr. George D. Tyson appeared to discuss with the Commission the proposed new license fees or permits to be required for presentations such as the Roller Derby and Holiday On Ice, both scheduled in the Coral Gables Coliseum during the next 60 days. At the conclusion

of the discussion the following ordinance, which had been passed on title on first reading at the meeting of December 21, 1948 was presented and read in full.

ORDINANCE NO. 586

AN ORDINANCE AMENDING SECTION 28 OF ORDINANCE NO. 514 AS AMENDED, KNOWN AS THE OCCUPATIONAL LICENSE ORDINANCE OF THE CITY OF CORAL GABLES, TO FURTHER DEFINE AND AMEND THE CLASSIFICATION "THEATRICAL TROUPE" TO INCLUDE OTHER FORMS OF PUBLIC ENTERTAINMENT, AND TO PROVIDE A LICENSE TAX THEREFOR: AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 586.

Mr. C. A. O'Neill appeared to explain delays encountered by him in completion of canal excavation in Block 42, Riviera Section.

RESOLUTION NO. 3171

A RESOLUTION EXTENDING THE PERIOD FOR COMPLETION OF CANAL PROJECT BY C. A. O'NEILL.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That C. A. O'Neill is hereby granted an extension of time, to July 18, 1949, for completion of lot clearance and canal excavation in Block 42, Riviera Section, Coral Gables, pursuant to terms of and upon the same conditions as in Resolution No. 2973 passed and adopted December 4, 1947, and upon the same terms and conditions as specified in Resolution No. 3073 passed and adopted July 6, 1948 extending the time of completion of the project as originally specified; this extension of time is granted upon the express condition that all bonds, deposits and insurance required in said Resolutions 2973 and 3073 remain in force and effect or be extended or re-written to cover, to the satisfaction of the City Attorney, the extended period for completion of said project as herein granted.

2. That the above extension of time is hereby granted upon the express condition that said party shall furnish evidence to the City Manager, and to the satisfaction of the City Attorney, of the extension to July 18, 1949 of all insurance, deposits and bonds as above recited by February 1, 1949.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager requested authority to have turned on one 4000 lumen street light on the west side of Ponce de Leon Boulevard, approximately half way between Bird Road and Avenue Altara. The Commission approved the request.

The City Manager requested authority to purchase a 600-gallon Littleford asphalt distributor for the Streets Department at a cost of \$1695, plus approximately \$150 freight. He stated that purchase of similar equipment had been included in the current budget, but that increase in prices made it necessary to pay more for the equipment than had been contemplated. He declared that the purchase could be made without exceeding the amount in the appropriation account 2445-312. The Commission approved the purchase of this equipment.

RESOLUTION NO. 3172

A RESOLUTION AUTHORIZING THE WIDENING AND REBUILDING OF WOODEN BRIDGE ON GRANADA BOULEVARD BETWEEN BIRD ROAD AND BLUE ROAD.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the widening to 30 feet and rebuilding of wooden bridge on Granada Boulevard between Bird and Blue Roads is hereby authorized and directed.

2. That \$1800, or so much thereof as is necessary, is hereby appropriated for such purpose from the Street and Bridge Fund to Appropriation Account 2445-321F, to be in addition to the \$1000 appropriated for this purpose in the 1948-1949 appropriation ordinance.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE REGULATING THE STORAGE OF FUEL OIL AND THE CONSTRUCTION AND LOCATION OF FUEL OIL TANKS IN THE CITY OF CORAL GABLES; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager discussed the proposed new bus terminal and recommended that steps be instituted toward deciding upon and preparing plans therefor, as well as means of financing the construction. He noted that the Merchants Division

of the Chamber of Commerce had urged early construction of the new terminal as a means of alleviating traffic and parking conditions down town. During the discussion the Commission declared that local architects should be retained for the work, as it believed that the cost to retain a specialist in bus terminals was too high for the speculative nature of the benefit to be received thereby. It was decided to set a date in the near future for discussion as to plans and specifications and financing of the new terminal.

#### ORDINANCE

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 556 OF THE CITY OF CORAL GABLES BY DEFINING THE JURISDICTION OF THE CORAL GABLES ATHLETIC COMMISSION AND LIMITING SAID JURISDICTION TO THE REGULATION, CONTROL AND SUPERVISION OF CERTAIN BOXING AND WRESTLING EVENTS OR EXHIBITIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by Title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

#### RESOLUTION NO. 3173

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting January 10, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence on Lot 12, Block 10, Section C, said residence to be in addition to the existing building on the rear of this lot.

2. Permit construction of two duplexes on Lots 12 to 16, Block 34, Coconut Grove Section, the duplex to be constructed upon Lots 12, 13 and 14 to have a minimum of 1600 square foot area and to face on Avenue Velarde with a 21 foot setback therefrom. The duplex to be constructed on Lots 15 and 16 to face as zoned and to contain a minimum area of 1600 square feet.

3. Permit construction of an addition to existing garage on Lots 20 to 22 inclusive, Block 26, Section E, exceeding square foot area allowed by zoning regulations by 616 square feet.

4. Permit construction of wire fence along rear line of property and on each side to the rear of present building on Lot 3 and east 31 feet of Lot 2, Block 127, Country Club Section 6, said fence to be 4 feet in height and landscaped on the outside thereof.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk noted for the record that John A. Lyden had been unanimously chosen by the other members of the City Trial Board as the fifth member of such board.

The City Clerk called attention to a resolution recently passed by the County Commission objecting to further filling in of Biscayne Bay to make or enlarge islands therein. No action was taken.

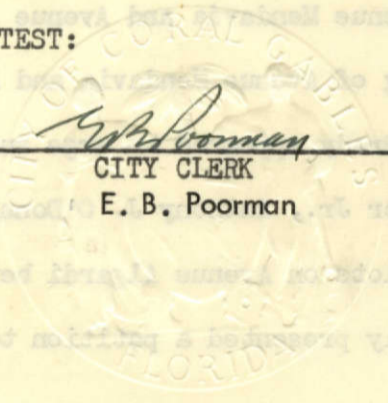
There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips  
MAYOR  
W. Keith Phillips

ATTEST:

E. B. Poorman  
CITY CLERK  
E. B. Poorman



ADA240

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
FEBRUARY 1, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, February 1, 1949. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meetings of January 4 and January 18, 1949, and of special meeting January 11, 1949, were read and approved.

The meeting was turned over to a public hearing upon the confirmation of Local Improvement H-62, in accordance with notice published according to the provisions of the charter in the Coral Gables Riviera-Times.

Mrs. Wingate Holland, owner of 150 feet frontage on Dorado Street, objected to the paving of such street. Mrs. Morris Marger, owner of 150 feet frontage on Avenue Mercado west of Alhambra Circle, objected to the paving of such street.

The Riviera Country Club, Adam G. Adams, Grant M. LeRoux and W. L. Randol, owners of a majority of the footage on Avenue Mendavia and Avenue Alegriano, east of Santa Maria Street, objected to the paving of Avenue Mendavia and Avenue Alegriano east of Santa Maria Street. Mr. H. R. Brady appeared to urge such paving.

The City Manager noted that John W. Minor Jr., Anthony J. O'Donnell, Lillian Wright and Charles D. Moss, owners of 12 lots on Avenue Algardi between San Amaro Drive and Alhambra Circle, had previously presented a petition to the Commission to pave such street.

At the conclusion of the discussion the following resolution was presented and read:

RESOLUTION NO. 3174

A RESOLUTION AMENDING RESOLUTION NO. 3159  
ADOPTED JANUARY 4, 1949, ORDERING LOCAL  
IMPROVEMENT H-62, AND CONFIRMING SUCH  
RESOLUTION AS AMENDED.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., February 1, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution No. 3159 adopted January 4, 1949 and ordering Local Improvement H-62, and to the plans, specifications and estimates of costs of such improvements; and

WHEREAS objections have been made to the paving of Avenues Mendavia and Alegriano, east of Santa Maria Street, on the ground that paving of such streets is not necessary at the present time, and no other objections were sustained;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That Resolution No. 3159 passed January 4, 1949 and entitled "A Resolution Ordering Local Improvement H-62",

be and the same is hereby amended by deleting therefrom Avenue Mendavia and that portion of Avenue Alegriano lying east of Santa Maria Street, so that Section 1 thereof shall read:

"1. That a local improvement described and designated as follows shall be made under Section 62, Chapter 13972, Special Acts of Florida as amended:

Paving to 20 foot width with a 6 inch compacted lime rock base, primed and sealed with asphaltic oils and sand finished, at an estimated cost of \$21,400, the following streets:

Avenue Algardi between Red Road and Alhambra Circle, and between Alhambra Circle and San Amaro Drive;

Avenue Sarria, Avenue Dorado and Avenue Palancia, between Alhambra Circle and Sam Amaro Drive;

Avenue Mercado between Red Road and Alhambra Circle, and between Alhambra Circle and San Amaro Drive;

Avenue Alegriano between Red Road and Alhambra Circle; and between San Amaro Drive and Santa Maria street;

San Amaro Drive between Blue Road and Avenue Alegriano; between Avenue Alegirano and Avenue Mendavia; between Avenue Mendavia and Avenue Dorado; and between Blocks 114 and 90;

all in Country Club Section 5, Coral Gables."

2. That Resolution No. 3159 adopted January 4, 1949, ordering Local Improvement H-62, as amended, be and the same is hereby confirmed, and the cost of such improvement except street intersections and that portion thereof abutting upon city owned property shall be assessed against all lots and lands adjoining or abutting upon such improvement.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. George Fink and Mr. C. S. Daniels appeared to request permission for the erection of a metal sign upon Daniels' store. The sign complies with all requirements of the ordinances of the city except that it is of metal instead of masonry construction.

RESOLUTION NO. 3175

A RESOLUTION AUTHORIZING AN EXCEPTION TO THE BUILDING CODE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of the Building Code, is hereby granted:

To permit erection of metal sign, per sketch submitted, on building on Lots 38 and 39, Block 21, Section L.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ADA240

H. E. Keating, Manager of Consumers Water Company, requested permission of the Commission to connect two company owned wells in the county area to the present water distribution system to augment the supply and pressure of water in the southern portion of the city, at least until such time as additional sources of supply of Miami water are made available after the laying of a 48" main through Coral Gables from wells west of the city. He pointed out that the company was unable at the present time to furnish sufficient water to meet the needs of the University of Miami new campus and adjoining areas. He advised that water from the new well sources would be untreated for hardness, but would be chlorinated and would meet State Board of Health standards for purity; he declared that increased hardness of the water should be dissipated within a relatively small area as it became mixed with Miami water in the system. The company had been advised by engineers, he said, that connection of the two wells would reinforce the water supply to a point where satisfactory pressures could be maintained at the University of Miami main campus and adjacent areas. He declared that the supply from the wells could be tied into the system within approximately two weeks and said that the company desired to use the well supply until such time as the outlay for such connections could be recovered.

A letter from Dr. Jay F.W. Pearson, Vice President of the University of Miami, was presented, which stated that while the University of Miami preferred softened water, the connection with company wells was urged so that a sufficient quantity of potable water under adequate pressure be made available immediately to serve the needs of the university campus.

Mr. William Glass, Manager of the City of Miami Water and Sewer Dept., was present and explained that the City of Miami plan ned to place the new well field near Galloway Road in service as soon as the 48" main could be laid, and stated that the department hoped to have the main laid and the water source in use within a year. He declared that the City of Miami would have to furnish untreated water from the Galloway Road well field until such time as a treatment plant could be financed, and that until the treatment plant was installed water from that source would be substantially the same as the water from the Consumers Company wells. He further declared that the cause of the limited water service being furnished by Consumers Company in the southern section of the city was the lack of adequate distribution mains and not the lack of supply or pressure of water available from the City of Miami system.

The City Manager emphasized that any permission granted to the water company to use outside sources of lower quality water to bolster supply should



be distinctly temporary in character, and should not be understood in any event to alter or lessen the duty of the water company to provide system betterment to adequately meet the needs of the city. He agreed with Mr. Glass that the lack of water in the southern areas of the city was due to insufficient distribution

mains in the Consumers Water Company system, and declared that the company should be required to install mains of adequate size to serve the needs from the present-ly sufficient water supply.

Mr. Keating declared that water needs were not at the highest point in the history of the city and far above the anticipated demand projected for the present in the Greeley and Hansen report of a few years ago. He declared that permission to use outside sources of water as a temporary expedient would not deter the Consumers Water Company in the betterment of its distribution system to enable adequate water supply.

Mr. Glass stated that use by Consumers Water Co. of outside wells would be agreeable to the City of Miami, and would not jeopardize in any way the 1941 water contract.

RESOLUTION NO. 3176

A RESOLUTION GRANTING TEMPORARY PERMISSION TO CONSUMERS WATER COMPANY TO CONNECT COMPANY WELLS TO WATER DISTRIBUTION SYSTEM IN THE CITY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Consumers Water Co. is being granted permission to connect two company wells to the water distribution system adjacent to the University of Miami housing project and main campus, and to use such wells as an additional source of supply of water, upon the following express conditions:

1. That the permission so granted shall extend only until such time as the City of Miami shall have placed in service a 48" distribution main to be supplied from the new well field near Galloway Road, along the proposed route through the City of Coral Gables; at which time the Commission of the City of Coral Gables shall review, and either terminate the permission hereby granted or extend same upon such terms and conditions as may be then prescribed.
2. That the permission hereby granted shall not be construed to lessen or in any way alter the responsibility of the Consumers Water Co. to provide and effect distribution system betterment so as to adequately serve and meet the water needs of this city and the inhabitants thereof.
3. That the permission hereby granted shall continue only so long, in any event, as the water delivered through such tie-in is continuously and satisfactorily chlorinated and remains pure and potable according to State Board of Health standards, as determined by tests of regular semi-monthly water samples as required by the State Board of Health.

ADA210

84-1-3

4. That the permission hereby granted to Consumers Water Company to use water from sources other than City of Miami is agreed to by the City of Miami, without jeopardy to any contract now existing between the city of Coral Gables, City of Miami and Consumers Water Company for the furnishing of water for distribution in the City of Coral Gables by the City of Miami.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. Dutch Kirkland and Mr. Wells inquired the attitude of the Commission concerning the rezoning of property on the east side of Red Road to duplex use. The matter was referred to the Zoning Board.

Mr. Kirkland then presented to the Commission a letter from Better Homes Investment Company, signed by John A. Bouvier, Jr., President, in which the company made the following offer to the city: On condition that the construction of a bridge over the canal at Biltmore Drive be excused, the company will: (1) resurface Biltmore Drive from Granada Boulevard to Avenue San Jeronimo (2) resurface Avenue Cadagua from Blue Road to Riviera Drive (3) deed to the city, with reverter clause, all of Lots 1 and 2 in Block 26, all of Block 25A, and part of Lot 3 in Block 25, Riviera Section, such property to be used for park purposes and such deed to be subject to any unpaid taxes, and such conveyance to be further subject to the city's granting a perpetual easement 100 feet wide for extension of the waterway now excavated in Block 24A, Riviera Section, to the main canal. The company further agreed to excavate to a full 100 feet width the section between the main waterway and the canal in Block 24A. The matter was taken under advisement.

The City Manager presented a letter from attorney Benjamin W. Turner, representing Clarence A. Huskamp and John R. Halifax, owners of Lots 1 to 10 inclusive, and Lots 76 to 88 inclusive, Block 17, Industrial Section, requesting that the westerly portion of the alley in Block 17 be closed, in exchange for the dedication of Lot 10 in said block for an alley outlet. It was noted that the owners of adjacent property made no objection to the vacation provided that an adequate alley outlet was substituted. The City Manager recommended that the easterly 5 feet of Lot 9 be dedicated with Lot 10 to provide a 30 foot outlet to correspond with the 30 foot width of the alley in Block 17.

## RESOLUTION

AN ORDINANCE VACATING AND DISCONTINUING THAT PORTION OF THE ALLEY IN BLOCK 17, INDUSTRIAL SECTION, LYING BETWEEN LOTS 1 TO 8 INCLUSIVE AND THE SOUTHWESTERLY 20 FEET OF LOT 9 IN SAID BLOCK ON THE NORTH AND THE SOUTHWESTERLY 20 FEET OF LOT 76 AND LOTS 77 TO 87 INCLUSIVE IN SAID BLOCK ON THE SOUTH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Holley. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager then discussed the retention of an engineering firm to prepare preliminary plans on the proposed new bus terminal, and the following resolution was presented and read:

## RESOLUTION NO. 3177

A RESOLUTION AUTHORIZING THE CITY MANAGER TO RETAIN MAURICE H. CONNELL AND ASSOCIATES TO PREPARE PRELIMINARY PLANS FOR A NEW BUS TERMINAL.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized and directed to retain the firm of Maurice H. Connell and Associates to prepare a study and report, which will include an examination of the site, preliminary investigations, collection of data, a preliminary layout, conferences, an economic study, a traffic study, a final layout, and a cost estimate for construction of a new bus terminal on city owned property in Block 35, Section K, in accordance with letter proposal submitted by such firm, and at a fee of \$1500 therefor.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted a communication from Congressman Smathers, enclosing a letter from the Veterans Administration again refusing the city the use of the disposal plant on the Pratt General Hospital grounds.

The City Manager informed the Commission that annual dues for the Florida League of Municipalities had been increased from \$70.00 to \$150.00 per year for this city, and that the fiscal year of the league had been changed to the calendar year. Under this schedule dues for the City of Coral Gables will be \$115.00 to December 31, 1949, and \$150.00 per year thereafter.

## RESOLUTION NO. 3178

A RESOLUTION AUTHORIZING THE PAYMENT OF \$115.00 DUES TO THE FLORIDA LEAGUE OF MUNICIPALITIES FOR THE PERIOD ENDING DECEMBER 31, 1949.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the payment of \$115.00 to the Florida League of Municipalities for dues for the City of Coral Gables for the period ending December 31, 1949 is hereby approved.

Motion for its adoption was made by Commissioner Mayes, seconded by

Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted that a meeting of the league will be held in Jacksonville, February 20 and 21. It was recommended by the Commission that at least one city official attend this meeting to take part in the discussion of the 1949 legislative program of the league.

The City Manager noted that a request had been made for a waiver of the city's 5% admissions tax for the boxing show to be held at the Coliseum on February 4th for the benefit of Jack Bell's "Lend-A-Hand" fund. The Athletic Commission at its meeting January 26, 1949 had recommended donation of the amount of the tax, after deduction of city expenses, to this charity fund. The Commission, on advice of the City Attorney, declared that the tax could not be waived and the city could not donate to such charity.

The City Manager requested authority to retain Howard Wisehaupt, a nationally known authority on employee-public relations, to give two lectures to city employees at a fee of \$100.00.

## RESOLUTION NO. 3179

A RESOLUTION AUTHORIZING THE RETENTION OF HOWARD WISEHAUPT FOR TWO LECTURES TO CITY EMPLOYEES, AND MAKING AN APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized to retain Mr. Howard Wisehaupt, at a fee of \$100.00, to give two lectures on public relations to city employees, and the sum of \$100.00 is hereby appropriated from the General Contingent Fund for such purpose.

Motion for its adoption was made by Commissioner Hendrick, seconded by

Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" -

Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Attorney declared that a possible defect in service of process in the bus terminal condemnation suit upon the owner of Lot 33, Block 35, Section K, had appeared, and that he had secured a deed at a cost of \$225.00 which he had advanced. He stated that this amount was less than would have been allowed such owner for attorney's fees had she been represented at the trial.

RESOLUTION NO. 3180

A RESOLUTION AUTHORIZING PAYMENT OF \$225.00 FOR A DEED TO LOT 33, BLOCK 35, SECTION K, AND MAKING AN APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That payment of \$225.00 to City Attorney Semple is hereby authorized and directed, such payment being a reimbursement of money expended by him to secure a deed and to correct any possible defect in title to Lot 33, Block 35, Section K, a part of the new bus terminal site; and the sum of \$225.00 is hereby appropriated from the General Contingent Fund for such purpose.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3181

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE"

WHEREAS, the Zoning Board of Appeals at its regular meeting January 24, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

- 1. Permit addition of 400 square feet to existing apartment garage building on Lots 1, 2 and 3, Block 1, Section K.
- 2. Permit construction of two residences on Lots 47 and 48, Block 2, Tamiami Place No. 3, said residences to face on Wallace Street instead of Avenue Pinero.
- 3. Permit construction of a 4 foot high cyclone wire fence along rear property line and on east side line to rear of residence on Lot 1 and west 25 feet of Lot 2, Block 4, University Estates.
- 4. Permit screening of an area around an existing barbecue pit on Lots 30 to 33, Block 18, Coconut Grove Section.

Motion for its adoption was made by Commissioners Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ADA240

Mayor Phillips reported that funds raised by various municipalities of Dade County to oppose the Miami-Dade County Consolidation Law by legal suits and publicity campaign prior to the April 1948 Election had not been sufficient to meet expenses thereof, and additional funds were needed. The deficit had been apportioned among the various municipalities upon the basis of 20% of the original contributions, and Coral Gables' share was \$150.00

RESOLUTION NO. 3182

A RESOLUTION AUTHORIZING EXPENDITURE OF \$150.00 FOR COST OF COMBATING MIAMI-DADE COUNTY CONSOLIDATION LAW, AND MAKING AN APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of \$150.00 is hereby appropriated from the General Contingent Fund to pay the balance of the City of Coral Gables' share of expenses of litigation and of the publicity campaign in opposing the Miami-Dade County Consolidation Law.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 17 TO 25 INCLUSIVE, BLOCK 19; LOTS 9 TO 16 INCLUSIVE, BLOCK 20; LOTS 16 TO 26 INCLUSIVE, BLOCK 21; LOTS 7 TO 25 INCLUSIVE, BLOCK 24; ALL OF BLOCK 25; ALL OF BLOCK 26; LOTS 7 TO 24 INCLUSIVE, BLOCK 27; AND LOTS 1 TO 14 INCLUSIVE, BLOCK 29, RIVIERA SECTION.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Attorney requested authority to take a membership in the National Institute of Municipal Law Officers at a rate of \$42.50 per year. The request was approved.

ORDINANCE NO. 587

AN ORDINANCE AMENDING SECTION II OF ORDINANCE NO 28; REQUIRING TEMPORARY TOILETS FOR CONVENIENCE OF WORKMEN DURING CONSTRUCTION OF BUILDINGS; REGULATING CONSTRUCTION OF SUCH TOILETS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick,

seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 587.

#### ORDINANCE NO. 588

AN ORDINANCE REGULATING THE STORAGE OF FUEL OIL AND THE CONSTRUCTION AND LOCATION OF FUEL OIL TANKS IN THE CITY OF CORAL GABLES; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading January 18, 1949, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas"- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 588.

#### ORDINANCE NO. 589

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 556 OF THE CITY OF CORAL GABLES BY DEFINING THE JURISDICTION OF THE CORAL GABLES ATHLETIC COMMISSION AND LIMITING SAID JURISDICTION TO THE REGULATION, CONTROL AND SUPERVISION OF CERTAIN BOXING AND WRESTLING EVENTS OR EXHIBITIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading January 18, 1949, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk noted a communication from the Board of County Commissioners requesting the city to change the name of Ingraham Highway from the Coral Gables canal south to the city limits, to "Cutler Road". The communication pointed out that the Board of County Commissioners on December 21, 1943, by its Resolution No. 1796, had authorized such change of name. The City Manager was directed to communicate with property owners affected to determine their attitude upon the matter.

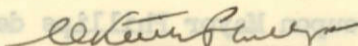
The City Clerk noted that an extension of C. A. O'Neill's completion bond had been filed in accordance with Resolution No. 3171.

The City Clerk noted that a \$30,000 surety bond had been filed by the Consumers Water Company on January 26, 1949 in conformity with terms of Resolution No. 3165


The City Clerk presented a proposed amendment to Sections 5 and 5.3 of the Retirement system ordinance, as recommended by the Board of Trustees of the Retirement System at a special meeting of the Board held January 21, 1949. Each member of the Commission was furnished with a copy of the proposed amendment. The Commission took the matter under advisement.

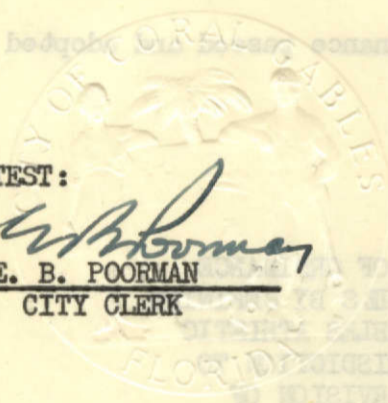
There being no other business the meeting was adjourned.

APPROVED:

  
W. KEITH PHILLIPS  
MAYOR

ATTEST:

  
E. B. POORMAN  
CITY CLERK





MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
FEBRUARY 15, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, February 15, 1949. Mayor Phillips in the Chair; Commissioners Healy, Hendrick and Holley present. Commissioner Mayes absent.

In response to notices sent to property owners on Ingraham Highway, a delegation of such owners appeared before the Commission to request that the name of Ingraham Highway be changed to "Old Cutler Road". Mr. and Mrs. Robert H. Montgomery, Mr. M. C. Arner, Mr. O. C. Corbin and Mr. Roy Page appeared in person to request such change; and Mr. Arthur Davis, Mr. F. M. O'Brien Jr. and Mr. H. B. Lewis, representing the Deering interests, requested such change in writing.

RESOLUTION NO. 3183

A RESOLUTION CHANGING THE NAME OF INGRAHAM HIGHWAY SOUTH OF CORAL GABLES CANAL TO "OLD CUTLER ROAD".

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That that portion of Ingraham Highway lying between Coral Gables canal and the south city limits of this city be and the same hereby is changed in name to "Old Cutler Road."

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

Mr. Carl A. Sealander appeared to object to the dust and dirt caused by construction of parkways on Riviera Drive north of Hardee Road. The City Manager stated that such parkways were being constructed in accordance with the request of the Riviera Property Owners Association, and assured Mr. Sealander that the work was being properly done. He stated that the city would take all proper steps to minimize the dirt and dust during the remainder of the operation.

Mr. Otto Bentz appeared to protest against the lack of water pressure in the Riviera Section in recent days. It was explained that the Consumers Water Company would very shortly begin use of a new well supply and that the pressure problem should be soon alleviated.

ADA210

Mrs. Robert H. Montgomery complained of vegetable peddlers on the parkway on Old Cutler Road. She was informed that a daily police patrol would be made of that area to put an end to the practice.

Mr. Harry Lamont appeared before the Commission to request that San Amaro Drive between Avenue Mendavia and Blue Road be deleted from Local Improvement H-62, to avoid the increase of traffic that would result from the paving of such road. He presented two letters to the same effect from Mr. Albert M. Palmer and Mr. Talton H. Embry, property owners along such street. The City Attorney advised the Commission that no further amendment could be made in the designation of streets in such improvement district at this time, and no action was therefor taken.

The meeting was then turned over to a public hearing upon confirmation of preliminary assessment roll for Local Improvement A-6, in accordance with notice published in the Riviera-Times and sent to property owners. No objections were voiced.

RESOLUTION NO. 3184

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT A-6.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., February 15, 1949, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement A-6, and no objections were voiced,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the assessment as imposed and indicated in the preliminary assessment roll for Local Improvement A-6 are hereby confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefitted by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of construction of alley adjoining city owned parkways has been duly taken into account, and eliminated from the total cost of said work, before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and apportionment of cost of said improvement as follows:

Total Cost	\$1,333.85	Apportioned to abutting
Apportioned to City	<u>84.58</u>	lots and parcels, per
Apportioned to		lineal front foot: \$1.07.
abutting property	\$1,249.27	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable April 1, 1949, except that assessments in the amount of \$25.00 or more against any one lot or parcel as shown on the plats of record may be paid in two equal installments on or before the first day of November, 1949 and 1950, provided that the owner thereof shall file with the City Manager on or before April 1, 1949 his written undertaking waiving all irregularities and illegalities in connection with said assessment against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 per cent from April 1, 1949.

5. That the Director of Finance is hereby authorized to transfer the necessary sum of \$1249.27 to pay the cost of Local Improvement A-6 assessed against private property from the Trust and Reserve Fund of the city to the Current Fund, as a temporary loan, such loan to be repaid as follows:

- (a) By transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement district; and
- (b) All interest received from deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund Account.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

The City Manager presented a sample form of street sign which he recommended be installed in the business areas of the city. The sign shows the main street, the cross street and the block number, on porcelain enamel plates inserted in aluminum frames, with fittings for installation guaranteed to withstand 150 m.p.h. wind. The City Manager stated that such signs are available at \$14.50 per unit of two, and he recommended that two such units be installed at each intersection, making a cost at each intersection of \$29.00. He stated that some money was available on commitment from previous budgets to commence this work. He was authorized to purchase and install street signs to the extent of the availability of appropriated funds, the remainder of needed signs to be purchased and installed after a sufficient budget item had been included in the next budget.

RESOLUTION NO. 3185

A RESOLUTION OPPOSING THE GRANTING OF A CERTIFICATE OF CONVENIENCE AND NECESSITY TO FLORIDA TRANSPORTATION COMPANY.

WHEREAS the City of Coral Gables has been served with a notice of public hearing before the Florida Railroad and public Utilities Commission, at 9:30 A.M., Friday, February 18, 1949, on the application of the Florida

ADA210

Transportation Company for an extension of its Certificate of Convenience and Necessity No. L-53 to add the following route:

Route No. 2 - South Miami and Dixie Highway to Transportation Building University Concourse, thence University Drive to Ponce de Leon Boulevard, and Ponce de Leon Boulevard to Flagler Street, and N.W. 37th Avenue, and N.W. 37th Avenue to N.W. 7th Street.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That this Commission hereby declares its opposition to the granting of the extension of the Certificate of Convenience and Necessity of the Florida Transportation Company to cover or include Route No. 2 described above through the City of Coral Gables, on the ground that such service would be duplication of the existing bus service furnished by the municipal bus system in the City of Coral Gables.

2. That the City Attorney is hereby authorized and directed to appear before the Florida Railroad and Public Utilities Commission at such hearing and to vigorously oppose and contest the granting of such application.

Motion for its adoption was made by Commissioner Hendrick, seconded

by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3186

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting February 14, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of a 4-foot cyclone type fence along rear lot line and on each side line from the rear of the house to the rear property line, provided such fence is screened with shrubbery, on Lots 1 and 2, Block 147, Country Club 6.

2. Permit construction of a 4-foot cyclone wire fence along rear of property and on each side line from rear lot line to rear of residence, such fence to be connected to the house by a concrete block stuccoed wall on Lot 6, Block 28, Section B.

3. Permit construction of residence on Lot 14, Block 5, Section A, such lot having 51 feet frontage instead of 55 feet as now required.

4. Permit construction of apartment on Lots 1 to 3, inclusive, Block 6, Coconut Grove Section, such apartment

to cover approximately 61 per cent of lot area instead of 35 per cent as now zoned, with entrance on corner of Ponce de Leon Boulevard and Avenue Romano.

5. Permit construction of 2-car garage on Lots 17, 18 and 19, Block 23, Riviera Section. Residence on this tract is situated on Lots 6 and 7 adjoining above lots. Permission to construct garage on lots where no residence is constructed is made subject to the express agreement to be executed with the approval of the City Attorney, and to be recorded, that in consideration of the variance hereby granted, the owner of such tract agrees not to subdivide the tract but thereafter sell it only as a 5-lot unit, and subject to the further provision that the property owner furnish to the City Attorney an opinion of title evidencing merchantable title and full power to make such agreement.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271, PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 10 TO 20 INCLUSIVE, BLOCK 39, RIVIERA SECTION; REQUIRING MINIMUM FRONTAGE OF 70 FEET FOR BUILDING SITES ON SUCH LOTS.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Holley. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

The City Attorney recommended consideration of an amendment to the zoning ordinance requiring that parking space sufficient for one car for each living unit be provided in all new construction. The matter was referred to the City Attorney for preparation of an ordinance to that effect.

ORDINANCE NO. 590

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 17 TO 25 INCLUSIVE, BLOCK 19; LOTS 9 TO 16 INCLUSIVE, BLOCK 20; LOTS 16 TO 26 INCLUSIVE, BLOCK 21; LOTS 7 TO 25 INCLUSIVE, BLOCK 24; ALL OF BLOCKS 25 AND 26; LOTS 7 TO 24 INCLUSIVE, BLOCK 27; AND LOTS 1 TO 14 INCLUSIVE, BLOCK 29; RIVIERA SECTION.

which was read by title and adopted on first reading February 1, 1949, was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Healy and the ordinance was adopted by the following

ADA240

roll call; "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips.

"Nays" - None.

Thereupon, Mayor Phillips declared the Ordinance duly passed and adopted, and ordered its publication as Ordinance No. 590.

The City Attorney stated that a new house being constructed at 6006 Riviera Drive by Mr. James G. Jones was not being built according to the plans approved by the Board of Architects and building permit issued therefor, in the following respects: (1) yellow brick facing on house instead of adobe brick as specified, (2) the garage door beam was not in alignment with adjoining porch opening, as specified, and (3) permanent type windows were being installed on the south porch where screen was specified, and such windows were placed at a higher level than adjoining openings. The City Attorney stated that he had prepared a letter to warn the owner that action would be taken for violation of the terms of the permit and for the variance from such permit. The City Attorney was authorized to notify the owner to comply with the building permit and plans, and to institute prosecutive action in the event the owner did not so comply.

The City Manager presented a letter from Miss Margaret Beaton, librarian, noting that the Coral Gables Public Library leads all other public libraries in the State of Florida, both in per capita circulation and per capita expenditures, and that as a result the library had received publicity to that effect in the February issue of the Triangle, a trade publication.

The City Manager recommended the installation of a 1000 lumen overhead bracket light at the corner of Avenue Pinero and Alberca Street, at an installation cost of approximately \$27.00, and power charges of \$18.00 per year. He also recommended installation of 1000 lumen overhead bracket lights at the following locations, no installation charge, \$2.00 per year pole rental, and approximately \$18.00 per year power charges:

- Corner of Avenue Madeira and Hernando Street
- Corner of Avenue Madeira and Segovia Street
- Corner of Avenue Madeira and Casilla Street
- Corner of Avenue Madeira and Costado Street
- Corner of Avenue Zamora and Hernando Street
- Corner of Avenue Zamora and Segovia Street
- Corner of Avenue Zamora and Casilla Street
- Corner of Avenue Zamora and Costado Street

The Commission approved the recommendation and authorized the installations.

The City Manager noted that Mr. Oliver Branson of Anniversary, Inc. desired to institute in the city a voluntary system of bicycle registration through his firm. The Commission recommended that the citizens avail themselves of the service thus offered.

The City Manager presented an agreement form with Southern Bell

Telephone and Telegraph Co., agreeing to furnish the city 14 free phones for the remaining period of the telephone franchise. This offer by the phone company is to be retroactive to July 1, 1948, and means approximately \$1634.40 saving to the city each year. Four free phones are given to the city at the present time.

RESOLUTION NO. 3187

A RESOLUTION AUTHORIZING EXECUTION OF  
AN AGREEMENT WITH SOUTHERN BELL TELEPHONE  
AND TELEGRAPH CO.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the City Manager and City Clerk are hereby authorized to enter into the following agreement, on behalf of the city, with the Southern Bell Telephone and Telegraph Co.

THIS AGREEMENT, made and entered into this the 17th day of February, 1949, be and between the Southern Bell Telephone and Telegraph Company, a corporation organized and existing under and by virtue of the laws of the State of New York, hereinafter called the Company, and the City of Coral Gables, a municipal corporation of the State of Florida, hereinafter called the City,

W I T N E S S E T H:

WHEREAS, the Company has for many years past been engaged in the furnishing of telephone service to the citizens of the City, said Company being the only telephone company serving the residents of said City; and

WHEREAS, the City has heretofore extended, and will continue to extend, to the Company certain privileges during the years which the Company has been operating will continue to operate within said City:

NOW, THEREFORE, for and in consideration of the premises and the further consideration hereinafter set forth, the parties mutually agree as follows:

1. The Company, its successors and assigns will, subject to the provisions and conditions set out in paragraph 2 of this agreement, furnish to the City:

(a) For the use of its officials and employees on municipal business the following services without cost to the City: Fourteen business individual line flat rate telephones, with local exchange service therefrom and thereover, such telephones to be located within the City limits at places to be designated by the City Manager of the City; provided, however, that the facilities and services set forth above are furnished under and subject to the usual rules and regulations of the Company, including those applying to the use of such facilities for toll service, which said toll service is to be paid for by the City at the regular and lawful rates of the Company therefor.

2. In the event additional taxes, except (a) ad valorem taxes levied on physical properties of the Company within the City; (b) the usual assessments levied on property for street and/or sidewalk improvements or any other local improvement; and (c) the occupational license tax paid by the Company to the City, may legally be and are imposed and levied by the City against the Company, then in that event, the Company shall be entitled to a credit against the same equal to the amount of the service set forth in paragraph 1 above, valued at the then existing rate as fixed by the Florida Railroad and Public Utilities Commission for said services.

3. It is mutually agreed between the parties hereto that nothing in this contract and agreement shall be construed or interpreted to modify, alter or change any existing right or obligation that each of the parties to this agreement has or owes to each other, nor shall the City's police power be affected by this agreement.

4. This agreement shall be effective as of the 1st day of July, 1948, and shall continue in full force and effect for a period of seven years and two months from date hereof.

IN WITNESS of all of which the parties hereto have caused these presents to be executed in duplicate by their properly designated officers, this 17th day of February, 1949.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE PROVIDING FOR THE MAKING OF EXCAVATIONS IN THE STREETS, PARKS, PARKWAYS, SIDEWALKS, ALLEYS OR EASEMENTS IN THE CITY OF CORAL GABLES, FLORIDA, AND PRESCRIBING A PENALTY FOR VIOLATION THEREOF.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Holley. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Holley; Mayor Phillips. "Nays"- None.

The City Manager noted receipt of a resolution from the Coral Gables Board of Realtors urging the Commission to pass an ordinance prohibiting all-night parking of commercial vehicles on streets in the residential sections of the city. The matter was referred to the City Attorney for study.

The City Clerk requested an expression of policy as to the licensing of professional men and certain other businesses where the principal place of business was located outside the city limits. The City Attorney was requested to prepare an opinion on the subject.

There being no other business the meeting was adjourned.

APPROVED: W. Keith Phillips  
MAYOR

ATTEST: E. B. Poorman  
E. B. POORMAN  
CITY CLERK



MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
MARCH 1, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, March 1, 1949. Mayor Phillips in the Chair; Commissioners Healy, Hendrick and Mayes present. Commissioner Holley absent.

Minutes of the regular meeting of February 1, 1949 were approved.

Mr. Dennis V. Renuart, a member of the Board of Directors, and Mr. Thomas E. Grady, Manager of the Greater Miami Traffic Association, appeared before the Commission to urge the City of Coral Gables to give financial support to the association. They pointed out that the activities of the association inured to the benefit of the City of Coral Gables and declared that the citizens of Miami, Miami Beach and Dade County financially supported the association's activities. The Commission declared that membership in or support to such association would be considered at the time of the preparation of the next budget.

RESOLUTION NO. 3188

A RESOLUTION AUTHORIZING AN EXCEPTION  
TO ORDINANCE NO. 271, KNOWN AS THE  
"ZONING ORDINANCE".

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That the following exception to the "Zoning Ordinance" is hereby granted:

1. Permit construction of a 4-foot chain link type fence across rear lot line and up side lines to front line of house, provided that such fence is landscaped with shrubbery and that an adobe brick wall be constructed from each corner of the house to the side lot line, on Lot 16 and west 15 feet of Lot 15, Block 4, University Estates.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager stated that he had a request from the Coral Gables Women's Club asking the Commission to recommend a project costing not more than \$1000 which the club could undertake this year. The Commission suggested that the club furnish a room in the new Doctors Hospital, or take over the project of beautifying the new city parks at Cocoplum Plaza.

The City Manager stated that a problem has arisen concerning parking of automobiles for a fee around the Coliseum. It was pointed out that zoning ordinances prohibit such businesses, but on the other hand the need for parking

space at the time events are held in the Coliseum is great. The Commission suggested that the matter be left in status quo until complaints are received about the practice.

The City Manager stated that officials of Doctors Hospital had requested that the street upon which the hospital is located, Campo Santo, be changed.

#### ORDINANCE

AN ORDINANCE CHANGING THE NAME OF THAT CERTAIN STREET DESIGNATED UPON THE PLATS AND MAPS OF THE CITY OF CORAL GABLES AS CAMPO SANTO, TO "CAMPO SANO".

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

#### RESOLUTION NO. 3189

A RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AMEND THE INTERNAL REVENUE ACT TO EXEMPT ADMISSIONS TO MUNICIPALLY OPERATED FACILITIES FROM ADMISSIONS TAX.

WHEREAS, there has been presented in the Congress of the United States HR.3866 providing that sub-chapter A of Chapter 10 of the Internal Revenue Code (Tax on Admissions) be amended to provide that no tax shall be levied under that sub-chapter in respect to any admissions to public facilities and activities operated or conducted by public agencies of the Federal Government, or of the several state governments or political subdivisions thereof, provided no part of the net earnings thereof inures to the benefit of any private stockholder or individual; and

WHEREAS, this Commission is in full accord with the purpose of such amendment, provided that the amendment be clarified to specifically include public facilities and activities operated or conducted by municipal corporations (which may not be deemed political subdivisions of states);

NOW, THEREFOR, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That all members of the United States Senate and House of Representatives from Florida be, and they are hereby urged to support in the fullest degree the terms of HR.3866 with clarifying amendments as noted above, and to thereby secure an exemption from Federal Admissions tax upon admissions receipts of public facilities or activities operated by cities and villages in Florida.

2. That the City Clerk is hereby directed to forward a certified copy of this resolution to all members of the United States Senate and House of Representatives from Florida.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted the receipt of a petition from several property owners on Wallace Street, objecting to the manner of operation of Perkins Second Hand Store at the corner of Wallace Street and Southwest 8th Street. The City Manager pointed out that such use was a non-conforming use established prior to the law. The City Manager and City Attorney were authorized to investigate the manner of operation of this store, and equipment yard at rear of store, and to take necessary action including institution of litigation to enjoin this operation to the extent that it may be a public nuisance.

The City Manager stated that the city had been requested to immediately construct and improve parkways adjoining the new Doctors Hospital. He was authorized to do so immediately, using either city forces or, if it appears practicable, by use of private contractors who may be engaged in similar work at the hospital.

RESOLUTION NO. 3190

A RESOLUTION REVOKING RETAIL LIQUOR STORE LICENSE HERETOFORE ISSUED TO EDWARD R. HASSENTEUFEL d/b/a HOWARD JOHNSON'S, 3727 S. W. 8TH STREET, CORAL GABLES, AND AUTHORIZING PRO RATA REFUND FOR UNUSED PORTION OF CURRENT LICENSE YEAR.

WHEREAS, on or about March 30, 1947 a final judgment awarding a peremptory writ of mandamus was entered in the case of STATE OF FLORIDA ex. rel. EDWARD R. HASSENTEUFEL VS CITY OF CORAL GABLES, ET. AL, Circuit Court of Dade County, Florida Case No. 20748, commanding the said city and its officers to issue to said EDWARD R. HASSENTEUFEL, doing business as HOWARD JOHNSON'S, 3727 S. W. 8th St., Coral Gables, Florida, an occupational license for the sale of intoxicating liquor for consumption on the premises aforesaid; and

WHEREAS, pursuant to and according to the writ of mandamus issued and awarded as above, the City of Coral Gables, on April 7, 1947 issued to said EDWARD R. HASSENTEUFEL d/b/a HOWARD JOHNSON'S, 3727 S.W. 8th St., Coral Gables, Florida, an occupational license for the sale of intoxicating liquors of over 14% alcohol content by weight for consumption on the premises; and said occupational license was renewed for the license year beginning October 1, 1947 and again for the license year beginning October 1, 1948; and there is presently issued and outstanding to said EDWARD R. HASSENTEUFEL, doing business as aforesaid, the following City of Coral Gables occupational licenses for the license year beginning October 1, 1948 and ending September 30, 1949:

License No. 133, dated September 24, 1948, amount \$1036.25, for retail liquor store (Permitting sale of intoxicating liquors of over 14% alcohol content by weight for consumption on the premises) and for restaurant, 200 seats;

Supplemental Licenses Nos. 746 and 796, dated October 6 and October 8, 1948 respectively, for an additional 140 seats, restaurant; and

WHEREAS the above entitled case was appealed to the Supreme Court of Florida by the City of Coral Gables, and thereafter an order was there entered reversing the judgment of the

Circuit Court of Dade County and directing that the aforesaid writ of mandamus be quashed; and pursuant to the mandate of the Supreme Court, an order was entered in the above entitled case in the Circuit Court on or about February 28, 1949, quashing the said writ, and as a result thereof said writ is no longer in force or outstanding, and the ordinances of the City of Coral Gables prohibiting an occupational license to EDWARD R. HASSENTEUFEL, d/b/a HOWARD JOHNSON'S, 3727 S.W. 8th St., Coral Gables, Florida, for retail liquor store, permitting sale of intoxicating liquors of over 14% alcohol content by weight for consumption on the premises are in full force and effect.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the aforesaid occupational license of the City of Coral Gables, issued to EDWARD R. HASSENTEUFEL d/b/a HOWARD JOHNSON'S, 3727 S.W. 8th St., Coral Gables, Florida, for retail liquor store, permitting sale of intoxicating liquors of over 14% alcohol content by weight for consumption on the premises, is hereby revoked and cancelled, effective as of this date.

2. That the Director of Finance and Tax Collector of this city is hereby authorized and directed to issue to said EDWARD R. HASSENTEUFEL, doing business as aforesaid, an occupational license for a restaurant, and for retail beverage store, permitting sale of alcoholic beverages containing 1 to 14% of alcohol by weight, for consumption on the premises, the said license being the same as was outstanding and in effect prior to the issuance of the aforesaid writ of mandamus.

3. That the City Manager and Director of Finance are hereby authorized and directed to make a pro rata refund to said EDWARD R. HASSENTEUFEL of the portion of the license fee for the license hereby revoked covering the unused period of said license, said refund to equal 7/12 of the difference between the license fee for the licenses heretofore issued and the license fee for the license herein directed to be issued less all costs, if any, assessed against said Edward R. Hassenteufel and in favor of the City of Coral Gables in the above entitled case.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

#### ORDINANCE NO. 591

AN ORDINANCE OF THE CITY OF CORAL GABLES DEALING WITH THE USE OF THE CORAL GABLES WATERWAY BY CRAFT OF ALL KINDS AND DESCRIPTIONS; DECLARING IT TO BE UNLAWFUL TO TIE UP CRAFT TO WATER-FRONT PROPERTY ABUTTING SAID WATERWAY UNLESS THE OWNERS OF SUCH CRAFT ARE THE OWNERS OR LESSEES OF THE PROPERTY, OR HAVE WRITTEN PERMISSION FROM THE OWNER THEREOF; REQUIRING CERTAIN INFORMATION; DESIGNATING THE DIRECTOR OF PUBLIC SAFETY TO ISSUE PERMITS AND CARRY OUT THE PROVISIONS OF THIS ORDINANCE; PROHIBITING MOORING OR ANCHORING IN CORAL GABLES WATERWAY EXCEPT IN PLACES DESIGNATED BY THE DIRECTOR OF PUBLIC SAFETY; PROHIBITING THE DUMPING OF GARBAGE, TRASH OR OTHER SUBSTANCES IN THE CORAL GABLES WATERWAY; PROVIDING PENALTIES FOR VIOLATION HEREOF; AND REPEALING ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading November 2, 1948, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick and the ordinance was adopted by the Following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays"

- None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 591.

The City Clerk presented a letter from Mr. Hollis Rinehart requesting advice as to whether city-owned tax certificates on Lot 1, Block 80, Riviera Section, could be redeemed for a price less than face value. The Commission decided that to accept less than the full amount due would create an undesirable precedent, and directed the City Clerk to inform Mr. Rinehart that the city could not take less than full face value and statutory interest thereon.

ORDINANCE NO. 592

AN ORDINANCE AMENDING ORDINANCE NO. 271, PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 10 TO 20 INCLUSIVE, BLOCK 39 RIVIERA SECTION; REQUIRING MINIMUM FRONTAGE OF 70 FEET FOR BUILDING SITES ON SUCH LOTS.

which was read by title and adopted on first reading February 1, 1949, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 592.

RESOLUTION NO. 3191

A RESOLUTION APPOINTING CUSTODIAN OF VOTING MACHINES FOR THE CITY ELECTION OF APRIL 12, 1949.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Mr. Frank Lewis is hereby appointed Custodian of voting machines for the general city election to be held April 12, 1949.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 593

AN ORDINANCE PROVIDING FOR THE MAKING OF EXCAVATIONS IN THE STREETS, PARKS, PARKWAYS, SIDEWALKS, ALLEYS OR EASEMENTS IN THE CITY OF CORAL GABLES, FLORIDA, AND PRESCRIBING A PENALTY FOR VIOLATION THEREOF.

which was read by title and adopted on first reading February 1, 1949, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy and the ordinance was adopted by the following

roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips.  
 "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 593.

Commissioner Hendrick suggested consideration of whether or not the city could require hospitals in Coral Gables to have a resident physician in attendance at all times for emergency cases. He stated that it had been called to his attention that such practice was not being followed at the present time. The matter was referred to the City Attorney.

The City Manager stated that Mr. Vivian Edwards had suggested that the City Attorney be authorized to file a brief with the Florida Railroad and Utilities Commission in connection with the recent request for raise in rates by the Southern Bell Telephone and Telegraph Company. The Commission authorized the City Attorney to prepare a brief for their inspection.

The City Clerk presented a communication from Mr. Lee Elman, 713 Avenue Minorca, suggesting to the Commission that an ordinance be passed covering the manner of retail sale of meats and poultry, and particularly articles of food sold in packaged form, similar to the present ordinance on such subject in force in the City Of Miami. The Commission directed that an investigation be made to ascertain the extent that stores in the city were following the practices required by the Miami ordinance.

RESOLUTION NO. 3192


A RESOLUTION APPROPRIATING \$363.00 TO SEND A POLICE PISTOL TEAM TO PISTOL MATCHES.

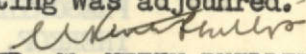
BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That \$113.00 is hereby appropriated from the General Contingent Fund to defray the expense of sending a police pistol team to the Miami International Pistol Matches; and the sum of \$250.00 is hereby appropriated from the General Contingent Fund to defray the expense of sending the police pistol team to pistol matches to be held in Jacksonville in June.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

ATTEST:   
 E. B. POORMAN  
 CITY CLERK

  
 APPROVED: W. KEITH PHILLIPS  
 MAYOR

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
MARCH 15, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, March 15, 1949. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

The City Clerk opened sealed bids received from contractors for paving work in the City of Coral Gables designated as Local Improvement H-62, and after discussion thereon the following resolution was presented and read:

RESOLUTION NO. 3193

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT H-62; AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to the city charter, the City Clerk has advertised for bids on the street paving designated as Local Improvement H-62, and bids therefor were received as follows:

<u>Name</u>	<u>Price Per Square Yard</u>
Belcher Oil Co.	\$.89
Ralph Fuzzard	.78
C.B. Brooks d/b/a Brooks Paving Co.	.63½
H.L. Mills Construction Co.	.74
McFarlin Construction Co.	.63½
E. E. Collins Contracting Co.	.73
Williams and Stockton	.71
W. T. Price Dredging Corp.	.80
Troup Bros. Inc.	.58

AND WHEREAS the bid of the Troup Bros. Inc. is low and fully meets the specifications ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be, and they hereby are authorized to execute a contract with the said Troup Bros. Inc. for work authorized under Resolution No. 3159 and designated as Local Improvement H-62, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Mr. George Frix appeared concerning a request of the Sinclair Refining Co. to erect a filling station on the westerly reserved tract at the Flagler entrance. A change of zoning from C-2 to C-3 to permit this use was recommended

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by the Zoning Board at its meeting of March 14, 1949, based upon a public hearing held on the matter in the past.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271  
PASSED AND ADOPTED FEBRUARY 16, 1937  
AND KNOWN AS THE "ZONING ORDINANCE," AS  
TO ZONING REQUIREMENTS OF THE WESTERLY  
RESERVED TRACT, FLAGLER STREET ENTRANCE,  
EAST CORAL GABLES SUBDIVISION.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - Commissioner Holley.

The City Manager stated that sealed bids had been requested and received February 24, 1949 for the furnishing to the city of one new truck equipped with enclosed garbage-trash body. He stated that all known suppliers of this type of equipment were circularized, and a legal notice of request for bids had been published in the Riviera-Times. Bids had been received, he said, from the following makes of trucks: Autocar, White, Mack, G.M.C., Federal, Studebaker, Ford, Diamond T, and Dodge.

RESOLUTION NO. 3194

A RESOLUTION AUTHORIZING THE PURCHASE  
OF A DODGE TRUCK WITH GAR WOOD 18 YARD  
CLOSED BODY FOR THE DEPARTMENT OF WASTES.

WHEREAS, bids were requested and received for the purchase of a covered body garbage truck, and after careful study of specifications of all trucks submitted the City Manager has recommended that one of the following four trucks be purchased (the price shown including 18 yard Gar Wood closed garbage body)

Name of Company	Make	Model	Price FOB Coral Gables
Nolan-Brown Motors	White	WC22	\$8,719.62
Freeman and Sons	Mack	E. H.	8,500.00
Andrews Federal Truck Co.	Federal	35 M	8,959.20
Tutan Motors	Dodge	BL-V-190	7,855.00

AND WHEREAS, the bid of Tutan Motors for a Dodge truck model BL-V-190, equipped with an 18 yard Gar Wood closed garbage body, is low bid and meets specifications when alterations in the amount of approximately \$200.00 are made thereon by the city garage;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the bid of Tutan Motors for a Dodge truck BL-V-190, equipped with an 18 yard Gar Wood enclosed garbage body, in the amount of \$7,855.00, is hereby accepted.



2. That the City Manager is hereby authorized to purchase from Tutan Motors the above described equipment in accordance with the bid submitted; and the City Manager is further authorized to have the necessary alterations to meet the needs of the city, made by the city garage.

3. That the Director of Finance is hereby authorized to transfer from Appropriation Account 2440-311 to Appropriation Account 2443-311 a sum equal to the amount by which the purchase price plus cost of alterations exceeds the balance now on hand to the credit of Appropriation Account 2443-311.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

Mr. Georges Milenoff, operator of School of Ballet, 257 Avenue Palermo, appeared to request the Commission to vacate the alley in Block 18, Crafts Section, to enable him to extend seats for his open air stage across the alley area and into the lots on the north side of the block owned by him. The City Manager noted that if such alley were closed it would be necessary to secure two lots for outlets for such alley, to protect the rights of other property owners in the block. The matter was referred to the City Manager and City Attorney to attempt to work out a suitable solution with Mr. Milenoff concerning alley outlets.

ORDINANCE

AN ORDINANCE APPROVING A PLAT ENTITLED "REPLAT OF PART OF CORAL GABLES RIVIERA SECTION, PART 8, IN NORTH HALF OF SECTION 30, TOWNSHIP 54 SOUTH, RANGE 41 EAST, CORAL GABLES, FLORIDA", AND ACCEPTING DEDICATION OF STREETS, ALLEYS AND PUBLIC WAYS CONTAINED THEREIN.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE VACATING AND DISCONTINUING ALL STREETS, AVENUES, THOROUGHFARES AND ALLEYS LYING WITHIN TRACT A OF REPLAT OF PART OF CORAL GABLES RIVIERA SECTION PART 8, IN NORTH HALF OF SECTION 30, TOWNSHIP 54 SOUTH, RANGE 41 EAST, CORAL GABLES, FLORIDA, FOR THE PURPOSE OF PERMITTING THEREIN A COMMERCIAL DEVELOPMENT WITH ADEQUATE PARKING FACILITIES FOR THE BENEFIT OF THE PUBLIC; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937, AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF TRACT A OF REPLAT OF PART OF CORAL GABLES RIVIERA SECTION PART 8, IN NORTH HALF OF SECTION 30, TOWNSHIP 54 SOUTH, RANGE 41 EAST, CORAL GABLES, FLORIDA.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Holley, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager reported that a settlement had been reached between the city and Mr. J. G. Jones, the owner of a house being constructed at 6006 Riviera Drive, whereby Mr. Jones had put up a \$1000 bond to guarantee the correction or alleviation of the conditions arising from the fact that the construction had not followed the terms of the building permit. The solution of the matter as described was approved.

RESOLUTION NO. 3195

A RESOLUTION AUTHORIZING INSTALLATION AND CHANGING OF LOCATION OF STREET LIGHTS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized to direct the Florida Power and Light Co. to make the following installation of street lights:

1000 lumens overhead bracket street lights, no charge for installation:

- South side of Avenue Mendoza at Hernando Street
- South Side of Avenue Mendoza at Segovia Street
- South side of Avenue Mendoza at Avenue Casilla
- South side of Avenue Mendoza at Avenue Costado

1000 lumens overhead bracket street lights, approximately \$150 for installation:

- East side of Red Road at Avenue Malaga

and to authorize a rearrangement of the location of white-way lights at or near the intersection of Blue Road, Ponce de Leon Boulevard and LeJeune Road, in accordance with sketch submitted by the City Manager to the City Commission.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager reported that the purchase of Lot A between Blocks 1 and 16, Section B, had been completed, at a purchase price of \$1125. Purchase of this lot had been previously authorized at a price not to exceed \$1250. The City Manager further advised that the lot had been cleared and Segovia Street had been extended thereon through to Coral Estates and Coral Groves Subdivisions.

A discussion was had concerning proposed legislative acts to be submitted by the City of Coral Gables to the 1949 Legislature.

The City Attorney was authorized to confer with the trustees of the I. I. Fund concerning possible acquisition by the City of Coral Gables of bay bottom lands within the city limits.

The City Attorney, in answer to an inquiry at the meeting of March 1st, 1949, as to whether or not the city could require hospitals in Coral Gables to have a resident physician in attendance at all times for emergency cases, stated that in his opinion the city had power to make such requirement if the public health and welfare of the citizens so demanded. The City Manager was directed to make a survey of the situation and to make recommendations as to whether or not such requirement should be instituted.

The City Attorney also discussed a proposed ordinance prohibiting over-night parking of vehicles on city streets, and a proposed ordinance requiring the provision of one parking space for each living unit in cases of all new construction within the city. No action was taken.

The City Manager requested the approval of the Commission for payment of a requisition to Mr. William B. Lovett, made out by the Athletic Commission in the amount of \$200, for secretary's services during January and February. The Commission approved the payment of this requisition, and requested that the Athletic Commission make a more definite arrangement concerning the amount of the secretary's salary in the future.

The City Manager advised that conferences had been held with the owner of Perkins Second Hand Store, Wallace street and S.W. 8th street, concerning elimination of the nuisance engendered by the operation of the junk yard at the rear of the store. He stated that Mr. Perkins had indicated a willingness to construct a 6 foot CBS wall around the yard. The City Manager was

requested to ascertain if residents in the neighborhood would agree to such solution, and if so, such a settlement of the matter was authorized.

Mayor Phillips stated that he had received a request from a resident of the city that the City Commission pass an ordinance making illegal the burning of crosses or the wearing of masks within the City of Coral Gables for the purpose of intimidating any person. The matter was referred to the City Attorney.

ORDINANCE NO. 594

AN ORDINANCE CHANGING THE NAME OF THAT CERTAIN STREET DESIGNATED UPON THE PLATS AND MAPS OF THE CITY OF CORAL GABLES AS CAMPO SANTO, TO "CAMPO SANO".

which was read by title and adopted on first reading March 1, 1949, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioner Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 594.

RESOLUTION NO. 3196

A RESOLUTION APPOINTING ELECTION OFFICIALS FOR THE CITY ELECTION OF APRIL 12, 1949.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following named persons are hereby appointed and designated as election officials for the regular city election to be held April 12, 1949:

- Precinct No. 1 - Clerk: L. E. Westerdahl
- Inspectors: Goldie E. Linnemeier
- Jean M. Feick
- Lydia H. Hubbell
- J. W. Leek
- Loretta Sheehy
- Frederick T. Sargent

- Precinct No. 2. - Clerk Edwin G. Bishop
- Inspectors: Edna Tomlinson
- Charles D. Boulton
- Jessie B. Lewis
- Pauline R. Ehly
- Eula C. McCall
- Henry C. Anderson

- Princinct No. 3 - Clerk: Walter M. Van Nort
- Inspectors: Louie Lanford
- Easter M. Russell
- Lillian T. Mason

Motion for its adoption was made by Commissioner Hendrick, Seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937, AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF BLOCK 42, RIVIERA SECTION PARTS 2 AND 3.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3197

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting March 14, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

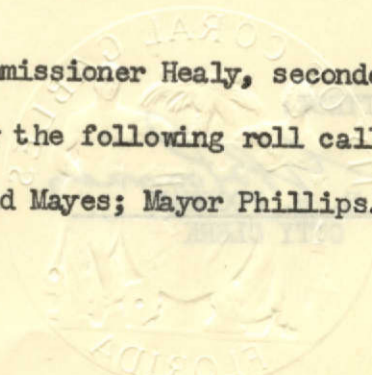
1. Permit erection of a 4-foot chain link wire fence across rear of property and along each side line to rear of building on north half of Lots 50, 51, and 52, Coconut Grove Terrace.
2. Permit construction of apartment having a 2-foot setback from rear lot line on Lots 13 to 15 inclusive, Block 19, Section K.
3. Permit construction of two apartments on Lots 25 through 28, Block 6, Biltmore Section, such apartments having only 8' 6" between buildings instead of 20 feet as now zoned, and permitting front setback from LeJeune of 10 feet instead of 15 feet as now zoned.
4. Permit construction of prefabricated glass enclosed Orlyt greenhouse on Lots 1 to 6 inclusive, Block 10, Coconut Grove Section.
5. Permit construction of 4-foot chain link wire fence along rear of property and up each side line to the rear of building on Lots 11 and 12 (less the east 37.5 feet), Block 35, Riviera Section.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

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## ORDINANCE NO. 595

AN ORDINANCE AMENDING SECTION 28 OF ORDINANCE NO. 514 AS AMENDED, KNOWN AS THE OCCUPATIONAL LICENSE ORDINANCE OF THE CITY OF CORAL GABLES, AND FURTHER DEFINING AND CLARIFYING THE DEFINITION OF THE DIVISION "LIVING ACCOMMODATIONS"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Holley, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

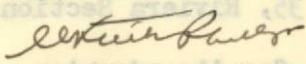
Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 595.

Discussion was had upon a policy to be established concerning the licensing of professional men doing work in Coral Gables, where the principal place of business was located outside the city limits. The Commission directed the City Clerk to follow a policy of not requiring a license for any classification within the "Professional Division" of the Occupational License Ordinance where the person involved maintained an office and place of business outside the city limits of Coral Gables, in all such cases where the city in which the person's office was located permitted similar reciprocity in case of practice by Coral Gables professional people. The Director of Finance was authorized to refund to licensees the amount of any licenses recently collected in the "Professional" classification, contrary to this policy of reciprocity.

There being no other business the meeting was adjourned.

Approved:

  
W. KEITH PHILLIPS  
 MAYOR

ATTEST:

  
E. B. POORMAN  
 CITY CLERK

MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
MARCH 19, 1949

The Commission of the City of Coral Gables convened in special session at the City Hall at 10:00 o'clock A.M., Saturday, March 19, 1949, to resume a public hearing for the Consumers Water Co. to show cause why the rates and other charges now being charged and collected by the said company for water service rendered within the corporate limits of the City of Coral Gables should not be reduced, on the ground that such rates and charges are excessive and contrary to public interest, in accordance with Resolution No. 3165, passed and adopted January 11, 1949.

Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present. Also present, representing the city, were special counsel Sidney S. Hoehl and City Attorney E.L. Semple.

The Consumers Water Co. was represented by its counsel, Mr. Will M. Preston, and the following persons: F. Burton Smith, President, Mr. H.E. Keating, Manager, Mr. Russell Van Horn, Director (and Secretary-Treasurer of General Waterworks Company of Philadelphia, part owner of Consumers Water Co.), Col. Lynn Perry, Mr. William C. Steel, Mr. Earl A. Roache and Mr. D. S. Colborn.

Upon agreement of counsel for the city and the water company, and with permission of the Commission, the following exhibits were filed by the Consumers Water Co. as the company's answer to the rule to show cause:

- Statement of Rate Base and Earned Return, July 31, 1948.
- Schedule I - Coral Gables Property, Original Acquisition.
- Schedule II - Plant Net Additions to March 10, 1941.
- Schedule III - Coral Gables Property Plant Net Additions to July 31, 1948.
- Schedule IV - Coral Gables Property - Allocation of Property Between Coral Gables City Limits and Outside City Limits.
- Schedule IV (2) - Appraisal-Distribution System, Consumers Water Co. Lying Outside of Coral Gables, Fla. (as of March 10, 1941).
- Schedule IV (2) - Plant Additions - March 10, 1941 to July 31, 1948, Summary of Segregated Net Additions.
- Schedule V - Coral Gables Property - Accrued Depreciation.
- Schedule VI - Coral Gables Property - Working Capital.
- Schedule VII - Non-Revenue Property Additions - Work in Process and New Work Required to Serve Present Customers.
- Schedule VII (1) Comments Relative to Non-Revenue Additions Included in Schedule VII.
- Schedule VIII - Coral Gables Property - Contributions for Extensions
- Schedule IX - Coral Gables Property - Allocation of Property Within the City of Coral Gables Used in Serving the Outside Area.
- Schedule X - Coral Gables Property - Operating Revenues, Expenses and Net Expenses, For the 12 Months Ended July 31, 1948.
- Schedule X (1) - Explanation of Adjustments to Actual Revenue and Expenses For the 12 Months Ended July 31, 1948 as Included in Schedule X.
- Schedule X (1) - Coral Gables Property - Additional Expenses Claimed.

Schedule XI - Coral Gables Property - Allocation Factors Used.

Schedule XII - Statement of Capital Expenditures, Outright Contributions by Stockholders, Loans by Stockholders, Dividends Paid to Stockholders.

Schedule I x (1) - Letter dated February 24, 1949, signed "Lynn Perry" re: "distribution Mains Across Coral Gables, July 31, 1948".

Mr. Preston declared that any oral testimony offered by the company would have covered the same facts and statements as shown in the exhibits.

The exhibits were referred to Mr. Hoehl for study by himself and Mr. Milat, and for their recommendations as to further action to be taken.

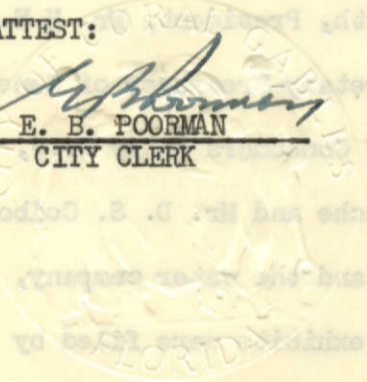
The hearing was then adjourned, to be reconvened upon the call of the City Commission, and upon notice to the parties.

APPROVED:

*W. Keith Phillips*  
W. KEITH PHILLIPS  
MAYOR

ATTEST:

*E. B. Poorman*  
E. B. POORMAN  
CITY CLERK





MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
APRIL 5, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, April 5, 1949. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

Minutes of the regular meetings of February 15, March 1 and 15, and of the special meeting March 19, 1949 were read and approved.

ORDINANCE NO. 596

AN ORDINANCE APPROVING A PLAT ENTITLED  
"REPLAT OF PART OF CORAL GABLES RIVIERA -  
SECTION PART 8, IN NORTH HALF OF SECTION  
30, TOWNSHIP 54 SOUTH, RANGE 41 EAST,  
CORAL GABLES, FLORIDA", AND ACCEPTING  
DEDICATION OF STREETS, ALLEYS AND PUBLIC  
WAYS CONTAINED THEREIN.

which was read by title and adopted on first reading March 15, 1949 was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 596.

ORDINANCE NO. 597

AN ORDINANCE VACATING AND DISCONTINUING  
ALL STREETS, AVENUES, THOROUGHFARES AND  
ALLEYS LYING WITHIN TRACT A OF REPLAT OF  
PART OF CORAL GABLES RIVIERA SECTION  
PART 8, IN NORTH HALF OF SECTION 30,  
TOWNSHIP 54 SOUTH, RANGE 41 EAST, CORAL  
GABLES, FLORIDA, FOR THE PURPOSE OF PER-  
MITTING THEREIN A COMMERCIAL DEVELOPMENT  
WITH ADEQUATE PARKING FACILITIES FOR THE  
BENEFIT OF THE PUBLIC; AND REPEALING ALL  
ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading March 15, 1949, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 597.

## ORDINANCE NO. 598

AN ORDINANCE AMENDING ORDINANCE NO. 271  
 PASSED AND ADOPTED FEBRUARY 16, 1937, AND  
 KNOWN AS THE "ZONING ORDINANCE", AS TO  
 ZONING REQUIREMENTS OF TRACT A OF  
 REPLAT OF PART OF CORAL GABLES RIVIERA  
 SECTION PART 8, IN NORTH HALF OF SECTION  
 30, TOWNSHIP 54 SOUTH, RANGE 41 EAST,  
 CORAL GABLES, FLORIDA

which was read by title and adopted on first reading March 15, 1949 was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 598.

## ORDINANCE NO. 599

AN ORDINANCE AMENDING ORDINANCE NO. 271  
 PASSED AND ADOPTED FEBRUARY 16, 1937 AND  
 KNOWN AS THE "ZONING ORDINANCE", AS TO  
 ZONING REQUIREMENTS OF THE WESTERLY  
 RESERVED TRACT, FLAGLER STREET ENTRANCE  
 EAST CORAL GABLES SUBDIVISION.

which was read by title on first reading March 15, 1949, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - Commissioner Holley.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 599.

Mr. Georges Milenoff again appeared before the Commission concerning his request to enlarge his existing ballet school building by erection of walls to permit open-air concerts and other dancing and musical presentations. Permission to wall in Lots 2 through 8 and Lots 30 through 35, Block 18, Crafts Section, had been recommended by the Zoning Board of Appeals at its meeting March 28, 1949. The Commission felt that before any such permission was granted a public hearing should be held, and fixed 8:00 o'clock P.M., Tuesday, April 19, 1949 as the date of public hearing upon the question. The City Clerk was directed to publish a notice in the Riviera-Times at least 10 days before such hearing, and to send notices to owners of improved property in Blocks 15, 16, 22, 23 and north half of 26, Biltmore Section, and

Blocks 27, 28 and 36, Crafts Section.

Mr. Roy Page and Mr. A. B. Morrison discussed with the Commission possible procedure for financing off-street parking lots in the business area. The City Attorney advised that the city intended to publish intent to introduce special legislation at the 1949 legislature to better enable financing of such facilities.

RESOLUTION NO. 3198

A RESOLUTION ANNULLING AND CANCELLING  
CERTAIN RESTRICTIONS UPON USE OF  
DESCRIBED PROPERTY IN BLOCK 36A, RIVIERA  
SECTION.

WHEREAS, Garalco Corporation, a Florida Corporation, formerly known as Coral Gables Corporation, a Florida Corporation, is the original subdivider of Riviera Section Part 2 of Coral Gables, County of Dade, State of Florida, which section is comprised of various lots and blocks of land including therein that portion of Block 36A according to plat thereof recorded in Plat Book 28 at Page 18 of the Public Records of Dade County, Florida, formerly known and described as Lots 6, 7, 8, 9, 10, 11 and 12, Block 3 of Katie Biscayne Subdivision according to plat thereof recorded in Plat Book 5 at page 50 of the Public Records of Dade County, Florida; and

WHEREAS, by deed dated December 31, 1925 recorded July 16, 1926 in Deed Book 982 page 408 of the Public Records of Dade County, Florida, the said Coral Gables Corporation, now Garalco Corporation, conveyed to the City of Coral Gables, a municipal corporation, that portion of Block 36A hereinabove described and in said deed declared the use of said property for the purposes of parks, parkways or landscaped parcels of land; and

WHEREAS, by deed dated January 16, 1946, recorded on the 5th day of July, 1946, in Deed Book 2716, at page 198, of the Public Records of Dade County, Florida, the said City of Coral Gables conveyed the above-described property to Miflora Holding Company, Inc., a Florida corporation, subject to the aforesaid restrictions; and

WHEREAS, Garalco Corporation, a Florida corporation, formerly known as Coral Gables Corporation, a Florida corporation, by instrument designated "Revocation of Dedication" dated September 1, 1948, recorded in Deed Book 3055, page 95, of the Public Records of Dade County, Florida, revoked and annulled the aforesaid restrictions and declaration confining the usage of said property for the purpose of a park, parkway or landscaped parcel of land, which said instrument was likewise duly executed by the owners of said property; and

WHEREAS, the aforesaid property has never been used as a park, parkway or landscaped as such; and

WHEREAS, other portions of the aforesaid Block 36A have been and are now used for commercial and business purposes; and

WHEREAS, the City of Coral Gables has heretofore zoned said property by appropriate city ordinance for business uses and said property has been placed by the City of Coral Gables upon its tax rolls for the assessment of taxes thereon;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the aforesaid restrictions confining the usage of said property for the purpose of a park, parkway or landscaped parcel of land, be and the same are hereby revoked, annulled and cancelled, and the said property is hereby abandoned for the pur-

pose of a park, parkway or landscaped parcel of land.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

ORDINANCE NO. 600

AN ORDINANCE TO PROHIBIT WITHIN THE CITY LIMITS OF THE CITY OF CORAL GABLES THE WEARING OF A MASK OR ANY DEVISE WHEREBY ANY PORTION OF THE FACE IS SO HIDDEN OR COVERED AS TO CONCEAL THE IDENTITY OF THE WEARER; PROHIBITING THE DEMANDING OF ENTRANCE OR THE ENTRANCE UPON THE PREMISES OF ANOTHER WHILE SO WEARING A MASK; PROHIBITING THE BURNING OF ANY CROSS UPON THE PREMISES OF ANOTHER; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING THAT IF ANY SECTION, SUB-SECTION, SENTENCE, CLAUSE, PHRASE, OR WORD OF THIS ORDINANCE IS FOR ANY REASON HELD TO BE UNCONSTITUTIONAL OR INVALID, SUCH HOLDING OR INVALIDITY SHALL NOT AFFECT THE REAMINING PORTIONS OF THIS ORDINANCE; DECLARING THIS ORDINANCE TO REPEAL ALL OTHER AND PRIOR ORDINANCES OR ANY PART THEREOF IN ANYWISE DEALING WITH THE SAME SUBJECT AND IN CONFLICT HEREWITH; DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE FOR THE PEACE, HEALTH AND WELFARE OF THE COMMUNITY; AND DISPENSING WITH THE READING OF THE SAME ON TWO SEPARATE DAYS BY A FOUR-FIFTHS VOTE OF THIS COMMISSION.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Holley, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - none.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 600.

The City Manager recommended installation of the following street lights:

East Side Columbus Blvd. between Avenue Malaga and Avenue Catalonia:

1 - 1000 lumen Whiteway underground.

San Sebastian Court approximately 110 feet west of Douglas Road:

1 - 1000 lumen overhead bracket light.

Avenue Catalonia and Red Road:

1 - 1000 lumen overhead bracket light.

Harlano Street and Wood Street, and Harlano Street and Avenue Cadima:

1 - 1000 lumen light at each location.

He was authorized to direct the Florida Power and Light Co. to make installations as listed.

RESOLUTION NO. 3199

A RESOLUTION APPOINTING C. B. STRANGE  
AS BUILDING INSPECTOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL  
GABLES, FLORIDA:

That C. B. Strange be and hereby is appointed Building  
Inspector of the City of Coral Gables.

Motion for its adoption was made by Commissioner Holley, seconded  
by Commissioner Mayes. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager presented a request from Director of Public Safety  
Kimbrough requesting that Lt. Floyd Brasher be sent to Washington in connection  
with a national meeting of school patrol boys to be held in such city under the  
auspices of the American Automobile Club.

RESOLUTION NO. 3200

A RESOLUTION APPROVING EXPENDITURE OF  
\$100.00 FOR TRAVEL EXPENSE

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the sum of \$100.00 be and hereby is appropri-  
ated from the General Travel Expense Appropriation for the  
purpose of paying expenses of Lt. Floyd Brasher to Washington  
to attend a national meeting of school patrol boys.

Motion for its adoption was made by Commissioner Hendrick, seconded  
by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3201

A RESOLUTION AUTHORIZING EXECUTION OF  
A CONTRACT FOR LEGISLATIVE SERVICES WITH  
FLORIDA MUNICIPAL LEAGUE, AND MAKING AN  
APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

1. That the sum of \$300.00 be and hereby is appropri-  
ated from the General Contingent Fund of the city for pay-  
ment for legislative service to be rendered by the Florida  
league of Municipalities to the City of Coral Gables during  
the 1949 session of the Florida legislature.

2. That the City Manager is hereby authorized to  
enter into a contract with the League for the furnishing  
of such service.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays"

- None.

RESOLUTION NO. 3202

A RESOLUTION ACCEPTING THE BID OF WILLIAMS AND STOCKTON FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT A-5; AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to the city charter the City Clerk advertised for bids on alley paving designated as Local Improvement A-5, and bids therefor were received August 3, 1948 as follows:

<u>Name</u>	<u>Price Per Square Yd.</u>
Williams and Stockton	\$ .74
Brooks Paving Company	.79
Troup Bros. Inc.	.88
McFarlin Construction Co.	.97
W.T.Price Dredging Corp.	1.15

AND WHEREAS the bid of Williams and Stockton is low and fully meets specifications ordered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the above recited bid of Williams and Stockton is hereby determined to be the lowest and most advantageous bid to the city and is hereby accepted.

2. That the City Manager and City Clerk are hereby authorized to effect a contract with said Williams and Stockton for work authorized under Resolution No. 3016 and designated as Local Improvement A-5, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The City Manager presented a form ordinance regulating and controlling solicitors and canvassers within the city limits. The matter was referred to the City Attorney.

The City Manager stated that he intended to order street signs in the business district in accordance with the general approval given at the meeting of February 15, 1949. He stated that after diligent effort he was unable to secure lower bids for such signs.

The City Manager stated that the Police Department had received inquiries as to the possibility of accepting vehicle inspections made by private garages.

The Commission, after discussion, felt that the inspection of vehicles should not

be delegated to private persons, but remain as at present with the Police Department.

The City Manager noted that plans for specifications of the sanitary and storm sewer systems had been dispatched to the Federal Works Administration within the time limits set by such agency. He advised that legislation to further the city powers to finance such systems was being proposed for the 1949 legislature.

The City Manager stated that he had been approached by Mr. William E Walsh for sale to the city of 200 acres of land north of the Tamiami Trail for use as a soil pit. It was suggested that he secure an option and attempt to get outside appraisals of the property, as well as investigate whether or not Dade County authorities would give permission for operation of a soil pit at that location.

The City Manager pointed out that numerous small boats had been docking in the Coral Gables canal off the public park site and Ely Homestead near Cocoplum Plaza Bridge. He stated that objections to this practice were being received, and the commission directed that docking of boats be prohibited off city-owned property.

The City Attorney advised the Commission that after due study he had decided it would be useless to appeal the Biscayne Key ouster suit to the U. S. Supreme Court. The Commission was in accord with his feeling on the matter.

#### RESOLUTION NO. 3203

A RESOLUTION CALLING A SPECIAL MEETING  
OF THE COMMISSION FOR 10:00 O'CLOCK A.M.,  
APRIL 13, 1949.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That a special meeting of the City Commission is hereby called and set for 10:00 o'clock A.M., Wednesday, April 13, 1949, for the purpose of canvassing the returns of the regular city election to be held April 12, 1949, and for the transaction of such other business as may come before the meeting.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:  
"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
"Nays" - None.

The City Clerk presented a resolution, No. 3138, passed by the Board of Commissioners of Dade County, Florida, March 15, 1949. This resolution recited that the City of Coral Gables has withdrawn its claim for Chapman Field in favor of Dade County, and that in case the county is success-

ful in procuring such field, a master plan for the development thereof would be submitted to the City Commission of Coral Gables for approval, and that in the event any changes should be made in such master plan then the proposed changes would be submitted to the City Commission of Coral Gables, and that the majority of the members of the Board of County Commissioners and of the City Commission of Coral Gables, together, would decide whether or not such changes would be effected. The matter was referred to the City Attorney with instructions to secure from the Board of County Commissioners a contract incorporating the above provisions, rather than a resolution which could be repealed or rescinded at will.

ORDINANCE NO. 601

AN ORDINANCE AMENDING ORDINANCE NO. 271  
 PASSED AND ADOPTED FEBRUARY 16, 1937,  
 AND KNOWN AS THE "ZONING ORDINANCE" AS  
 TO ZONING REQUIREMENTS OF BLOCK 42,  
 RIVIERA SECTION PARTS 2 AND 3.

which was read by title and adopted on first reading March 15, 1949, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 601

The City Clerk advised that a search of plats of the city disclosed several discrepancies in street names in the city, which he recommended should be corrected by action of the City Commission.

RESOLUTION NO. 3204

A RESOLUTION CHANGING THE NAMES OF CERTAIN  
 STREETS AND NAMING CERTAIN STREETS IN THE  
 CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
 CORAL GABLES, FLORIDA:

1. That the names of the following streets within the City of Coral Gables be and the same hereby are changed as follows:

- Blue Road, east of Le Jeune Road (as shown on plats of MacFarlane Homestead), to Grand Avenue.
- Stirrup Street (as shown on plats of MacFarlane Homestead) to Florida Avenue.
- MacFarlane Boulevard (as shown on plats of MacFarlane Homestead) to Frow Avenue.
- Read Street (as shown on plats of MacFarlane Homestead) to Oak Avenue.
- Alameda Street (as shown on plats of Section L and K) to Ponce de Leon Boulevard.
- Avenue Barcelona (as shown on plats of Section E) to South Greenway Drive.
- Astruria Street (as shown on plats of Section C and E) to Asturia Street.



2. That the unnamed street as shown on plats of MacFarlane Homestead, running northwest from Oak Avenue to the Florida East Coast Railway right of way, be and the same hereby is named Oak Avenue.

3. That the unnamed street lying between Blocks 2 and 3 of Golden Gate Section, be and the same hereby is named and designated as North Jefferson Drive.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas"- Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Clerk stated that an investigation by the Police Department at many of the markets in Coral Gables had reflected that most markets were following a practice in the sale of meats and other commodities generally in accord with the terms of the existing Miami ordinance regulating such sales, and that owners and managers of such markets were all in favor of a similar ordinance in Coral Gables. The matter was referred to the City Attorney for preparation of a form ordinance for future consideration by the Commission.

The City Clerk noted the receipt of a copy of a letter from Coral Gables American Legion Post 98, such letter having been addressed to the editor of the Coral Gables Riviera-Times, pointing out that the American Legion Post was not opposed to the election of any certain candidate for the City Commission in the coming city election.

The City Attorney advised the Commission that in closing the deal for the sale of the Coliseum property to Embry Riddle Company, it had been discovered that the city title to a strip approximately 30 feet wide on the north end of the east half of Block 44, Douglas Section was defective, and that to complete the deal it had been necessary to pay Garalco Corporation \$1000.00 for a quit-claim deed to this strip of land.

RESOLUTION NO. 3205

A RESOLUTION AUTHORIZING PAYMENT OF \$1000.00  
FOR A QUIT-CLAIM DEED TO CLEAR DEFECT IN  
TITLE TO COLISEUM PROPERTY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That the payment to Garalco Corporation of \$1000.00 for a quit-claim deed to the approximately north 30 feet of the east half of Block 44, Douglas Section, is hereby ratified and confirmed, and the Director of Finance is hereby authorized and directed to charge such expenditure, and all other expenditures necessary to clear title to the Coliseum property, to the revenue accruing from such sale.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioner Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

## RESOLUTION NO. 3206

A RESOLUTION AUTHORIZING EXCEPTIONS  
TO ORDINANCE NO. 271, KNOWN AS THE  
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting March 28, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted;

1. Permit erection of duplex on Lots 14 and 15, Block 152, Country Club Section 6, such duplex to have a 20 foot setback from Avenue Velarde instead of 25 feet as now zoned.

2. Permit erection of residence on Lot 14, Block 146, Country Club Section 6, facing south on Avenue Candia instead of east on LeJeune Road.

3. Permit greenhouse to be constructed on Lots 13 and 14, Block 81, Country Club Section 5, in accordance with plans submitted.

4. Permit residence to be constructed on Block 99, Riviera Section, such residence to be irregular in shape as per plan submitted.

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrik. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

## ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271  
PASSED AND ADOPTED FEBRUARY 16, 1937 AND  
KNOWN AS THE "ZONING ORDINANCE" AS TO  
ZONING REQUIREMENTS OF ALL LOTS IN BLOCK 44;  
LOTS 1 THROUGH 17, BLOCK 45; LOTS 13  
THROUGH 16, BLOCK 46; LOTS 11 THROUGH 14  
BLOCK 47; LOTS 10 THROUGH 13, BLOCK 48; LOTS  
14 THROUGH 32, BLOCK 48; LOTS 13 THROUGH 36,  
BLOCK 49; AND LOTS 11 THROUGH 29, BLOCK 88;  
ALL IN RIVIERA SECTION; AND REPEALING ALL  
ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT  
OR INCONSISTENT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Holley. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

The matter of the application for a permit to erect a synagogue on lots 16 through 18, Block 76, Granada Section which had been referred to the City Commission by the Zoning Board at its meeting of March 28, 1949, was deferred.

ORDINANCE NO. 602

AN ORDINANCE AMENDING ORDINANCE NO. 271, PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", CONCERNING THE DEFINITION OF AN "R-5" USE. AND REQUIRING A SPECIAL ORDINANCE BEFORE AN R-5 USE IS PERMITTED IN THE CITY OF CORAL GABLES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Holley, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 602.

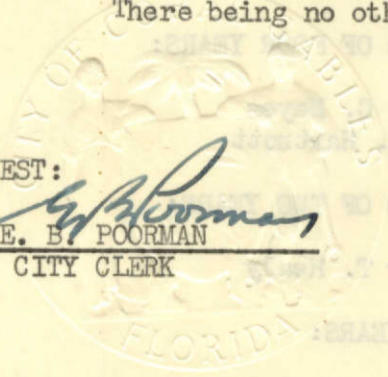
The recommendation made by the Zoning Board at its meeting of March 28, 1949 that the Commission pass an ordinance prohibiting burying grounds within the City of Coral Gables was deferred.

Superintendent of Public Works Robinson brought to the attention of the Commission a request for permit to build a wall across Prospect Drive in Sans Souci Section. The matter had been discussed with the City Attorney and it had been determined that Prospect Drive has not been designated as a public street, but shown on plats as a private road. The City Attorney stated that closing of a private way is a matter strictly between property owners, and that the city should grant the request to build a wall across such road.

There being no other business the meeting was adjourned.

APPROVED:  
*W. Keith Phillips*  
W. KEITH PHILLIPS  
MAYOR

ATTEST:  
*E. B. Poorman*  
E. B. POORMAN  
CITY CLERK



MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
APRIL 13, 1949

Pursuant to call thereof at the regular meeting of April 5th, the Commission of the city convened in special session at the City Hall at 10:00 o'clock A.M., Wednesday, April 13, 1949. Mayor Phillips in the Chair; Commissioners Healy, Hendrick, Holley and Mayes present.

RESOLUTION NO. 3207

A RESOLUTION ACCEPTING THE RETURNS OF THE CLERK AND INSPECTORS OF THE REGULAR CITY ELECTIONS OF APRIL 12, 1949 AND DECLARING THE RESULTS AS INDICATED THEREBY.

WHEREAS, the City Clerk, ex officio Supervisor of Registration, has submitted to the Commission returns of the Clerk and Inspectors of the regular election of April 12, 1949 containing the oaths and certificates of said election officials and their sworn report of ballots cast in each precinct in said election, showing a total of 2398 ballots cast; and

WHEREAS, said returns, reports and certificates are fully and completely made in accordance with the law; and

WHEREAS, said certificates show the following results of the election:

	Precinct 1	Precinct 2	Precinct 3	Total
<b>FOR COMMISSIONERS</b>				
Fred B. Hartnett	636	592	121	1349
Andrew T. Healy	581	608	122	1311
Thomas C. Mayes	719	661	160	1540
Robert E. Newman	355	347	79	781
R. C. Willey	194	149	65	408
Jack R. Younger	483	534	139	1156
<b>FOR MAYOR</b>				
W. Keith Phillips	703	637	156	1496

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Commission declares that the election was fairly and legally held, that the report of the Inspectors and Clerks are hereby accepted and approved, and the following are found to have been duly and legally elected at said election:

FOR THE COMMISSION FOR A PERIOD OF FOUR YEARS:

Thomas C. Mayes  
Fred B. Hartnett

FOR THE COMMISSION FOR A PERIOD OF TWO YEARS:

Andrew T. Healy

FOR MAYOR FOR A PERIOD OF TWO YEARS:

W. Keith Phillips

Motion for its adoption was made by Commissioner Holley, seconded by Commissioner Hendrick, Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager stated that a special meeting of the Florida League of Municipalities was to be held at Tallahassee, April 20th, for the purpose of considering an amendment to the charter of the League restricting the offices of president and vice president to elected municipal officials, and providing that there would be an automatic vacancy in the office of the League when the incumbent's tenure of office in his municipality ended.

RESOLUTION NO. 3208

A RESOLUTION DESIGNATING CITY ATTORNEY SEMPLE AS A DELEGATE TO THE FLORIDA MUNICIPAL LEAGUE MEETING.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That City Attorney E. L. Semple is hereby named official delegate from the City of Coral Gables to attend a special meeting of the Florida League of Municipalities to be held April 20th at Tallahassee, Florida, for the purpose of voting on an amendment to the charter of the League.

2. That the said delegate is instructed to make known that this Commission opposes any amendment limiting the holding of the offices of President and Vice President of the League to elected municipal officials, believing that such offices should be open to all active elected or appointed officers of member municipalities.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager advised that he had written the Reconstruction Finance Corporation concerning possible financing of the proposed city bus terminal, and had received a reply that the law permitted such financing if the assistance requested was not otherwise available.

The City Manager stated that the present salvage contract at the incinerator had expires, and recommended making a new contract with Ray Baillie.

RESOLUTION NO. 3209

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT FOR SALVAGE OF WASTE MATERIALS AT INCINERATOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

The City Manager is hereby authorized to execute a contract with Ray Baillie to permit Baillie to collect and salvage waste materials collected by him at the city incinerator, at a sum of \$50.00 per month to be paid to the city

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by Baillie, plus the additional sum of 25% of the gross income received by him per month from sales of waste paper collected at the incinerator.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Attorney declared that Mr. L. H. Coombes of Coral Gables, Inc. had agreed to convey to the city all rights of Coral Gables Inc. in the alley in Block 35, Section K, without cost to the city.

RESOLUTION NO. 3210

A RESOLUTION ACCEPTING A PROPOSED GIFT  
TO THE CITY OF ALLEY RIGHT OF WAY IN  
BLOCK 35, SECTION K, AND EXPRESSING  
APPRECIATION THEREFOR.

WHEREAS, the City Attorney has informed this Commission that Mr. L. H. Coombes of Coral Gables Inc. has offered to convey to the city, free of charge, all the right, title and interest of Coral Gables Inc. in and to the alley in Block 35, Section K;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the offer of Mr. Coombes to convey the right, title and interest of Coral Gables Inc. in the alley in Block 35, Section K. to the city without charge to the city, is hereby accepted.

2. That the sincere thanks and appreciation of this Commission, on behalf of the citizens of Coral Gables, is hereby express to Mr. Coombes and to Coral Gables, Inc. for their cooperative and sympathetic attitude toward the city, as expressed and confirmed by this generous and public spirited action.

Motion for its adoption was made by Commissioner Mayes seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager advised that Mr. William E. Walsh, owner of 200 acres of land described as the "East 200 acres of Government Lot 1 between Townships 53 and 54 South, Range 39 East", had offered to sell same to the city at \$55.00 per acre, half cash at time of closing and the remaining half on or before one year thereafter with interest on unpaid balance at 3 per cent per annum. The City Manager recommended the purchase of this property for use as a soil pit, provided that permission could be obtained from county authorities for such use. Pending the receipt of such permission from the county and further study as to availability of funds, the City Manager recommended acceptance of a 45 day option on such land.

## RESOLUTION NO. 3211

A RESOLUTION AUTHORIZING ACCEPTANCE OR EXECUTION OF AN OPTION TO PURCHASE DESCRIBED PROPERTY FOR USE AS A SOIL PIT ON TERMS AS SET FORTH HEREIN.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager is authorized to accept and/or execute an option agreement with Mr. W. E. Walsh giving the city the exclusive right or option, for a period of 45 days from April 9, 1949, to purchase the east 200 acres of Government Lot 1 between Townships 53 and 54 South, Range 39 East, Dade County, Florida, at a purchase price of \$55.00 per acre, payable half in cash at time of closing and the remaining half on or before one year thereafter with interest on the unpaid balance at the rate of 3 per cent per year; seller to furnish abstract to date showing good and marketable title except for existing 20 year lease on the northwesterly 15 acres of said property, given to the U. S. Government for erection of towers used in connection with the 36th street airport, the rental under said lease being \$125.00 per year, payable annually in July, such rental to be paid to the city should the option to purchase be exercised.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips.  
 "Nays" - None.

Commissioner Hendrick noted that a public hearing was set for April 19th on the request of Georges Milenoff to erect a wall around certain lots in Block 18, Crafts Section, to permit use of such property as an open-air theatre. He suggested that permission be given Milenoff to have an orchestral performance on his ballet stage sometime before the date of public hearing, as a means of testing the area in which such performances could be heard. Such permission was granted.

The City Clerk advised that the city's 15 year old Protectograph check writer had broken down, and it had been necessary to order a new Todd Protectograph check writer so that checks could be written for payrolls and necessary disbursements. He stated that the Todd machine would conform to other Todd equipment now being used by the city. He also explained that the Todd Company furnished ten years free insurance in connection with their equipment.

## RESOLUTION NO. 3212

A RESOLUTION APPROPRIATING \$290.00 FOR THE PURCHASE OF PROTECTOGRAPH CHECK WRITER.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of \$290.00 is hereby appropriated from available unappropriated funds to Appropriation Account 2430-313 for purchase of a Todd Electric Protectograph Check Writer.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Holley. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3213

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting April 11, 1949 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit construction of hip roof over garage instead of rake beam and shed roof as specified on plans, on Lots 6 and 7, Block 23, Granada Section.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, Holley and Mayes; Mayor Phillips. "Nays" - None.

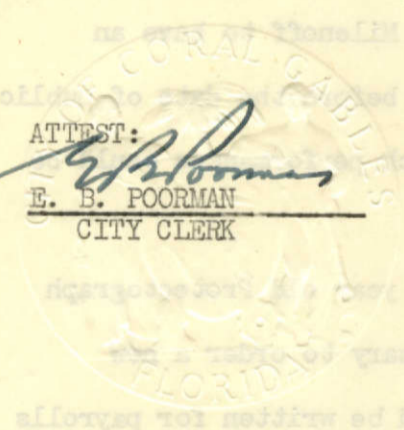
There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
W. KEITH PHILLIPS  
MAYOR

ATTEST:

*E. B. Poorman*  
E. B. POORMAN  
CITY CLERK



RESOLUTION NO. 3213

A RESOLUTION AUTHORIZING THE PURCHASE OF PROTOGRAPHIC CHECK WRITER.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL

GABLES, FLORIDA:

That the sum of \$250.00 is hereby appropriated from available unappropriated funds to appropriate account 2-30-313 for purchase of a Todd Electric Protographic Check Writer.



MINUTES OF SPECIAL MEETING  
OF THE CITY COMMISSION  
APRIL 15, 1949

Pursuant to requirements of the charter, the Commission of the City of Coral Gables convened at 12:00 o'clock noon on Friday, April 15, 1949 at the City Hall, for the purpose of inducting into office the Mayor and Commissioners elected at the general election on April 12, 1949. Mayor Phillips in the chair; Commissioners Healy, Hendrick, Holley and Mayes present.

After the invocation by Rev. J. H. Daniel, Mayor-elect W. Keith Phillips was given the oath of office by Judge David J. Heffernan, following which he gave a brief address expressing his appreciation for his election as Mayor.

Commissioners-Elect Healy, Mayes and Hartnett were given the oath of office by Judge David J. Heffernan, and assumed their places at the Commission table.

Brief remarks were then made by incoming Commissioners Mayes, Healy and Hartnett, and the retiring Commissioner Holley.

There being no further business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
W. KEITH PHILLIPS  
MAYOR

ATTEST:

*E. B. Poorman*  
E. B. POORMAN  
CITY CLERK

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MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
APRIL 19, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, April 19, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271, PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE" BY ADDING TO SECTION 18 THEREOF A SQUARE FOOT CLASSIFICATION CF-1 FOR R-1 USE; BY ESTABLISHMENT OR AMENDMENT OF ZONING REQUIREMENTS AND SETBACK REQUIREMENTS IN MACFARLANE HOMESTEAD, COCONUT GROVE WAREHOUSE CENTER AND GOLDEN GATE SUBDIVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The meeting was then turned over to a public hearing upon the application of Georges Milenoff to enclose Lots 2 through 8 and Lots 30 through 35, Block 18, Crafts Section, with a masonry wall, said enclosed area to be used for seating of audience in connection with presentation of concerts, light operas, dramas and dancing exhibitions upon the existing ballet stage of the building now located on Lots 2 through 8 above. The City Clerk advised that notice of public hearing had been published in the Riviera-Times on April 8, 1949, and that notices of such hearing had been mailed to the owners of all improved property in Blocks 15, 16, 22, 23 and north half of 26, Biltmore Section, and Blocks 27, 28 and 36, Crafts Section. No objections had been filed with the City Clerk pursuant to such notices.

Several residents of the area appeared inquiring concerning proposed hours of operation of such project, and the parking facilities that would be offered. Mr. Milenoff and his attorney, Seymour J. Simon, declared that several lots owned by Mr. Milenoff would be made available for parking and that he would be willing to enter into a contract with the city reserving such lots for that sole use. Mr. Al Harum appeared to urge approval of this project on behalf of the Greater Miami Philharmonic Society and the Country Club Players. Mr. Simon presented a petition urging approval of the project signed by some 42 property owners in the vicinity, and letters supporting the project from Mr. L. H. Coombes,

Trustee for Coral Gables Inc., and from Modeste Alloo, Music Director of the Miami Symphony Orchestra.

The Commission approved the project generally. Further action was deferred until a later meeting.

The City Manager advised that a refund had been made to the city by the Southern Bell Telephone and Telegraph Co. in accordance with the contract authorized by Resolution No. 3187 on February 15, 1949.

The City Manager advised that he had received a communication from Mr. George White, auditor for the City of Tallahassee, urging that the cities of this state exert effort to obtain an amendment or clarification of the wording of H.R. 302 establishing a State Tax Commission, which had been recently introduced in the State Legislature. The wording of this proposed resolution apparently prohibited membership on the tax commission to city officials, and the City Manager suggested that an attempt be made to amend the wording so that city officials could be appointed upon such commission. The matter was referred to the City Attorney.

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RESOLUTION NO. 3214

A RESOLUTION TRANSFERRING AN APPROPRIATION AND AUTHORIZING CONSTRUCTION OF ADDITIONAL STORM WATER DRAINS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Director of Finance is hereby authorized and directed to transfer the amount of \$2000.00 from appropriation Account 2470-324B to Appropriation Account 2445-322C for the fiscal year ending June 30, 1949, to enable the construction of additional storm water drains, at locations decided upon by the City Manager.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager advised the Commission that he had arranged with the Police Department for a detail of men to reroute traffic at locations where storm water flood conditions existed, so that wave wash and extra damage by passing vehicles could be eliminated or reduced at flood times.

RESOLUTION NO. 3215

A RESOLUTION AUTHORIZING THE PURCHASE OF PARKING METERS AND MAKING AN APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

- 1. That the City Manager is hereby authorized to purchase not to exceed 75 "MI-CO" penny-nickel combination

manually operated parking meters, manufactured by Michaels Art Bronze Co., of the same type as presently installed in this city, at a price of \$50.00 each F.O.B. Covington, Kentucky.

2. That the location where such parking meters shall be installed shall be determined by the City Manager and Director of Public Safety.

3. That the necessary amount for the purchase of meters upon the above terms, and for freight thereon to Coral Gables, is hereby appropriated, and the Director of Finance is hereby authorized and directed to transfer from the reserve funds of this city to the current fund the necessary amount for such purpose; that any amount so transferred shall be repaid to the reserve funds of this city from parking meter income at such times and in such amounts as the City Manager and Director of Finance deem advisable, provided that the entire amount shall be repaid not later than three years from the date of installation of such meters.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

#### RESOLUTION NO. 3216

#### A RESOLUTION AUTHORIZING PAYMENT OF ENGINEERING FEES ON STORM AND SANITARY SEWER PROJECTS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the proper city officers are hereby authorized to pay to M. B. Garris, Engineer, and Russell & Axon, Consulting Engineers, on account for preparation of plans for storm and sanitary sewer systems for the City of Coral Gables, the sum of not to exceed \$5,300, being the approximate balance on hand of the amount of Federal grant received to date for such purposes, the balance of engineering fees incurred to be paid upon receipt of remaining portion of the Federal grant; that the amount above authorized to be paid at this time shall be divided between the engineers in such proportion as may be determined by the City Manager after consultation with such engineers.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager stated that Ordinance No. 536 of this city, concerning approval of plans for signs, provides that a photographic or scaled drawing showing elevation of the building upon which the sign is to be placed is to be furnished to the Board of Architects before the sign permit shall be issued. He requested the Commission to establish a policy of requiring such photographs or scaled drawings to be furnished in duplicate so that one might be retained in the city files and one marked approved returned to the applicant. The Commission agreed that such policy should be followed.

The City Manager brought to the attention of the Commission the fact that the terms of the Athletic Commission expires April 12th. Mayor Phillips

then produced the resignations of Chairman Williams and Member Houston, and on motion by Mr. Healy and seconded by Mr. Hartnett, and unanimously passed, the resignations of Mr. Williams and Mr. Houston were accepted, with acknowledgment of deep gratitude for their fine service, effective upon appointment of a new Athletic Commission. The Matter of Appointing a new commission was deferred until the next meeting.

The City Manager requested advice upon the payment of a requisition issued by the Athletic Commission for payment of \$100.00 to Mrs. Doris Doyle for secretary's services. He stated that Mrs. Doyle was on the regular payroll of the city and the secretarial work for the Athletic Commission had been part of her regular duties. The Commission directed that such requisition not be honored unless overtime had been required.

#### RESOLUTION NO. 3217

A RESOLUTION GRANTING PERMISSION TO THE MIAMI TRANSIT COMPANY, SUBJECT TO 60 DAY CANCELLATION NOTICE, TO OPERATE BUS ROUTE THROUGH THE CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Miami Transit Company is hereby given permission, for an indefinite period but subject to cancellation on 60 days written notice to the company, to operate its bus route No. 34 from Coconut Grove through Coral Gables to the 36th Street Airport; such route to be operated through Coral Gables on Douglas Road, Coral Way and LeJeune Road, or on such other streets and avenues as may be designated by the City Manager.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None

The City Manager advised the Commission that the annual City Managers Conference and School will be held at Gainesville on May 5, 6 and 7, and requested permission for himself and the Director of Finance to attend at that time. The Commission approved the request.

#### ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 3 AND 4 AND 22 OF BLOCK 25, BILTMORE SECTION, SUBJECT TO CONDITIONS SET FORTH HEREIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once.

Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 603.

#### ORDINANCE NO. 604

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF ALL LOTS IN BLOCK 44, LOTS 1 THROUGH 17, BLOCK 45, LOTS 13 THROUGH 16, BLOCK 46, LOTS 11 THROUGH 14, BLOCK 47, LOTS 10 THROUGH 13, BLOCK 48, LOTS 14 THROUGH 32, BLOCK 48, LOTS 13 THROUGH 36, BLOCK 49, LOTS 11 THROUGH 29, BLOCK 88, ALL IN RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading April 5, 1949, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 604.

#### RESOLUTION NO. 3218

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting April 11, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That the following exceptions to the provisions of Ordinance No. 271 be and same hereby are granted:

(a) Permit side setback of 14.97 feet for northwest corner and a setback of 14.90 feet for the southwest corner of Lots 47 and 48, Block 10, Section K.

(b) Permit construction of laundry room to an existing garage on Lots 29 and 30, Block 8, Coconut Grove section, according to plans submitted.

(c) Permit construction of residence with setback of 15 feet from Avenue Catalonia, Block 16, Country Club Section 1.

(d) Permit erection of a 4-foot chain link fence across back and up center of property to rear of residence, Lots 8 and 9, Block 129, Riviera Section 10.

(e) Permit erection of 4-foot chain link fence along rear lot line and up each side line and across rear corners of residence, Lots 29 and 30, Block 14, Biltmore Section.

SECTION 2. That the ruling by the Zoning Board, upon an appeal from an adverse ruling of the Board of Supervising Architects, permitting the elimination of CBS wall around front entrance of residence to be built on Lot 8 and half of 9, Block 146, Country Club Part 6, on condition that the present pending sale of the property is completed, is hereby sustained.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted a large volume of cases involving exceptions to permit erection of chain link fences, and recommended that such fences be permitted on approval by the Building Department rather than being brought before the Zoning Board and Commission in each instance. The Commission approved this policy and directed that wire fences be permitted hereafter upon approval of the Building Department.

RESOLUTION NO. 3219

A RESOLUTION ESTABLISHING SIGNATURES NECESSARY FOR ENTRY INTO THE SAFETY DEPOSIT BOX OF THE CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That from and after the date hereof, and until the further order of the Commission, entry into the safety deposit box rented from the Coral Gables First National Bank by the City of Coral Gables shall be made only upon the joint signatures of the Director of Finance, E. B. Poorman and any one of the following officials of the City of Coral Gables:

- City Manager, W. T. McIlwain
- Mayor, W. Keith Phillips
- Commissioner Fred B. Hartnett
- Commissioner Andrew T. Healy
- Commissioner David H. Hendrick, Jr.
- Commissioner Thomas C. Mayes

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3220

A RESOLUTION AUTHORIZING TRANSFER OF BEVERAGE VENDORS LICENSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

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That the transfer of beverage vendors license permitting sale of alcoholic beverages containing not more than 14% of alcohol by weight, not for consumption on the premises, heretofore issued to Peter Jaskey d/b/a Pressley Sundries, 5106 S. W. 8th Street, to Raymond L. Gruber d/b/a Paragon Sundries 5132 S. W. 8th St., is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of an unfavorable criminal record on the transferee.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3221

A RESOLUTION DESIGNATING THE CORAL GABLES RIVIERA-TIMES AS THE NEWSPAPER IN WHICH TO PUBLISH NOTICE OF THE 1949 TAX SALE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Coral Gables Riviera-Times is hereby designated as the newspaper in which to publish notice of the 1949 tax sale of delinquent general tax and local improvement liens.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mayor Phillips presented an audit statement from the Orange Bowl Committee, showing a loss upon the operations of the Aqua Follies, together with a refund check from the Orange Bowl Committee in the amount of \$482 representing the amount returned from the sum of \$3000 underwritten by the city for such presentation. Mayor Phillips recommended that the city underwrite this feature of the Orange Bowl Festival next year.

RESOLUTION NO. 3222

A RESOLUTION MAKING AN ADDITIONAL APPROPRIATION FOR EXPENSE OF ORANGE BOWL FESTIVAL

WHEREAS, by Resolution No. 3141 passed and adopted November 16, 1948 this Commission authorized payment to the Orange Bowl Committee of \$3000 to underwrite the expense of the Aqua Follies held in the Venetian Pool, Coral Gables on December 28 and 29, 1948, as part of the Orange Bowl Festival; and

WHEREAS, the said Aqua Follies was operated at a loss, and of the amount underwritten by the city the sum of \$482 has been refunded to the city; and

WHEREAS, the amount appropriated for support of the Aqua Follies in the budget for the fiscal year ending June 30, 1949 was \$1200;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That an additional amount of \$1318 is hereby appropriated from Current Unappropriated Revenue to



Appropriation Account 2470-231, for additional expenses incurred in supporting the Orange Bowl Festival's Aqua Follies.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3223

A RESOLUTION APPOINTING DAVID H. HENDRICK JR. AS VICE MAYOR OF THE CITY OF CORAL GABLES.

WHEREAS, Mayor Phillips has recommended the appointment of David H. Hendrick Jr. as Vice Mayor of the City of Coral Gables;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That David H. Hendrick Jr. be and he hereby is designated as Vice Mayor of the City of Coral Gables, Florida.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None. Commissioner Hendrick not voting.

RESOLUTION NO. 3224

A RESOLUTION CALLING A PUBLIC HEARING UPON THE QUESTION OF CONTINUATION OF RENT CONTROL WITHIN THE CITY OF CORAL GABLES, FLORIDA.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That, pursuant to the terms of the Federal Rent Control Law, as amended, a public hearing is hereby called and set for 8:00 o'clock P.M., E.S.T., Tuesday, May 3, 1949, in the Commission chamber of the City Hall at Coral Gables, Florida, before the City Commission of said city, upon the question of whether or not there still exists such a shortage in rental housing accommodations within the City of Coral Gables, Florida, as to require the continuation of rent control, as established by the Federal Rent Control Law, within such city.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

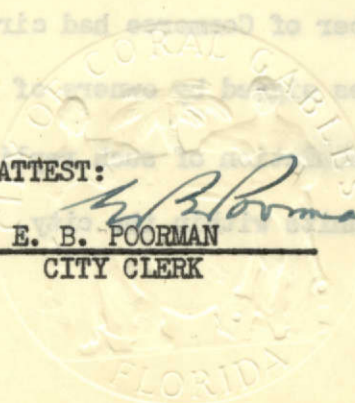
There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
W. KEITH PHILLIPS  
MAYOR

ATTEST:

*E. B. Poorman*  
E. B. POORMAN  
CITY CLERK



ADA240

MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
MAY 3, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 1:00 o'clock P.M., Tuesday, May 3, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the regular meetings of April 5 and 19, 1949, and of special meetings of April 13 and 15, 1949, were read and approved.

The meeting was then turned over to a public hearing upon the question of whether or not there still exists such a shortage of rental housing accommodations within the City of Coral Gables as to require the continuation of Federal rent control within such city, according to public notice thereof published in the Coral Gables Riviera-Times on April 20, 21 and 22, 1949, more than 10 days prior to this hearing.

Approximately 250 persons were present at such hearing. Mr. Barnett Roth, representing the Coral Gables Chapter of the American Veterans Committee, Mr. Bert Levine, Mr. Aram Goshgarian, Mr. James Eckhart, the latter three men being students of the University of Miami, spoke against the decontrol of rents within the city. All claimed that there was a shortage of housing accommodations that could be obtained at reasonable rates, within this city. Mayor Phillips pointed out that the question at issue was not the rental rates, but the question of whether or not there were vacant rental housing accommodations. Mayor Phillips requested that if such speakers had any facts upon the latter question available, such material should be filed with the City Clerk for consideration of the Commission. No facts or material were filed.

Mr. James Henderson, President of the Coral Gables Chamber of Commerce, Mr. Dana Woodman, representing the Coral Gables Board of Realtors, Mr. Joe Creel, representing the apartment owners in Coral Gables, and Mr. S. O. O'Bryon, representing the Miami Apartment Owners Association (having membership of 31 apartment owners within the City of Coral Gables) spoke in favor of decontrol. Mr. Henderson and Mr. Creel stated that the Chamber of Commerce had made a survey of living units within the city, which reflected that there were approximately 1,814 apartment and duplex living units, and 3,500 single-family living units within the City of Coral Gables. They stated that the Chamber of Commerce had circularized apartment owners, and presented post card replies signed by owners of 754 rental living units within the city, together with tabulation of such replies. This survey indicated that of the 754 rental living units within the city, 184

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or 24.4 per cent of such units were presently vacant. A letter from the Building Inspector of the City of Coral Gables was presented, reflecting that 192 living units were presently under construction within the city and would be available within a short period. Mr. Creel pointed out that a projection of the vacancy percentage applied to all apartment and duplex living units within the city indicated that there was at present at least 442 vacant apartment and duplex living units within the City of Coral Gables, and averred that there was no shortage of rental accommodations within this city.

Evidence was also cited to the effect that there was in 1949 in Coral Gables 1 housing unit for each  $2\frac{1}{2}$  persons of present population, as against the 1940 national average of 3.8 persons per unit; evidence was also cited that in the Miami area at the present time there are approximately 126.7 dwelling units per 100 families as against 119 dwelling units per 100 families in 1940.

Mr. Henderson also presented the May 1, 1949 issue of the Miami Herald which carried advertisements for 65 apartment vacancies in the City of Coral Gables; he stated that the May 1, 1948 issue carried 40 advertisements for vacancies, and the May 1, 1947 issue carried 7 advertisements for vacancies.

The signed answers to the above survey and tabulations of the survey were filed with the City Clerk.

At the conclusion of the presentation of the above evidence the City Commission took the matter under advisement.

Mr. B. S. Hancock of 1234 Cortez Street inquired as to the possibility of city-county cooperation in paving Cortez Street, which he stated was in deplorable condition. The City Manager noted that he was negotiating through County Commissioner Yarborough to attempt to secure county agreement to bear half the cost of such street, and declared that such negotiation would be diligently pursued.

Mrs. A. C. Zimmerman of 438 Sunset Road appeared to complain of the nuisance caused by cars parking on and near the city park at Cocoplum Plaza bridge. The principal grounds of complaint were that car owners made a habit of washing, painting and doing mechanical work on their cars at this site. The City Manager noted that the Commission had recently ordered that docking of boats be stopped at that location, and stated that he believed the nuisance would be alleviated by that change of policy. He also stated that all efforts would be made to prevent unlawful use of the city park area.

Mr. William L. Pallot, Mr. Cliff Courtney and Mr. Louis Edwards appeared concerning the request of the Cliff-Court Cemetery to establish a burial ground on a 10 acre tract of land at the northeast corner of Davis Road and Erwin Drive. The applicants presented a letter alleging that there were no zoning restrictions against cemetery use at this location. The original ordinance book containing zoning Ordinance No. 271, passed and adopted February 16, 1947, was examined by all parties. The City Attorney gave his opinion that under Ordinance No. 271 this particular tract of land was zoned as CF-5 residential use. The applicants conceded that this appeared to be true. During the discussion the City Attorney noted that on March 14, 1949 the Zoning Board had declined to recommend a public hearing for such change of zoning because of the recent objections to spot zoning in that area. No action was taken.

Mr. Sam Silver appeared concerning an application by the Coral Gables Jewish Center for permission to erect a synagogue on Lots 16 to 18, Block 76, Granada Section. He stated that he had appeared before the Zoning Board on March 28, 1949, and that the Zoning Board had referred the matter to the City Commission without action. He declared that he was informed at that time that the zoning ordinance did not prohibit erection of a church in residential areas, but had since learned that on April 5, 1949 Ordinance No. 602 had been adopted by the City Commission prohibiting establishment of churches and other uses in residential areas except by special ordinance of the Commission, after a public hearing before the Zoning Board. Mr. Silver and Rabbi Morris Scopp explained that the applicants desired to erect a house of worship on the above property, and that in connection therewith a church school would be conducted for children of the congregation on weekday afternoons from 3:30 to approximately 5:15. Both men explained that this was in no sense to be a parochial school, and that church school training for children was purely incidental and conducted as a regular part of the church activity. Mr. Silver declared that he felt that the exception to Ordinance No. 602 should be granted in this case inasmuch as proceedings were instituted before the passage of that ordinance. The City Attorney advised that it is his opinion an ordinance passed after the applicants had notified the city of their intent and had purchased property for that purpose would probably not be effective against such applicants. He declared, however, that he felt that the interest of all parties concerned would be best served by compliance with the terms of Ordinance No. 602, and by procedure being instituted before the

Zoning Board along the lines set out by such ordinance. The applicants indicated that they would proceed before the Zoning Board, and no further action was taken

Mr. Walter J. Letts, publisher of the "Sports Sampler", a pamphlet expected to be published and distributed in the Miami area within the near future, appeared before the Commission to request that the city permit free coupons (entitling the purchasers of the book to free use of the city golf courses and the Venetian Pool) to be included in the publication. He stated that they expected a distribution of some ten thousand books and that the value of free coupons therein was to build up patronage and acquaint the public with the sports facilities operated by the city. The City Manager stated that he had studied this proposition and could not recommend it. Commissioner Hartnett moved that the matter be tabled until the project had been approved by the sanctions committee of the Chamber of Commerce. The motion was seconded by Commissioner Hendrick and unanimously adopted.

Mr. J. C. Fitzgerald appeared before the Commission to suggest consideration of an ordinance prohibiting construction work in residential areas before some reasonable hour in the mornings. The matter was referred to the City Attorney for study.

The City Manager advised that he had received a statement from Maurice H. Connell & Associates for preparation of an economic report on the proposed municipal terminal in the amount of \$1,500, and was authorized to have the statement paid in accordance with authority in Resolution No. 3177 passed February 1, 1949.

The City Manager presented a letter from Mrs. Betty Birchansky offering to sell Lots 31 to 34, Block 6, Section L, for \$5,500 for use by the city as an off-street parking site. The City Manager was directed to acknowledge the offer with appreciation, but to decline the same on the ground that the location was not advantageous for such use.

The City Manager presented a letter from Mrs. Taylor Phillips suggesting that the numerous civic club signs now individually installed at Coral Way and Douglas Road be combined on one common standard. The matter was referred to the City Manager, who stated he would consult with the Board of Architects for suggestions.

The City Attorney and City Manager presented a proposed deed of dedication to the city, dedicating Block D, Sunrise Point, for a public park. The dedication document as presented contained a covenant that the outside perimeter of such park to a depth of 15 feet would be perpetually beautified, as well as

numerous other restrictive covenants as to use, and included a reverter clause for violation of such restrictions. The City Manager explained that Mr. Emil Gould had agreed to dedicate this block as a park at the time Sunrise Harbour was zoned. The City Attorney recommended that the city request Mr. Gould to make a dedication of Block D "for park purposes", without further detailed restrictions, and with a reverter clause if desired. The matter was referred to the City Attorney to conduct further negotiations with Mr. Gould.

The City Manager presented a list of suggestions of the Board of Supervising Architects for certain changes in policies and ordinances of the city. He stated that he would furnish all Commissioners with a copy of this list, and consideration thereof was deferred until a future date.

The City Manager presented a communication from Commissioner William W. Charles of the City of Miami in which Mr. Charles proposed that a bill be presented to the legislature for creation of a Dade County Water Authority. The Commission indicated interest in the general idea and referred the matter to the City Manager for detailed study.

The City Manager called attention to the minutes of the Coral Gables Athletic Commission at its meeting of April 27th wherein it was recommended that the Athletic Commission ordinance be amended to provide that any member of the Athletic Commission who shall be absent from three consecutive meetings of the commission, unless excused by the chairman thereof, shall automatically cease to be a member of the commission, and the vacancy created should be filled by the City Commission within 20 days; recommending that the membership on the Athletic Commission be reduced from 7 to 5, and recommending that the ordinance provide that a new commission be appointed within 30 days after the expiration of each two-year term at the biennial city elections. Discussion was had of the recommendations, and at the conclusion thereof the following ordinance was presented and read:

ORDINANCE NO. 605

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 556 OF THE CITY OF CORAL GABLES, AS AMENDED, BY LIMITING THE NUMBER OF MEMBERS UPON THE CORAL GABLES ATHLETIC COMMISSION TO FIVE, AND PROVIDING FOR TENURE OF OFFICE OF MEMBERS THEREOF; AMENDING SECTION 7 OF SAID ORDINANCE NO. 556 TO PROVIDE FOR DISPOSITION OF ADMISSIONS TAX; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hartnett, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 605.

RESOLUTION NO. 3225

A RESOLUTION APPOINTING MEMBERS OF THE  
CORAL GABLES ATHLETIC COMMISSION.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the following named persons be and they hereby are appointed as members of the Coral Gables Athletic Commission, such members to serve at the will of the Commission, providing that the terms of all such members shall be deemed to expire in any event not later than June 30, 1950:

P. J. Cesarano  
William C. Hartnett  
Harry Morgenthaler  
Carl Singleton  
L. E. Westerdahl

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted that the amount budgeted for this fiscal year for improvements and alterations for Police and Fire Department building had been expended, but recommended that an additional amount not to exceed \$285.00 be expended to install an air conditioning unit in the office of the Director of Public Safety. He stated that some bids had been received and the highest bid to date had been \$285.00, but that at least one other price was expected to be received. He further added while such expenditure would overspend the particular appropriation there would be other balances available for transfer in the Public Safety budget. He was authorized to purchase an air conditioning unit for such purpose at a price not to exceed \$285.00, with the understanding that the amount thereof would be transferred from any available balance of unused

appropriation in the Public Safety Department.

The City Manager brought to the attention of the Commission a growing delinquency list in the payment of garbage and trash collection fees. He recommended that the ordinance be changed to make property owners solely liable for such fees in all buildings having three or more living units, and recommended that the terms of the ordinance requiring fees to be paid by commercial buildings be studied and modified. He stated that he felt that such changes would greatly assist collection efforts and reduce the delinquency now being met. Consideration of such amendments was deferred.

RESOLUTION NO. 3226

A RESOLUTION APPROVING A STATEMENT OF COSTS OF APRIL 12, 1949 CITY ELECTION.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the following expenditures incurred in the conduct of the regular city election of April 12, 1949 are hereby approved and determined to be chargeable to candidates' filing fees:

Publication of notice of election (9 issues) .....	\$52.92
Name and title strips for machines; sample ballots and instructions to voters; signature identification slips; return sheets; absentee ballots and envelopes .....	128.75
Publication of appointment of election officials .....	2.40
Drayage on 9 voting machines to and from polling places .....	90.00
Services of election officials and voting machine custodian .....	313.50
Special supplies for election .....	25.25
Material for preparation of voting lists for candidates (48 stencils, 30 reams mimeograph paper) .....	48.40
Publication of notice of absentee voting .....	<u>3.80</u>

Total cost chargeable to candidates' fees \$ 665.02

2. That the total cost of the election allocable to candidates' filing fees exceeded the total amount of such fees received, which were as follows:

Fred B. Hartnett	\$100.00
Andrew T. Healy	100.00
Thomas C. Mayes	100.00
Robert E. Newman	100.00
Jack R. Younger	100.00
R. C. Willey	<u>100.00</u>
Total	\$600.00

and that there is no balance to be returned to candidates.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following rollcall:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.



## RESOLUTION NO. 3227

A RESOLUTION PROVIDING FOR DISTRIBUTION  
OF LISTS OF REGISTERED VOTERS TO  
CANDIDATES OF CITY ELECTIONS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That all qualified candidates for the offices of mayor and city commissioner at each regular and special city election to fill such offices, shall be entitled to and shall be furnished without charge 10 copies of lists of registered voters of the city; that additional copies of such voters lists over 10 to each candidate shall be furnished to candidates at a charge of \$1.00 per list; that lists of registered voters under the provisions of this resolution shall be construed to mean lists prepared during registration and supplemental lists prepared at the close of registration, combined.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nyas" - None.

## RESOLUTION NO. 3228

A RESOLUTION AUTHORIZING EXCEPTIONS  
TO ORDINANCE NO. 271, KNOWN AS THE  
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting April 25, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit use of rear of building at 272 Avenue Alcazar (Lots 6 and 7, Block 25, Section K) for operation of pin-hone machine, brake machine, valve resurfacers machine, and comparable machinery, the total capacity of which does not exceed three horsepower, providing that there shall be no servicing or work upon automobiles at that location.
2. Permit construction of an arbor on Lots 7 to 18, Block 147, Riviera Section, such arbor to be located to the south and rear of residence and approximately 5 feet from sidewalk, and to be constructed of channel iron with wire mesh.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

## ORDINANCE NO. 606

AN ORDINANCE AMENDING ORDINANCE NO. 271,  
PASSED AND ADOPTED FEBRUARY 16, 1937 AND  
KNOWN AS THE "ZONING ORDINANCE" BY ADDING  
TO SECTION 18 THEREOF A SQUARE FOOT CLAS-  
SIFICATION CF-1 FOR R-1 USE; BY ESTABLISH-  
MENT OR AMENDMENT OF ZONING REQUIREMENTS  
AND SETBACK REQUIREMENTS IN MAC FARLANE

HOMESTEAD, COCONUT GROVE WAREHOUSE CENTER  
AND GOLDEN GATE SUBDIVISIONS; AND REPEAL-  
ING ALL ORDINANCES OR PARTS OF ORDINANCES  
IN CONFLICT HEREWITH.

which was read by title and adopted on first reading April 19, 1949, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy and the ordinance was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 606.

RESOLUTION NO. 3229

A RESOLUTION URGING THE ESTABLISHMENT  
OF A STATE MEDICAL AND DENTAL SCHOOL  
IN DADE COUNTY, FLORIDA.

WHEREAS, the Legislature of the State of Florida now in session contemplates the advisability of the enactment of a statute for the establishment of an All Florida Medical and Dental School in this state and to determine its location; and

WHEREAS, our Florida sons and daughters ambitious to become physicians and dentists need a state medical school now; and

WHEREAS, over one-third of Florida's certified specialists are now practicing in Dade County; and

WHEREAS, because of existing facilities in more than a score of major hospitals and clinics, a medical and dental school can be established in Dade County in less time and for less money than anywhere else in the State of Florida;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the members of the Florida Legislature from Dade County are hereby assured of the interest and support of the City of Coral Gables in and to their splendid efforts to bring about the location of a state medical and dental school in Dade County, and the Senator and Representatives from Dade County are urged to call upon the city officials of the City of Coral Gables for any aid and assistance in this matter as may be needed by them.

2. That copies of this resolution be sent to Governor Fuller Warren and to the Senator and Representatives of the Legislature from Dade County.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a letter from the Coral Gables Chapter 12, Disabled American Veterans, urging the City Commission to take all steps possible to foster, aid and assist plans which intend to provide suitable additional housing for veterans. No action was taken.

## RESOLUTION NO. 3230

A RESOLUTION EXPRESSING DISAPPROVAL OF  
A PENDING BILL TO PERMIT SPLIT RACING  
DATES IN DADE COUNTY, FLORIDA.

WHEREAS, legislation is now pending in the 1949 Florida Legislature to permit split racing dates of operation for horse racing tracks in Dade County, Florida; and

WHEREAS, under the terms of such proposed legislation Tropical Park would be allotted the first and last twenty days of the racing season; and

WHEREAS, such dates that would be allotted to Tropical Park appear to be impractical and may well result in the closing of such track, a possibility which this Commission deplors and which, this Commission feels, would mean a loss of revenue to merchants and other business people in the City of Coral Gables;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That this Commission hereby makes known its opposition and disapproval to the proposed legislation now pending to provide split racing dates for horse racing tracks in Dade County, Florida, and urges the Senator and Representatives from Dade County to exert their fullest efforts to defeat such pending measure.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a new public liability and property damage insurance policy for the Venetian Pool, and noted that the rates had more than doubled over the last previous year. The acceptance of such policy in the New York Casualty Company at a base rate of \$3.572 per \$100 of receipts was authorized with the understanding that any deficit in the budget item for such purpose in the current fiscal year could be met from unappropriated revenue of the Venetian Pool.

The City Attorney advised that in accordance with the recent Florida Supreme Court decision ousting Key Biscayne from the city limits of Coral Gables, he was of the opinion that Key Biscayne should be excluded from tax rolls of the city in the future.

The City Attorney noted that an additional ouster suit recently filed by Morgan S. McCormick and seeking to oust lands in Section 13, Township 55, Range 40 East, had recently been dismissed in the Circuit Court of Dade County.

## RESOLUTION NO. 3232

A RESOLUTION APPOINTING MEMBERS OF THE  
PLANNING AND ADVISORY BOARD

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the appointment by the Mayor of the following members of the Planning and Advisory Board for terms ending May 1, 1950, is hereby approved:

M. B. Garris  
Herbert Brown  
Denman Fink  
W. D. Fuller  
Paul Mickler  
S. A. Shikany  
Coulton Skinner

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3233

A RESOLUTION AUTHORIZING TRANSFER OF  
RETAIL BEVERAGE STORE LICENSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the transfer of retail beverage store license permitting sale of beverages containing 1 to 14% of alcohol by weight for consumption on the premises, heretofore issued to John W. Shaffer and William A. Weems, to John W. Shaffer and Hazel W. Shaffer, is hereby approved.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3234

A RESOLUTION FINDING AND DETERMINING THAT  
THERE NO LONGER EXISTS SUCH A SHORTAGE IN  
RENTAL HOUSING ACCOMMODATIONS WITHIN THE  
CITY OF CORAL GABLES, FLORIDA, AS TO RE-  
QUIRE THE CONTINUATION OF RENT CONTROL  
WITHIN THIS CITY.

WHEREAS, under the provisions of Section 204 (j) (3) of the Federal Housing and Rent Act of 1947, as amended, the City Commission of the City of Coral Gables did on April 19, 1949, call a public hearing for 8:00 o'clock P.M. E.S.T., Tuesday, May 3, 1949, in the Commission Chamber of the City Hall at Coral Gables, Florida, before this City Commission, upon the question of whether or not there still exists such a shortage in rental housing accommodations within the City of Coral Gables, Florida, as to require continuation of rent control within this city as established by the Federal Rent Control law, and public notice thereof was published in the Coral Gables Riviera-Times, a newspaper of general circulation within the City of Coral Gables, on April 20, 21 and 22, 1949, more than 10 days prior to such hearing; and

WHEREAS, such hearing was held, according to said notice, and in accordance with applicable local law, and full opportunity to be heard was accorded to all parties present;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA:

1. That as a result of the hearing hereinbefore recited the City Commission of the City of Coral Gables does hereby find and determine that there no longer exists within the City of Coral Gables, Florida, such a shortage in rental housing accommodations as to require rent control within the City of Coral Gables, Florida.

2. That a certified copy of this resolution be transmitted to His Excellency Fuller Warren, Governor of the State of Florida, for his approval, with the request that he note his approval upon one or more of said certified copies and return same to the City Clerk, City Hall, Coral Gables, Florida; that thereupon, a certified copy of such resolution showing the approval of the Governor of the State of Florida thereon be forwarded to the Housing Expeditor, with the request that Federal rent control within the City of Coral Gables, Florida, be immediately terminated.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
W. KEITH PHILLIPS  
MAYOR

ATTEST:

*E. B. Poorman*  
E. B. POORMAN  
CITY CLERK

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MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
MAY 17, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, May 17, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Hendrick and Mayes present. Commissioner Healy absent.

Mr. Sam Silver, representing the Coral Gables Jewish Center, requested a ruling upon the denial of the Zoning Board to recommend the use of Lots 16 to 18, Block 76, Granada Section, for erection of a house of worship. Mayor Phillips pointed out that the ordinances of the city call for a ten day notice on an appeal to the Commission from any adverse ruling of the Zoning Board.

RESOLUTION NO. 3235

A RESOLUTION CALLING A SPECIAL MEETING  
OF THE COMMISSION ON JUNE 2ND, 1949, FOR  
HEARING OF APPEAL FROM ZONING BOARD.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That a special meeting of the City Commission is hereby called and set for 8 o'clock P.M., Thursday, June 2, 1949, for the purpose of hearing an appeal from the ruling of the Zoning Board of Appeals declining to recommend the use of Lots 16 to 18, Block 76, Granada Section for erection of a house of worship by the Coral Gables Jewish Center.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:  
"Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays"  
- None.

Mr. E. Bator and his attorney, Mr. Jack Kehoe, appeared to request a permit for use of Lot 2, Tamiami Place Plan 1, for a retail package liquor store.

RESOLUTION NO. 3236

A RESOLUTION DENYING APPLICATION FOR  
PERMIT TO USE LOT 2, TAMIAMI PLACE PLAN 1,  
FOR RETAIL SALE OF ALCOHOLIC BEVERAGES.

WHEREAS, E. Bator on or about April 15th, 1947 applied to the Zoning Board of Appeals of the City of Coral Gables for a public hearing upon issuance of a permit for use of Lot 2, Tamiami Place Plan 1, for operation of a retail package liquor store, such lot being zoned C-2 under zoning ordinances of the City of Coral Gables and such lot abutting upon property zoned for residential use; and

WHEREAS, because at the time of such application there was no building erected on said lot, the Zoning Board of Appeals on April 28, 1947 tabled such application; and

WHEREAS, prior to the completion of building on said premises and on or about April 20, 1947 the Legislature of the State of Florida enacted Chapter 24446 Special Laws of Florida 1947, limiting the number of licenses which might be granted by the City of Coral Gables for sale of intoxicating beverages containing alcohol of more than 14 per cent by weight, to 1 license for each 3000 residents in said city according to the last state or federal census of such city; and

WHEREAS, at the effective date of such act there were issued and outstanding more such licenses than 1 for each 3000 of population of the City of Coral Gables by the last state and federal census, and such condition has existed continuously to the present time, and by the terms of said Chapter 24446 no additional licenses for the sale of alcoholic beverages, containing more than 14 per cent of alcohol by weight, may be issued; and

WHEREAS, the said E. Bator has this date requested that an exception be granted to the terms of said Chapter 24446, upon the ground that he had filed application for a permit for the use of said Lot 2, Tamiami Place Plan 1, for operation of a retail package liquor store, prior to the passage of said chapter;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the application made this date by E. Bator for a permit to use Lot 2, Tamiami Place Plan 1, Coral Gables, for retail sale of alcoholic beverages containing more than 14 per cent of alcohol by weight, is hereby denied.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:  
 "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager declared that several conferences had been held with the University officials concerning the city taking over the University of Miami bus operations. He recommended that the city transportation department be authorized to provide bus service in place of the present University shuttle service between the north campus and the main campus, and between the two campuses and the 20th Street housing facilities, beginning September 11, 1949, with the understanding that the 20th Street service would be on a four-times-a-day basis and subject to receipt of authority from the City of Miami for operations through that city.

RESOLUTION NO. 3237

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROVIDE ADDITIONAL BUS SERVICE TO TAKE THE PLACE OF UNIVERSITY OF MIAMI BUS OPERATIONS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized to extend city bus service beginning September 11, 1949, between

the north campus and main campus of the University of Miami, and between the two campuses and the 20th Street housing project, to take the place of present University bus operations, provided that operations to the 20th Street housing project be on not to exceed a four-times-a-day basis, and subject to authority therefor being granted by the City of Miami.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The decision as to the amount of token fare to be accepted on the above authorized extension of bus service was left to the judgment of the City Manager and Superintendent of the Transportation Department.

On recommendation of the City Manager the following resolution was presented and read:

RESOLUTION NO. 3238

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A TRUCK AND TREE CRANE ASSEMBLY, AND TO INSTALL AND PURCHASE BATTERIES FOR GENERATOR.

WHEREAS, during emergency work after a hurricane a truck and tree crane assembly is necessary, and to save large amounts in rental of such equipment, it appears to the best interest of the city to purchase a truck and tree crane assembly for use in hurricane cleanup and other work in the city; and

WHEREAS, a generator has heretofore been purchased to supply electricity for operation of police and fire department radios, and other facilities in the Public Safety Department, during hurricanes or other emergencies when regular power is not available, and it is necessary to install such generator and to purchase storage batteries for use with such generator;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the City Manager is hereby authorized to purchase a truck and tree crane assembly at an approximate cost of \$10,682.00.
2. That the Director of Finance is hereby directed to charge such expense, \$5,000 to Appropriation Account 2440-311 and the balance to the Special Hurricane Expense Fund.
3. That the City Manager is hereby authorized to expend not to exceed \$362 for installation of the generator heretofore purchased for use by the Public Safety Department, and for storage batteries for such generator.
4. That the Director of Finance is authorized to charge the cost of such batteries and the cost of installation to the Special Hurricane Expense Fund.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:



"Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

On recommendation of the City Manager the following resolution was presented and read:

RESOLUTION NO. 3239

A RESOLUTION AUTHORIZING PURCHASE OF TWO GASOLINE PUMPS, AND MAKING APPROPRIATION THEREFOR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized to purchase, for use at equipment yard, two 100 gallon Tokheim gasoline pumps at a cost not to exceed \$826.90, and the necessary amount therefor is hereby appropriated from available unappropriated revenue.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager announced that he had made transportation arrangements for the Mayor and Commissioners to inspect the route of the proposed new Florida Power and Light Company transmission line on May 19th.

The City Manager reported that Mr. Don Cuddy, sports editor of the Coral Gables Riviera-Times, had requested assistance from city forces in preparing grounds for the Coral Gables Merchants Baseball League, and that such work would amount to approximately \$50.00. The City Manager was authorized to assist the league by use of city forces to that extent.

The City Manager noted that under the terms of the existing lease the Federal Housing Administration had elected to continue lease of third floor of the City Hall for the coming year.

The City Manager reported a request from Mrs. Jack H. Bowman of 818 Avenue Mariana for a pro rata refund of garbage collection fees paid for the quarter ending September 30, 1949, on the ground that the family was moving from the city. The City Manager was authorized to make such pro rata refund, based upon a short rate quarterly basis, in this and other similar cases.

RESOLUTION NO. 3240

A RESOLUTION APPROPRIATING \$15,528.29 FOR PAYMENT OF BALANCE DUE ON BUS MORTGAGE, AND DIRECTING TRANSFER OF \$21,553.40 TO EQUIPMENT FUND.

WHEREAS the 1948-1949 budget contemplated that expenditures for operation and purchase of equipment for the

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transportation department would exceed 1948-1949 operating income, but it now appears that such income will exceed expenditures by some \$34,000.00;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the sum of \$15,528.29 is hereby appropriated from such available unappropriated revenue for payment of the balance due on the chattel mortgage outstanding on buses purchased during the fiscal year 1947-1948, and the proper city officers are hereby authorized to pay such mortgage.

2. That the Director of Finance is hereby authorized and directed to transfer \$21,553.40 of such available unappropriated revenue to the equipment fund of the city for use in purchase of capital equipment during the fiscal year 1949-1950.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager reported that a letter had been received from officials of the Poinciana Festival, requesting the use of the Biltmore Golf Course on June 9th for a golf tournament and the Venetian Pool on June 8th for an Aquacade to be presented by the committee, and further requesting an appropriation of \$300 to help pay expenses of the festival. The use of city facilities was approved, and the request for a \$300 appropriation was referred to the Chamber of Commerce for its recommendation inasmuch as the project is in the nature of publicity.

RESOLUTION NO. 3241

A RESOLUTION AUTHORIZING EXPENDITURE FOR POINCIANA FESTIVAL, SUBJECT TO CONDITIONS EXPRESSED HEREIN.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager is hereby authorized to expend not to exceed \$300 for support of the Poinciana program, provided such expense is approved by the Chamber of Commerce publicity committee.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Attorney noted passage of Senate Bill 341 by the State Legislature, wherein all examinations for proficiency of painters and painting contractors are placed under the jurisdiction of the County Commissioners. It

was recommended that the City Attorney seek to have a special act passed by the Legislature exempting the City of Coral Gables from such county control.

The City Clerk advised that the rent control resolution had been forwarded to Governor Warren on May 4th, but that no action had yet been taken.

RESOLUTION NO. 3242

A RESOLUTION AUTHORIZING EXCEPTIONS  
TO ORDINANCE NO. 271, KNOWN AS THE  
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meetings of May 9 and 16, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit erection of 12 foot wire screen on top of 4 foot CBS wall on Lot 7 and half of Lot 6, Block 93, Country Club 5, for a temporary period of one year for the purpose of protecting the property against golf balls coming from the Riviera Golf Course.

2. Permit construction of residence with 15 foot setback on Avenue Mariposa instead of west on Leonardo Street, on Lot 7 (as resubdivided), Block 142, Riviera Section.

3. Permit use of Lots 17 to 20 inclusive, Block 36, Douglas Section, for a parking area in connection with Harry Fincher Inc., automobile agency, 1607 Ponce de Leon Boulevard provided:

- (a) The lots be surfaced with oil and sand.
- (b) That part which is not surfaced be landscaped.
- (c) A hedge be planted around the perimeter of the area used for parking.
- (d) The area be used for parking only, and not for servicing cars or for any other purpose.
- (e) No signs of any nature to be erected.
- (f) No objections thereto are received from owners of adjoining property.

4. Permit construction of a residence containing 2462 square feet on Lots 21 and 22, Block 241, Riviera Section 12.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The recommendation of the Zoning Board that an ordinance be passed prohibiting the parking of mobile house unit trailers within the city limits was referred to the City Attorney.

The City Manager advised that the University of Miami Law School planned to secure a lease on five or six lots in Block 27, Section K, and at the rear of the old Embry Riddle building now being used by the Law School, for use as a parking area. He stated that the traffic problem at the new Law School building had created a hazard, and requested permission to use city equipment in clearing such lots to effect their early use. The University has agreed to haul away debris, and landscape the location. The Commission approved use of the lots as a parking area and authorized the City Manager to use city equipment in making such lots useable.

The City Manager stated that the grade originally set for paving the alley in Block 27, Section K (Local Improvement A-5), would make necessary the lowering of the septic tank for the building now used as the Law School by the University. Because of the present circumstances it was requested that the city change the grade of this alley to permit the septic tank to remain without alteration. The City Manager declared that the grade of the alley could be changed to permit the septic tank to remain as is if the paving were laid direct upon the tank. He said that inasmuch as the tank had a 6 inch reenforced cover it appeared that paving could be laid on top of the tank, but with the understanding that the grade of the alley could be changed to the original grade if at some future time the tank were removed. The matter was referred to the City Manager with authority to direct a grade change for the laying of paving directly on the tank cover, if in his opinion such paving would be safe.

The City Clerk advised that Resolution No. 3210, thanking Mr. Leslie Coombes for his offer to deed the alley in Block 35, Section K, to the city, had been forwarded to Mr. Coombes, and that Mr. Coombes had in a later discussion stated that his offer included only that part of the alley abutting city owned lots. The offer as further explained by Mr. Coombes was approved.

The City Manager and Director of Public Works reported that the University of Miami plans for finishing the skeleton building on the main campus called for a seven story tower, in violation of present city ordinances, and that the University also desired an exception to the present ordinances to eliminate the requirement of standpipes in such tower. It was suggested by Commissioner Hartnett that approval of such construction be withheld subject to an investigation by the City Manager to determine that safety factors such as exits, fire extinguisher equipment, etc., would be provided, and that aerial ladder equipment of the Miami Fire Department would be available to this city in case of fire in the seven story tower.

Commissioner Hendrick recommended consideration of an ordinance requiring enclosures or screens around garbage and trash cans of multiple housing units. The matter was referred to the City Attorney.

The City Attorney noted that a decree of foreclosure entered some eleven years ago in a mortgage foreclosure suit to which the city was made a part, included as part of the mortgaged premises a portion of former University Concourse (now Ponce de Leon Boulevard) near LeJeune Road. He declared that no foreclosure sale had been held, and that he had now been approached by the plaintiff in such suit to purchase that part of street right of way involved. The matter was referred to the City Attorney with a request that he report to the Commission whether or not prescriptive rights of the city arising out of the long use of such premises as a street would not prevail over such mortgage foreclosure action.

The Superintendent of Public Works requested an expression of policy upon the part of the Commission as to the interpretation of square foot area in Dutch Colonial type houses now being considered by the Zoning Board. He stated that he had ruled that the floor area of the second floor, under the roof, where the walls were plastered and the area was prepared for living quarters, would count in determining square foot area of the structure. The Commission approved this ruling.

There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*

MAYOR

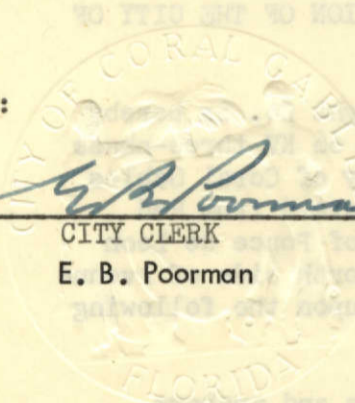
W. Keith Phillips

ATTEST:

*E. B. Poorman*

CITY CLERK

E. B. Poorman



1. The lines, including guy stub poles and...
2. Poles shall be located approximately 5 feet from the face of the curb on the south side of Ponce de Leon Boulevard.
3. Poles used to be 25 feet in length, or such longer length as may be needed to provide necessary clearance; utility spans shall be in accordance with previous approval of the City Manager.
4. All poles and guy stub installations shall be installed in accordance with the recommendations of...

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MINUTES OF REGULAR MEETING  
OF THE CITY COMMISSION  
JUNE 7, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, June 7, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the regular meeting of May 3, 1949 were read and approved.

Mr. J. B. Hiers of the Florida Power and Light Co. appeared concerning the proposed new 66 KV three-phase power line which the company desired to install on Ponce de Leon Boulevard from Red Road northeasterly to the intersection of Ponce de Leon Boulevard and Avenue Ruiz, and northeasterly on Avenue Ruiz to the city limits. The transmission line will offer an additional source of power supply to serve the residents of Coral Gables. Plans call for placing of 43 poles along the route with each pole and guy stub installation to be landscaped according to the recommendations of the City Manager. The City Manager recommended that the city do the landscaping work with the company reimbursing the city for the cost thereof.

RESOLUTION NO. 3243

A RESOLUTION AUTHORIZING INSTALLATION  
BY THE FLORIDA POWER AND LIGHT COMPANY  
OF A 66 KV THREE-PHASE POWER TRANSMISSION  
LINE THROUGH THE CITY OF CORAL  
GABLES UPON THE ROUTE AND UPON THE  
CONDITIONS SPECIFIED HEREIN.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the Florida Power and Light Co. is hereby authorized and permitted to install one 66 KV three-phase power transmission line through the City of Coral Gables on the south side of Ponce de Leon Boulevard from Red Road northeasterly to the intersection of Ponce de Leon Boulevard and Avenue Ruiz, and on the north side of Avenue Ruiz northeasterly to the city limits, upon the following conditions:

1. The line, including guy stub poles and anchors, to be constructed in accordance with all requirements of the National Electric Safety Code.
2. Poles shall be located approximately  $3\frac{1}{2}$  feet from the face of the curb on the south side of Ponce de Leon Boulevard.
3. Poles used to be 55 feet in length, or such longer length as may be needed to provide necessary clearances; ruling spans shall be in accordance with previous approval of the City Manager.
4. All poles and guy stub installations shall be landscaped in accordance with the recommendations of

the City Manager; such landscaping shall be done by city forces with the Florida Power and Light Co. reimbursing the city for the cost thereof.

- 5. Necessary changes of curbing and/or parkway at the intersection of Ponce de Leon Boulevard and Avenue Ruiz shall be made at the expense of the company, according to plans to be approved by the City Manager.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.  
"Nays" - None.

Mr. A. C. Middlemass, representing Mr. Lee K. Wilson, owner of the Antilla Hotel, appeared to request permission to reconstruct the present fourth floor tower of the hotel (now of frame construction, and used for storage purposes) to enable its use as living quarters for the owner.

RESOLUTION NO. 3244

A RESOLUTION GRANTING AN EXCEPTION TO THE ZONING ORDINANCE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the Zoning Ordinance is hereby granted:

Permit reconstruction of present fourth floor tower of the Antilla Hotel from frame construction to concrete block-stucco, to permit use of said tower, as reconstructed, as living quarters for owner of the building.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.  
"Nays" - None.

Mr. L. D. Kent and Mr. George Clemmons appeared to request permission for the erection of a metal sign on the Brooks Gas Company store at 2632 Ponce de Leon Boulevard.

RESOLUTION NO. 3245

A RESOLUTION GRANTING AN EXCEPTION TO THE BUILDING CODE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the Building Code is hereby granted:

Permit erection of metal sign per sketch submitted on building at 2632 Ponce de Leon Boulevard, such sign to extend a maximum of 2'8" outward from the building parapet,

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provided that such sign is approved by the Structural Engineer and Board of Supervising Architects.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nay" - Commissioner Hartnett.

Commissioners Mayes and Hartnett suggested consideration of an amendment to the Building Code to permit signs similar to the above sign, upon approval of the Building Department and Board of Supervising Architects. The proposal was referred to the Board of Supervising Architects and to the Zoning Board for recommendations.

Mayor Phillips was excused from the meeting at this point, and Vice Mayor Hendrick assumed the Chair.

The City Manager presented a letter from Mr. Roy Page, as President of the Miracle Mile Association, requesting that the association be represented when consideration was being given to city budgeting and the appropriation of considerable amounts of city funds, such as for advertising and promotion purposes. Mr. Page was present and spoke for the above request. It was suggested that the desires of the Miracle Mile Association concerning budget items be taken up through the Chamber of Commerce.

The City Manager stated that a deposit agreement and a deposit check of \$1,500 had been offered to the city by Mr. W. M. Hutchins for the purchase of the southwesterly 200 feet of Block 36A, Riviera Section, on the express condition that the property could be used for a drive-in restaurant serving beer. The City Manager noted that the Zoning Board of Appeals had disapproved the request for such use.

RESOLUTION NO. 3246

A RESOLUTION DECLINING AN OFFER TO  
PURCHASE CITY PROPERTY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the offer of Mr. W. M. Hutchins to purchase the southwesterly 200 feet of Block 36A, Riviera Section, at a price of \$15,000, upon the express condition that the property could be used for a drive-in restaurant serving beer, be and the same hereby is declined, on the ground that the Commission has advised that the city cannot give good title to this property at this time; and the City Clerk is hereby authorized and directed to return the deposit check and deposit agreement to Mrs. Frances O. Warriner, who presented the same to the city on behalf of Mr. Hutchins.



Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Vice Mayor Hendrick. "Nays" - None.

The City Manager presented a letter from Mr. Hugh Peters, Chairman of the Board of Dade County Commissioners, stating that county crews would be available to repave Cortez Street within the next three weeks, and declaring that the county would be willing to do this repaving provided the city would furnish up to \$1,500 in materials, to cover the cost of repaving that part of Cortez Street lying within the city limits of Coral Gables.

RESOLUTION NO. 3247

A RESOLUTION AUTHORIZING LOCAL IMPROVEMENT H-63.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the local improvement described and designated as follows shall be made under Section 62, Chapter 13972, Special Acts of Florida 1929 as amended:

Repaving Cortez Street from the southerly line of Southwest 8th Street to a point approximately 106.49 feet south of the south line of Lorca Street; and paving the westerly half of Cortez Street (that part thereof lying within the City of Coral Gables) from the above point south to the north line of Section B, Coral Gables, with a 6-inch compacted lime rock base, primed and sealed with asphaltic oils and treated with 3/4 inch white rock, all in Cortez Place and Granada Sections, Coral Gables, at an estimated cost of \$1,500.00

2. That it is hereby declared the intent of this City Commission to have such work done by city forces without contract.

3. That the cost of such improvement except intersections, the cost of which shall be borne by the city, shall be defrayed by a special assessment on all lots and lands adjoining and contiguous or abounding and abutting upon such street as it lies within the city limits of Coral Gables, on a frontage basis, which said property is hereby designated as Improvement District H-63.

4. That said special assessments shall be payable 30 days after confirmation of such assessments or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Vice Mayor Hendrick. "Nays" - None.

The City Manager stated that he had also received a communication from the Board of Dade County Commissioners in which they indicated their

intent to pave all turn-outs on Bird Road from LeJeune Road to Red Road within the near future.

RESOLUTION NO. 3248

A RESOLUTION GRANTING AN EXCEPTION TO THE ZONING ORDINANCE, AND FIXING BUILDING PERMIT FEE FOR UNIVERSITY OF MIAMI ADMINISTRATION BUILDING.

WHEREAS the University of Miami has requested an exception to the Zoning Ordinance to erect a seven story tower upon the Administration Building now under construction, such tower to be used only for faculty offices and display rooms, such tower being of triple A construction with a standpipe, and having adequate fire safety precautions; and

WHEREAS it has been determined that the Miami Fire Department aerial ladder equipment is available to back up the Fire Department of Coral Gables in case of a fire in such tower;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following exception to the Zoning Ordinance is hereby granted:

1. Permit construction of a seven story tower upon the University of Miami main campus, such tower to be used only for faculty offices and display rooms.

2. That the Building Department is hereby authorized to issue a building permit for the new Administration Building for a supplemental fee of \$250 over and above the amount paid the city for the permit for such building at the time the original construction was commenced; that plumbing and electrical permits shall be issued at regular fees.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Vice Mayor Hendrick. "Nays" - None.

The City Manager presented a letter from Mr. George J. Baya, tenant in an apartment on Lots 1 and 2, Block 15, Biltmore Section, stating that the owner of such apartment desired the paving of the alley in such block. The City Manager recommended that a policy be established requiring that the owners of at least one-fourth of abutting property request alley paving before any steps be taken to establish Improvement Districts for such purposes. The Commission agreed to such policy.

The City Manager noted that the terms of the members of the Board of Supervising Architects expired on June 30, 1949. He pointed out that such appointments were made by the City Manager, and that the policy was to ask Commission approval. He stated that Mr. Howard Knight had indicated his desire not to serve upon the Board during the coming year. The City Manager recommended

the reappointment of the remaining four members, with Mr. William Tschumy as the fifth member. The Commission suggested that further consideration be given to rotation of such offices among Coral Gables architects, and action was deferred until the next meeting.

The City Attorney informed the Commission that all local bills presented by the city had been passed by the legislature with the exception of the bill authorizing the city to impose excise taxes. He also advised the Commission that his suit to eliminate the McGuire judgment as a lien on city property was progressing and that he hoped for a successful conclusion thereto within a short time.

RESOLUTION NO. 3249

A RESOLUTION AUTHORIZING EXCEPTIONS  
TO ORDINANCE NO. 271, KNOWN AS THE  
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meetings May 23 and June 6, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. Permit 3-foot extension of roof over existing first floor balcony, leaving a 31 foot setback instead of 35 feet as now zoned, and permit addition of second floor to existing laundry building, of residence on Lots 19 and 20, Block 15, Section E.

2. Permit for a temporary period of 3 months from this date, the holding of outdoor weddings and style shows at the Garden Shop, 2710 Ponce de Leon Boulevard, subject to the following conditions:

- (a) That seats will be supplied for each event, and such seats will be removed immediately after each event.
- (b) That a maximum of 75 persons be allowed to attend any one event.
- (c) That at all such functions parking will be under the supervision of the Director of Public Safety.
- (d) That a 5-day notice of each event be given to the Director of Public Safety in advance, provided, however, that the Director of Public Safety shall have the power to waive such 5-day notice.
- (e) That no catering or supplemental service be performed or furnished on such premises.

3. Permit construction of residence on Lots 20 and 21, Block 81, Country Club 5, facing south on Avenue Alegriano instead of east on San Amaro Drive.

4. Permit erection of residence on Lots 28 and 29, Block 51, Country Club 4, having area of 1675 square feet.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Mayes; Vice Mayor Hendrick. "Nays" - None.

The City Clerk noted receipt of a letter from Mr. W. O. Raymond requesting that appropriate minimum widths be established for all residential lots.

The City Clerk presented a letter from Mr. John A. Bouvier, President of Better Homes Investment Co., requesting a decision on whether or not a bridge will be required over the canal at Biltmore Drive, and requesting a 90-day extension for completion of any work determined to be necessary at the westerly end of the canal. Action on the request was deferred until the next meeting of the Commission. The City Manager was instructed to inform Mr. Bouvier of the Commission's desire in the matter.

RESOLUTION NO. 3250

A RESOLUTION AUTHORIZING TRANSFER  
OF RETAIL BEVERAGE STORE LICENSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the transfer of retail beverage store license permitting sale of beverages containing 1 to 14 per cent of alcohol by weight for consumption on the premises, heretofore issued to Eugene M. Rothman d/b/a Huddle Bar, 252 Avenue Alcazar, to Wallace Kirk and Claire Kirk, is hereby approved subject to conformance with all regulatory ordinances of the city by the transferees.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Vice Mayor Hendrick. "Nays" - None.

RESOLUTION NO. 3251

A RESOLUTION CALLING A PUBLIC HEARING  
UPON THE PROPOSED 1949-1950 BUDGET AND  
APPROPRIATION ORDINANCE.

WHEREAS, Section 32 of the City Charter requires that a public hearing be held upon the proposed budget and appropriation ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF  
THE CITY OF CORAL GABLES, FLORIDA:

That a special meeting of the Commission is hereby called for 5 o'clock P.M., Thursday, June 23, 1949 in the Commission Chamber of the City Hall, for the purpose of holding a public hearing upon the proposed budget appropriation ordinance for the City of Coral Gables for the fiscal year beginning July 1, 1949 and ending June 30, 1950.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Vice Mayor Hendrick. "Nays" - None.


There being no other business the meeting was adjourned.

APPROVED:

*W. Keith Phillips*  
VICE MAYOR  
W. Keith Phillips

ATTEST:

*E. B. Poorman*  
E. B. POORMAN  
CITY CLERK



ADA240

6-7-49

There being no other business the meeting was adjourned.

APPROVED:

~~W. Keith Phillips~~  
MAYOR  
W. Keith Phillips

ATTEST:

