



**Minutes**  
**Town of Lake Park, Florida**  
**Special Call Commission Meeting**  
**February 25, 2009 6:30 p.m.**  
**Town Commission Chambers, 535 Park Avenue**

The Town Commission met for the purpose of a Special Call Commission Meeting on Wednesday, February 25, 2009 at 6:35 p.m. Present were Mayor DuBois, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Town Clerk Vivian Lemley, and Town Manager Maria Davis. Attorney Thomas Baird was absent.

Mayor DuBois led the Invocation.

Mayor DuBois led the Pledge of Allegiance.

Town Clerk Vivian Lemley performed the Roll Call.

The Mayor thanked everyone for attending the meeting and began the public comment portion of the meeting.

**PUBLIC COMMENT**

*Anna Tanguay, 302 Lake Shore Dr.* – asked why the Marina's security services came up for bid when the Marina's security service provider has been there for three years. She also asked why the Town does not give smaller businesses within the Town an opportunity to bid.

Mayor DuBois stated that bids have time periods and by law certain services have to be put out for bid. She stated that the contract was not a permanent contract so when the time limit was reached, the service was put out for bid. She stated that bids are open to everyone including those within the Town.

Commissioner Balius stated that security contracts are normally for a term of one year with two renewals. The renewals for the current marina security contract had expired. The bids are advertised in the Palm Beach Post.

Vice-Mayor Daly stated that the current marina security contract was renewed for one year but it was not brought back to the Commission for another renewal.

Town Manager Maria Davis stated that the current Marina security services contract was an annual contract with the option to renew.

Vice-Mayor Daly stated that he was trying to get the Commission to bid out all of the Town's contracts.

Commissioner Balius explained that the Marina security services contract was for three years and normally the contract would be renewed, but instead it went out for bid. He explained that the first set of bids were thrown out and were just rebid.

Vice-Mayor Daly stated that there was only one bid to choose from for the Marina security services contract.

Town Manager Maria Davis stated that the bidding process was done legally.

Vice-Mayor Daly stated that there was only one bid to choose from and in the future he would like to see at least three bids to choose from. He stated he did not want to see Town Manager Davis give contracts to attorneys and businesses in Miami. He recommended hiring local people for employment with the Town.

Town Manager Davis stated that Vice-Mayor Daly has approved everything she has done.

Vice-Mayor Daly stated that he has approved everything because the Commission was a rubber stamp Commission and everything that was put before them gets approved.

Commissioner Osterman stated that the Commission has discussed Vice-Mayor Daly's desire for all projects and services to be bid. She stated that the Commission had agreed that there were situations in which it was prudent to go out to bid and in certain situations; it was not. She stated that the decisions made were group decisions and she did not see respect coming from Vice-Mayor Daly in this area. She stated that she would not expect the Commission or staff to follow her directives only and that was why the Commission made decisions as a group otherwise it would be a dictatorship.

Commissioner Balius explained how Town Manager Maria Davis had piggybacked contracts and the process that was involved in doing that.

Ms. Tanguay stated that she was a state licensed building contractor in the Town of Lake Park and she would just like the opportunity to work in her own home.

Commissioner Balius stated that the Town does give preference to bids from companies in Lake Park.

Ms Tanguay stated that she was concerned that the Marina Security Services contract was being shipped out of state.

Commissioner Balius stated that the bid was properly advertised in the Palm Beach Post.

*Mr. Robert Wummer, 110 Shore Dr. Riviera Beach, FL* - stated that he had provided security to the Marina for two years and was then extended an additional year. He stated that he and his brother walk the marina every night with a guard dog and there had never been a break in. He stated that six businesses bid on the contract the first time and because of the confusion regarding a letter that was placed in the bid it was sent out for rebid. The six people were not notified as to whether or not the bid was awarded. Two people then bid on the new bid. He expressed his concerns regarding the way the contract went back out for bid and how the bidders were not notified.

Commissioner Osterman stated that the marina had a tenant who ended their lease because of negative interactions with a guard at the marina and that it was not the first or only complaint that they received.

Mayor DuBois addressed the audience and expressed that she could tell that there was a lot of

emotion in the meeting. She apologized for the way the meeting started and in no way did she mean any disrespect but she did not find it helpful no matter what someone's position is, to overrun the parameters of a meeting. She stated that there would never be a time where she would disrespect anyone. She stated that the mistake she made was not handing the gavel to Vice-Mayor Daly.

Vice-Mayor Daly stated that during a meeting once someone has the floor and is speaking there should not be any interference.

*Charles Kinnersley 301 Lake Shore Dr.* – stated that he had a problem with Mr. Robert Wummer's security being thrown out of the neighborhood. He stated that he was a retired police officer who has lived in the neighborhood for 12 years. He stated that Mr. Wummer is out at the marina every night with the guard dog. He stated that he had seen the crime reduced since Mr. Wummer began his security services at the Marina. He stated that he did not understand why the Town would want to remove a company that had worked very well. He expressed his concerns with the way the Commission Meeting started.

Commissioner Balius stated that Mr. Robert Wummer had the opportunity to appeal and he did not appeal.

Mr. Kinnersley stated that Mr. Robert Wummer still had time to appeal the decision on the bid.

Commissioner Balius stated that Mr. Robert Wummer was not able to appeal the decision.

*Joseph Black 314 Invest Way #103, Palm Beach Shores, FL* – stated that he had spoken to a tenant at the marina who was bragging that he had gotten Rob (Robbie) fired from the Marina. He stated that Rob (Robbie) was fabulous and always knew what was going on at the Marina. He stated that the Marina was a great facility and the security with Rob (Robbie) was top notch.

*Mike Evernham, 402 Lake Shore Dr. Bldg.1* – stated that Robert Wummer has done a fantastic job securing the Marina. He stated that he was not friends with Mr. Wummer or anyone else who works at the Marina but in his observations he had seen that Mr. Wummer had done a wonderful job. He recommended that the Town have a contact person at Town Hall to help business owners in the Town get contracts with the Town.

Vice-Mayor Daly stated that all of the higher paid employees in the Town are not residents in the Town.

Commissioner Balius stated that there was a contact person in the Town's Community Development Department who informs business owners about contracts.

Vice-Mayor Daly stated that he was very upset that there was a Commissioner who would cost money to the Town by not going out to bid on projects. He stated that the Town saved \$80,000 on the seawall project at Lake Shore Park by going out to bid.

Mayor DuBois stated that the meeting was dealing specifically with the Marina Security Bid and not previous bids.

*Joanne Doll, 801 Lake Shore Dr.* – stated that she came to the meeting for the discussion on the

*Joanne Doll, 801 Lake Shore Dr.* – stated that she came to the meeting for the discussion on the Lake Shore Dr. Project and was not aware of the Marina Security Bid. She stated that Mr. Wummer did not take his full three minutes to address the issue. She asked if Commissioner Osterman had made Mr. Wummer aware of the issues at the Marina.

Commissioner Osterman responded and stated that Mr. Wummer had been made aware.

Ms. Doll stated that she would like to see the issue of the Marina Security Bid resolved in a timely matter so that the Public Workshop on Lake Shore Dr. could begin and that those people who came for the workshop would get an opportunity to speak.

*Stephen Hall, 302 Lake Shore Dr.* – stated that the security at the Marina and in his neighborhood was infallible. He walks around the Marina at night and has noticed that the security was phenomenal. He recommended that the Town review their bidding process.

*Christine Keegan, 151 Shore Dr.* – stated that cheaper was not always better and that she disagreed with the Town allowing bidders outside of Lake Park. Mr. Wummer had done a good job and deserves to continue providing security to the Marina. She stated that she did not understand why the bids went out when they were satisfied with the service that was being provided.

Commissioner Balius stated that the security services went out for bid because a Commissioner said it had to.

Ms. Keegan stated that the Commission should not base their decisions on hearsay.

Discussion ensued between Ms. Keegan and the Commissioners regarding the Marina Security Bid.

**Commissioner Balius made a motion to postpone the Lake Shore Dr. Project Public Workshop to a later.**

**Motion failed for lack of a second.**

*Karen Young 126 Lake Shore Dr.* – stated that she had not encountered any problems since Mr. Wummer has provided security to the Marina. She stated that Mr. Wummer was always out patrolling the community with his dogs. She recommended keeping Mr. Robert Wummer's company for security services at the Marina.

**Discussion and Possible Action**

**Award Marina Security Services Contract**

**Motion: A motion was made by Commissioner Osterman to postpone the Marina Security Services Bid Award to the next Commission Meeting of March 18, 2009; Commissioner Carey made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
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Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

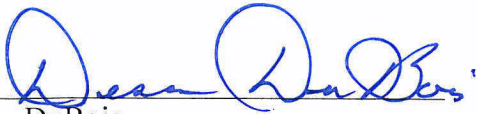
Mayor DuBois recommended that Mr. Robert Wummer address any other issues that he may have with the Commission and Town staff before the next Commission Meeting of March 18, 2009.

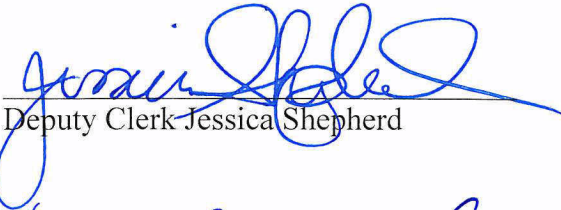
*Mr. Robert Wummer* – stated that if he was not wanted at the Marina he would leave. He stated that the Town was required to give him seven days notice whereas the Commission was terminating his contract that night and awarding the Marina Security Services Bid to another company. He discussed a prior incident between a boat captain at the Marina and Mr. Jim Lloyd. He explained the incident and stated that Mr. Lloyd was making false accusations regarding the incident to Town Manager Maria Davis.

Commissioner Osterman stated that she would like to speak with Mr. Robert Wummer before the next Commission Meeting because she had ethical concerns with the last bid.

**ADJOURNMENT**

There being no further business to come before the Commission the meeting adjourned at 7:30 p.m.

  
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Mayor DuBois

  
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Deputy Clerk Jessica Shepherd

  
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Town Clerk Vivian Mendez Lemley



Approved on this 1 of April, 2009.