

MALABAR TOWN COUNCIL REGULAR MEETING MINUTES
AUGUST 21, 2017 7:30 PM

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER:

Acting Chair, Steve Rivet called the meeting to order at 7:30 pm. CM Korn led the prayer and pledge.

B. ROLL CALL:

CHAIR:

MAYOR PATRICK T. REILLY

VICE CHAIR:

STEVE RIVET

COUNCIL MEMBERS:

GRANT BALL

LAURA MAHONEY

DICK KORN

RICHARD KOHLER

TOWN ADMINISTRATOR:

DOUGLAS HOYT, excused

TOWN ATTORNEY:

KARL BOHNE

TOWN CLERK/TREASURER:

DEBBY FRANKLIN

For the record, Fire Chief Leonard Thomassen is not in attendance.

C. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES: Mayor declared the agenda face sheet should be changed regarding the date on the minutes to read 8/7/17 – agenda face sheet incorrectly listed minutes as 8/10/17.

D. APPROVAL OF THE MINUTES:

1. Regular Town Council Meeting Minutes 8/07/17
Town Council Special Meeting Minutes 8/14/17
Town Council Budget Workshop Mtg Minutes 8/15/17
Exhibit: Agenda Report No. 1
Recommendation: Request Approval

MOTION: CM Rivet / CM Ball to approve RTCM minutes of 8/07/2017.

Discussion: CM Mahoney handed out the use of the park application referenced in these minutes to show the use was approved. Her main thing is she can't approve stuff that is created by staff after the meetings and hurting the people. The people and all residents should expect courtesy at all times. They have been discluded and pitted against by staff and bring hurt and misrepresentative.

CM Kohler asked the specific portion of minutes she has issue with or is incorrect. She said the rebuttal.

CM Ball asked what changed to the minutes. She said fully 100% of the minutes should be redone. CM Korn said he did not see where any citizens were disenfranchised.

Vote: Ayes, 4; Nay, 1. (CM Mahoney)

MOTION: CM Korn / CM Kohler to approve Special meeting minutes of 8/14/2017.

Discussion: CM Mahoney said those minutes also didn't cover what citizens said; lot of citizens there that spoke about multiple issues and their statements are not represented in the minutes.

Vote: 4 Ayes; Nay, 1. (CM Mahoney)

MOTION: CM Ball / CM Kohler to approve Budget Workshop minutes 8/15/2017

Discussion: none

Vote: All Ayes.

E. ATTORNEY REPORT: Previously he explained the 8A Medical Marijuana, adopting similar to pharmacies. Potential grandfathering if regulations are in place prior to July 1. The City of Orlando believes the law provides for grandfathering with regs prior to 7/1/15. But if they amend them then they no longer could be considered grandfathered.

Orlando was requesting an amendment to the legislation. The same conditions apply – 3 options for municipalities. Vast majorities of citizens passed the constitutional amendments, did not state they were going to have these facilities nearby. The availability is still going to be there. Clarified through/by state legislature.

F. STAFF REPORTS

ADMINISTRATOR: excused

CLERK: Qualifying period ends at 4:30 on Wednesday. There will be an agenda item for 9/11/17 for Council to “Qualify” the Candidates that have submitted packages.

Working on the notice and ordinance for the large-scale amendment to the Comp Plan based on the Evaluation and Appraisal Report (EAR) that was completed. We did a letter to the DEO (Dept of Economic Opportunity) last year stating that it was due to the State this month so it is a high priority.

FIRE CHIEF: not present –

G. PUBLIC COMMENTS: Comments at this point may address items NOT on the Agenda. Comments related to subsequent Agenda items may be made as those items come up. Public comments do not require a Council response. (Speaker Card is Required) Three (3) Minute Limit per Speaker.

Speaker’s Card:

Skip Hard, Hard Lane, asked what penalties for infractions on sign regulations. Town doesn’t obey the sign regulations. CM Korn asked to respond; he asked Town Clerk and she said it was fine. Clerk Franklin asked to speak. The language is in the Sign Code, Article XIX and states political signs should not be placed sooner than 81 days before the election and that date is 8/19/17. Candidate placed the signs 84 days before the election. I miscounted and said he was clear to post the signs. Clerk Franklin also stated that this Council does not do proactive code enforcement; they only act if there has been a complaint and nobody complained. Clerk made the error not the candidate.

H. PUBLIC HEARINGS/ UNFINISHED BUSINESS/GENERAL ORDERS:

ORDINANCES FOR SECOND READING: 4 Public Hearings

2. ORD 2017-06 – AMEND CHAPTER 2 TO PROVIDE FOR COUNCIL CONDUCT
AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, AMENDING ARTICLE II OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE TOWN; PROVIDING FOR THE CREATION OF A NEW SECTION 2-27; PROVIDING FOR DEFINITIONS; PROVIDING FOR A TOWN COUNCIL CODE OF CONDUCT AND PENALTIES FOR VIOLATION; PROVIDING FOR REPEAL AND CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2

Recommendation: Request adoption of Ord 2017-06

Public Hearing Opened:

Karlene Conroy – thinks it over reaches. Reiterate the comments that Atty Bohne made. 2g, 3a and b – already covered. In summation, she asked the Council to reconsider.

Public Hearing Closed.

Chair asked staff. Atty nothing.

MOTION: CM Kohler / CM Rivet to adopt Ord 2017-06.

Discussion: CM Kohler said it is a moral way of handling business of the Town.

CM Korn said make a motion support it, While he was at Conference he had asked some of the attendees and most of them had some type of in-house code of conduct. CM Rivet agrees. He understands Ms. Conroy’s concerns very seriously.

CM Ball said it is another level of bureaucracy – there is nothing we feel bad about. CM Rivet said it is not unreasonable to expect a code of conduct for Council or Boards. CM Mahoney read another statement from the Karlene Conroy. These are attached to the minutes.

CM Rivet asked what she is opposing. One CM may sway more than another. Atty said this does not affect the citizens at all. She is very uncomfortable with this ordinance.

CM Korn was asked by someone to become a member when there is no pay. To do the best for the town. We volunteer because it is the right thing to do. There is nothing in the Ord to hurt any of Council or the residents.

ROLL CALL Vote: 1) CM Ball, Nay; CM Mahoney, Nay; CM Rivet, Aye; CM Korn, Aye; CM Kohler, Aye. Motion carried 3 to 2.

3. ORDINANCE 2017-07 – AMEND CHAPTER 2 TO PROVIDE FOR BOARD/COMMITTEE CONDUCT

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, AMENDING DIVISION 1 OF ARTICLE VIII OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE TOWN; PROVIDING FOR THE CREATION OF A NEW SECTION 2-216; PROVIDING FOR DEFINITIONS; PROVIDING FOR A BOARD AND COMMITTEE CODE OF CONDUCT AND PENALTIES FOR VIOLATION; PROVIDING FOR REPEAL AND CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3

Recommendation: Request Adoption of Ord 2017-07

Public Hearing Opened

Karlene Conroy objects for the same reasons as previously stated – it is over-reaching.

Public Hearing Closed.

Chair asked Atty. Atty said the Council currently has authority to remove any member from a Board. Removal from P&Z and BOA may have to follow due process for “cause”. This would create additional “for cause.”

MOTION: CM Rivet / CM Kohler to adopt Ord 2017-07.

Discussion: CM Ball said he does not have problem with any of this but doesn't feel the need for additional bureaucracy. Atty said missing 3 mtgs and misfeasance and malfeasance are already addressed in code based on State law.

CM Mahoney – opposes for the same reasons she opposed the previous ordinance.

ROLL CALL Vote: CM Ball, Nay; 1)CM Mahoney, Nay; CM Rivet, Aye; CM Korn, Aye; CM Kohler, Aye. Motion carried 3 to 2.

4. ORDINANCE 2017-08 MORATORIUM on MEDICAL MARIJUANA DISPENSARIES

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MALABAR, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMITTAL, PROCESSING, AND ISSUANCE OF LOCAL BUSINESS TAX RECEIPTS OR LAND USE PERMITS, DEVELOPMENT ORDERS, MODIFICATIONS OR APPROVALS FOR ANY MEDICAL MARIJUANA TREATMENT CENTER AND/OR ANY MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY, AS THOSE TERMS ARE USED AND DEFINED IN SB 8A; PROVIDING REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4

Recommendation: Request Adoption of Ord 2017-08

Public Hearing Opened: none

Public Hearing Closed.

Atty: we have current moratorium. (Post meeting note: We currently have regulations dealing with medical marijuana dispensaries.)

MOTION: CM Korn / CM Rivet to adopt Ord 2017-08.

Discussion: CM Korn this allows us time to come up with more regulations. Atty said if John Morgan wins his suit it changes a lot of things in his memo. CM Ball is for following the Atty recommendation. CM Rivet let's keep our eye on developments – he understands the compassionate reasons but also the attraction of unsavory element. CM Ball said as we spend our time getting to know our constituents and ask them. CM Ball can't turn our back on our voters. Get it sorted out. Atty said we must treat them the same as pharmacies.

ROLL CALL Vote: CM Ball, Aye; CM Mahoney, Aye; 1)CM Rivet, Aye; CM Korn, Aye; CM Kohler, Aye. Motion carried 5 to 0.

5. ORDINANCE 2017-09: MORATORIUM on WIRELESS INFRASTRUCTURE WITHIN MALABAR RIGHTS-OF-WAY

AN ORDINANCE OF THE TOWN OF MALABAR, FLORIDA ESTABLISHING AND IMPOSING A TEMPORARY MORATORIUM WITHIN THE TOWN OF MALABAR ON THE EFFECTS OF COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR HOUSE BILL 687 PASSED BY THE FLORIDA LEGISLATURE DURING THE RECENTLY ENDED 2017 LEGISLATIVE SESSION AND APPROVED BY THE GOVERNOR; PROHIBITING ANY AND ALL APPROVALS DURING THE MORATORIUM PERIOD FOR ANY COMMUNICATION INFRASTRUCTURE IN RIGHTS-OF-WAY LOCATED WITHIN THE TOWN OF MALABAR IN ORDER TO ALLOW AN OPPORTUNITY FOR THE TOWN TO REVIEW THE REQUIREMENTS OF THE SAID BILL AND TO DEVELOP AN ORDINANCE, AS APPROPRIATE, RELATING TO THE IMPACTS OF THE LEGISLATION; PROVIDING FOR LEGISLATIVE AND ADMINISTRATIVE FINDINGS; PROVIDING FOR GEOGRAPHIC AREA ENCOMPASSED BY THE MORATORIUM; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit:

Agenda Report No. 5

Recommendation: Request Adoption of Ord 2017-09

Public Hearing Opened: none

Public Hearing Closed.

Atty said another moratorium due to State eroding more home rule. Adopting this will give us time to come up with regulations consistent with the State Law. The reason we have to do this by Jan 1, in order to have any control or we will lose the right to any control. Malabar does not have any current regulations for infrastructure. Atty received a bullet point Power Point presentation and he has not finished reviewing it. Mayor asked if we had a boiler plate ordinance. CM Ball asked if we know now what the state regulations will require. Atty said the State legislation is very detailed and he hasn't reviewed it all. There is no boiler plate to utilize because most municipalities have infrastructure regulations.

MOTION: CM Rivet / CM Kohler to adopt Ord 2017-09.

Discussion: CM Korn – has had discussions with other municipalities. Similar to HB 17 to take the local legislation away and gives it to State? If the State holds another spec session? Not likely.

ROLL CALL Vote: CM Ball, Aye; CM Mahoney, Aye; CM Rivet, Aye; 1)CM Korn, Aye; CM Kohler, Aye. Motion carried 5 to 0.

UNFINISHED BUSINESS/GENERAL ORDERS - RESOLUTIONS: 0 - MISCELLANEOUS: 0

Attorney to leave. 8:30pm

I. DISCUSSION / POSSIBLE ACTION:

6. DISCUSS IMPACT FEES FOR MALABAR

Exhibit:

Agenda Report No. 6

Recommendation:

Discussion and Direction

Speakers card: Brian Vail, Smith Lane, would be in favor of impact fees – cost of admission to the Town. Only apply to new construction. He paid to improve his road and could have been looked at as an impact fee.

CM Korn started off. The new homes in the area have impacted the infrastructure. Sen Nelson spoke at conference.

New Development. A high of 7K and a low ?K - point is it would only impact the new construction. CM Korn said subdivisions already have code requirement to provide for parks and recreation or pay an equivalent fee.

CM Ball thought this could harm property owners doing major repairs.

Set for workshop discussion in October as budget will take up 9/11/17 and 9/25/17.

Clerk Franklin said Impact Fees only would apply to new development – new homes as principal structure. There would not be an additional impact if accessory structure was built. It is a onetime cost. Similar with commercial development. She gave example of an infrastructure impact fee for property owners building a new single family residence to offset the eventual cost to recap a paved road or maintain a dirt road. A parks and rec impact fee to offset the cost of maintaining the parks.

J. PUBLIC COMMENTS: 0

K. REPORTS – MAYOR AND COUNCIL MEMBERS

CM Dist. 1: CM Ball: nothing

CM Dist. 2: CM Mahoney: wants the people to have benefits they pay for.

CM Dist. 3: CM Rivet: wanted to comment on recently received TRIM notice. Asked if the rest of Council received Florida Senator Latvala email - he opposes the push against Home Rule.

CM Dist. 4: CM Korn: went to FLC Conf and got a lot of information. DEP and Dept Ag offer assistance for stormwater projects and multi-use buildings. Met the Dist. 5 FDOT Secretary.

CM Dist. 5: CM Kohler: nothing

Mayor: Went to Bill Moroney's funeral and it was well attended. Town did the Irish-American Proclamation and presented to him over the years. He served on the Board of Adjustment and was also a volunteer with the Eagle Patrol. He and Denine attended it from Malabar.

L. ANNOUNCEMENTS:

(1) Vacancy on the Board of Adjustment; (2) Vacancies on the Park and Recreation Board; (1) Vacancy on the Trails & Greenways

M. ADJOURNMENT:

There being no further business to discuss and without objection, the meeting was adjourned by the Chair at 8:43 PM.

BY:

Patrick T. Reilly
Mayor Patrick T. Reilly, Council Chair

ATTEST:

Debby K. Franklin

Debby K. Franklin, C.M.C.
Town Clerk/Treasurer

Date Approved: 10/02/2017



RTCM
8/21/17

Minute response for both August 7th minutes and the Stormwater hearing/extra council meeting

I cannot possibly approve of such minutes, which add to themselves works created by the staff after meetings and add hurt to the community of Malabar and leave out any defense for the people/property owners and tax payers. The administration of the policies of our town has created a paid for employee program that construes at the taxpayer's expense grievances against them.

The people of the town should expect dignity, respect, and courtesy toward them even if they enter or attend a council meeting. Being pushed aside to be forced into some driving silent majority where their voice is hardly welcome as anyone emerging with a voice becomes labeled, makes my heart ache for the people.

As the morale of the town is low as they have been discluded on information and when they set aside time to make for a public meeting to be misrepresented and be pitted against staff is unacceptable and I will have no part in approving minutes that bring hurt and misrepresentation to the citizens.

~~La~~

I approve this message
and wrote this
Laura Mahoney

RTCM 8/21/17
#2

For the record:

The Code of Conduct Ordinance has cost us \$600 before we even hit the month of August. I predict this Ordinance being excessive in nature and unreasonable at best.

We should be maximizing the benefit to the public and elected officials should not be unreasonably quieted. We must be working on more transparency to the public. The very idea of:

Allowing the lack of fiscal transparency, Staff being protected under said ordinance to hide detailed (public) information, manpower data, equipment handling information, and record logs. And especially being prevented from better representation for and to the public.

Staff has already been mistaken that there was such a thing as "privileged information" that could be kept from the public outside of personal information. I guess we could try doing this until we get caught and sued??? Really, to think that we could create an ordinance to get rid of a voice of the people for the people!

Let me reread.... Quote "While providing preliminary information to the general public prior to its intended release date may not be a violation of the Florida Sunshine, it may be contrary to the Town of Malabar Council Member Code of Conduct and the intended purpose of *privileged information* "

375.00 July 19, 2017 Just the attorney fees

180.00 July 26, 2017 Just the attorney fees

Karlene Conroy

Response for Record
Aug 21st

I'm sure you've all received my letter objecting to these Ordinances and received Attorney Bohne's comments addressing my concerns.

RCM
8/21/17
#2

After reviewing Mr. Bohne's comments, two things became evident:

These ordinances seek to go beyond the state ethics law to cover micro-situations such as how members treat staff, the public, or how no one member has any right to make a decision or direct staff.

And there was one theme that emerged: "no one member has any right to direct staff. Direction must be done by council as a whole."

So this brings us to what does "direct staff" mean?

If I'm a council member and want to ask the town administrator for a report of when drainage ditches in my district will be cleaned because my constituents are asking me, do I have to bring this up in my report at a council meeting and ask the rest of council if it's okay to have the TA do this for me?

Or, if I'm a council member and I want to ask the town administrator to look into finding a solution to a problem that arises in my district, do I need to have the whole council agree to my request first?

In addition, Mr. Bohne did comment that #2G needs to be refined and priorities set, so please don't overlook that before any movement forward.

However, I stand by my original statement that these ordinances overreach and are restrictive, and will likely be a deterrent to getting citizens to volunteer for council, boards, and committees.

I urge you to reject these ordinances but if you persist, remember you will be bound by these heavy restrictions and will have to conduct yourselves accordingly.

I look forward to Mr. Bohne's definition of "direct staff"

By the way, after reviewing the June 5th Audio recording on the town website, I tried to access it again the following day but only the first 10 minutes remained. Don't know what happened to the rest of the meeting audio, but it needs to be fixed.

Fw: Karlene Conroy rebuttal to attorney's answers

Laura Mahoney

Tue 8/22/2017 11:37 AM

To: Debby Franklin <townclerk@townofmalabar.org>;

📎 1 attachments (13 KB)

Objection & rebuttal to attorney's comments.docx;

For the records

From: Karlenec <karlenec@cfl.rr.com>

Sent: Monday, August 21, 2017 4:38 PM

To: Laura Mahoney

Subject: Karlene Conroy rebuttal to attorney's answers

this was left out of the minutes posted from Town of Malabar

TOWN OF MALABAR

APPLICATION FOR PARK AND RECREATION RESERVATION



Today's Date: 5-25-17 Requested Dates & Times: From Sat 7-22-2017 3:30

Park Name: Malabar Comm Park To: 7-22-2017 7:30pm

Group Name: Malabar Comm. Assoc Estimated Attendance: _____

Description of Activity: Resident Gathering & Truck Show Alcohol Served: Yes ☐ No ☒

Applicant's Name: Liz Ritter
Applicant's Address: 2860 Orange Ave

Telephone: Cell Day: 321-755-8815 Evening: 321-544-2036 Email: _____

- Permit Categories:
- ☐ Category I Sponsored/Co-sponsored
 - ☐ Category II Sanctioned
 - ☒ Category III Non-Profit. Tax Exempt No _____
 - ☐ Category IV - Private
 - ☐ Category V - Free Speech

Fee Permit: \$ 45 Deposit Fee: \$ 50 on file

The following activities require proof of insurance:

1. Physical contact sports.
2. Alcoholic beverage usage.
3. Sale of food items that has been permitted at functions open to public.
4. Gatherings that will have amplified music as its primary function.

Liquor Liability Insurance Certificate of Coverage attached: ☐ Yes ☒ No
General Comp. Liability Insurance Certificate of Coverage attached: ☐ Yes ☒ No

Special Limitations or Conditions:

- 1 - No vehicles on the grass anywhere within the park.
2. No activity on the Soccer Field.
3. No open fires permitted in the Malabar Community Park.
4. NO ACTIVITIES REQUIRING THE USE OF WATER IS ALLOWED
(i.e. waterslides of any kind)

Initials
EAR
E

Park Services Requested:

Restrooms: Interior lights ☒ Yes ☐ No Exterior lights: ☒ Yes ☐ No Electrical Receptacles ☒ Yes ☐ No
Main Pavilion: Water: ☐ Yes ☐ No Electrical Receptacles ☐ Yes ☐ No Electrical Boxes 1, 2, 3, 4 ☐ Yes ☐ No

Please be advised that the restrooms will be setup for normal use. It is recommended that groups bring additional toilet paper and hand towels. All refuse not placed in trash cans will be removed from the park by the applicant.

I hereby accept responsibility for any and all damages and clean-up costs for the above referenced park facilities by the above named individual and/or group. By signing below I attest that I have received Malabar Ordinance 00-06 and agree to the terms and conditions set forth.

[Signature] Signature of Responsible Applicant Liz Ritter Print Name as signed
(Town Administrator)

APPROVED ☒ DISAPPROVED ☐ Date: 5-26-2017

The park facilities referenced above have been inspected after use. It is recommended that the Deposit Fee be
RETURNED ☐ NOT RETURNED. ☐

Comments: _____

(Inspector) (Title) (Date)

10/2
76

RTCM 8/21/17

I'm sure you've all received my letter objecting to these Ordinances and received Attorney Bohne's comments addressing my concerns.

After reviewing Mr. Bohne's comments, two things became evident:

These ordinances seek to go beyond the state ethics law to cover micro-situations such as how members treat staff, the public, or how no one member has any right to make a decision or direct staff.

And there was one theme that emerged: "no one member has any right to direct staff. Direction must be done by council as a whole."

So this brings us to what does "direct staff" mean?

If I'm a council member and want to ask the town administrator for a report of when drainage ditches in my district will be cleaned because my constituents are asking me, do I have to bring this up in my report at a council meeting and ask the rest of council if it's okay to have the TA do this for me?

Or, if I'm a council member and I want to ask the town administrator to look into finding a solution to a problem that arises in my district, do I need to have the whole council agree to my request first?

In addition, Mr. Bohne did comment that #2G needs to be refined and priorities set, so please don't overlook that before any movement forward.

However, I stand by my original statement that these ordinances overreach and are restrictive, and will likely be a deterrent to getting citizens to volunteer for council, boards, and committees.

I urge you to reject these ordinances but if you persist, remember you will be bound by these heavy restrictions and will have to conduct yourselves accordingly.

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Medical Marijuana Grandfathering

kbohne@fla-lawyers.com

Mon 8/21/2017 3:05 PM

To: Debby Franklin <townclerk@townofmalabar.org>;

Cc: Douglas C. Hoyt <dhoyt@townofmalabar.org>;

RTCM
8/21/17
4

Mark Ryan attended a meeting in Orlando relating to the issue of ordinances adopted prior to 7/1/2015 being "grandfathered" and not affected by the new Bill. As you know this was something I advised council about and it seems that Orlando takes the position based upon the language in the Bill that ordinances adopted prior to 7/1/2015 are "grandfathered". However, they were concerned that any amendment to an existing ordinance would result in the loss of the "grandfather" status and trigger compliance with the new Bill. That would either mean adopting and ordinance banning these facilities or meeting the requirements of the Bill which means treating the facilities the same as pharmacies. All though there was overwhelming approval of the constitutional amendment by the town citizens, remember the approval by the town electors did not mean they approved these facilities within the Town. I am fairly confident that such facilities will be permitted in other local municipalities and I know of one local municipality, Cocoa Beach, that currently allows them. He also advised that Orlando may seek to have the bill amended to expressly recognize the "grandfathering" of pre-existing ordinances and that any amendments to existing ordinance will not affect such "grandfathering". So there is more to wait and see about before we make a final determination on what the council wants to do.

Even if they are banned in the Town persons authorized to receive medical marijuana may still have it delivered to their homes in the Town. This begs the question, who and how will it be delivered? Also, if the John Morgan lawsuit results in marijuana being legal to smoke then delivery of the plant form of marijuana will occur. That begs the next question...what if a delivery person is stopped by law enforcement and they find the plant form of medical marijuana? Still more unanswered questions.

I will report on it tonight.

Karl W. Bohne, Jr.
Schillinger & Coleman, P.A.
1311 Bedford Drive
Melbourne, FL 32940
321-255-3737 Telephone
321-255-3141 Facsimile

Office Hours:

8:30 a.m. to 5:00 p.m. Monday thru Thursday

8:30 a.m. to 12 Noon on Friday

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RTCM 8/21/17
Reports

I just want the people of this town to have the advantages they pay for and not be prevented by government that gives them a hard time.

Laura Mahoney

District 2