

**TOWN COUNCIL MEETING  
THURSDAY, JUNE 23, 2011  
8:00 P.M. AND CLOSED ATTORNEY-CLIENT SESSION  
TO COMMENCE AT 8:00 P.M. OR AS SOON THEREAFTER AS POSSIBLE  
MALABAR COUNCIL CHAMBERS  
2725 MALABAR ROAD  
MALABAR, FLORIDA**

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This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road. Vice-Chair Acquaviva called the meeting to order and lead in the Prayer and Pledge.

**A. CALL TO ORDER, PRAYER AND PLEDGE**

**B. ROLL CALL**

Town Attorney:	Karl W. Bohne, Jr.
Town Administrator:	Bonilyn Wilbanks
Mayor/Chair:	Thomas M. Eschenberg, excused
Council Vice-Chair:	Marisa Acquaviva
Council Member:	Carl Beatty
Council Member:	David White
Council Member:	Steven Rivet
Council Member:	Jeffrey McKnight, absent
Town Clerk/Treasurer	Debby K. Franklin
Certified Court Reporter:	King Reporting Service

**C. RECESS FOR CLOSED ATTORNEY-CLIENT SESSION**

Pursuant to Florida Statute 286.011(8), the Town Council will hold a private attorney-client session, **which will not be open to the public**, with the Town Attorney, Karl W. Bohne to discuss pending litigation in Town of Malabar v. City of Palm Bay, Case No. [05-2009-CA-049231](#), filed in the Circuit Court of the Eighteenth Judicial Circuit, in and for Brevard County, Florida. The following persons will be present at said meeting:

Town Attorney:	Karl W. Bohne, Jr.
Town Administrator:	Bonilyn Wilbanks
Mayor/Chair:	Thomas M. Eschenberg, excused
Council Vice-Chair:	Marisa Acquaviva
Council Member:	Carl Beatty
Council Member:	David White
Council Member:	Steven Rivet
Council Member:	Jeffrey McKnight, absent
Certified Court Reporter:	King Reporting Service

A verbatim transcript of this meeting shall be transcribed by King Reporting. The transcript will be filed with the Town Clerk and open to the public for inspection **after** the conclusion of the litigation.

**Reopen and announce termination of Closed Session**

**D. ADJOURNMENT**

There being no further business to discuss, **MOTION: Rivet / Beatty to adjourn this meeting. VOTE: All Ayes.**

The meeting adjourned at 9:03 PM.

BY: Marisa Acquaviva  
Marisa Acquaviva, Vice-Chair

ATTEST BY:

Debby K. Franklin

Debby K. Franklin, Town Clerk/Treasurer

Date Approved: 7/7/2011