



**EMERGENCY TOWN COUNCIL MEETING
FRIDAY, MARCH 23, 2007
7:00 PM**

**MALABAR COUNCIL CHAMBER
2725 MALABAR ROAD
MALABAR, FLORIDA**

AGENDA

CALL TO ORDER, PRAYER AND PLEDGE

ROLL CALL

ACTION ITEM;

1. CHANGE THE DATE OF THE CONFLICT RESOLUTION MEETING WITH BREVARD COUNTY COMMISSION TO APRIL 19, 2007 AT 7:00PM

ADJOURNMENT

If any individual decides to appeal any decision made by this Council with respect to any matter considered at this meeting, a verbatim transcript may be required and the individual may need to insure that a verbatim transcript of the proceeding is made (FS 286.0105). The Town does not provide this service.

In compliance with the Americans with Disabilities Act (ADA) anyone who needs a special accommodation for this meeting should contact the Towns ADA coordinator at 727-7764 at least 48 hours in advance of this meeting.

**MALABAR TOWN COUNCIL EMERGENCY MEETING
MARCH 23, 2007 7:00 PM**

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road. The meeting was called to order at 7:00 pm by Mayor Eschenberg. The prayer and pledge were led by the Mayor.

ROLL CALL: MAYOR/CHAIR
COUNCIL MEMBERS:

TOM ESCHENBERG
NANCY BORTON
BRIAN VAIL
CHUCK MCCLELLAND
BOBBI MOCCIA
PAT DEZMAN - excused
SUSAN KABANA

TOWN CLERK/TREASURER:

ACTION ITEM:

**1. CHANGE THE DATE OF THE CONFLICT RESOLUTION MEETING WITH
BREVARD COUNTY COMMISSION TO APRIL 19, 2007 AT 7:00PM**

MOTION: Moccia/Vail to postpone the date that was scheduled for tonight (the 19th) and change to an alternative date, one specified after discussion.

Moccia – Tuesdays and Thursdays are very difficult for Moccia. She is getting upset about having to dance when they say dance. They said it had to be done on a certain day but when somebody else wanted to change it it was fine. Her feeling is that we give them two dates to choose from. We should not jump when they say jump.

Vail – where did the 19th come from? Kabana – she unwittingly told Karl Bohne the date was the 19th, not knowing he would take that date all the way to the County Commission, who then planned on that day. Borton – it was an honest mistake.

McClelland – then let's use the original date of the 16th. Kabana – feels the Commission wants to meet in Viera.

Borton – watched the County meeting on television last night and she felt slapped when the County Manager made a comment about what the Council should have known about the November deadline. We are fighting and putting our schedules on hold for what? She still wants to see the MSTU pass but we have another several months before this has to be resolved. Mayor – thought the deadline was July 1st. Borton – not according to the County Manager.

Moccia – saw the same thing on television and she was upset. She is tired of jumping when they say jump. She will listen to the people before she listens to the Commission. She notes that the 19th would hamper her home-lifestyle. She has another job as well as this job. Her job to this Town is to be sure that she does not spend the taxpayers money any way they don't want her to, and if it takes five more days to figure that out then she is not going to rush to have a meeting with the County.

Mayor – can we pick three alternate dates? Moccia – we are one Council person short.

Moccia – Malabar is not governed by the Commission, we govern Malabar. If something is worthy of being accomplished then it is worthy of making sure everyone can be there.

Mayor – would the Council want to ask the County if the 16th is okay? Borton – would like to stay with Mondays. Mayor – would Council consider the 23rd? Moccia – that would be fine.

Moccia – states that the Council is a team and we should not let the County divide us.

Vail – wants to know if we voted yes on the MSTU would the litigation go away?

Moccia – has questions for the attorney. She is ready for more discussion before meeting with the County.

Mayor – are the 16th and the 23rd good dates? Moccia – Mondays are fine.
Mayor – the 16th would be in Malabar and the 23rd would be in Viera, asks if that works for Council. Council – that is fine.

AMENDED MOTION: Moccia/Vail to postpone the meeting until April 16th at 6pm in Malabar or April 23rd at 7pm in Viera pending the availability of Council Member Dezman and our Attorney Karl Bohne.

Mayor – Kabana's mistake would not have mattered because he does not think the County would have come down here on the 16th anyway. He feels they may take the 23rd in Viera.

Moccia – and if they cannot make those dates then they should give us two dates that we can work around. We give up a lot of time for this Town and we do not get paid, the Commission gets paid.

VOTE: All aye.

ADJOURNMENT

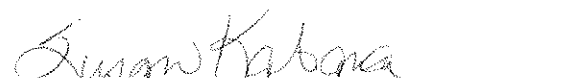
MOTION: Vail/Borton to adjourn. VOTE: All aye.

The meeting ended at 7:17pm

BY:


Mayor Tom Eschenberg, Chair

ATTEST:


Susan Kabana, CMC
Town Clerk/Treasurer

DATE:

4/2/07