

**CITY OF CLEWISTON**  
**Special Commission Meeting**  
**June 7, 2021**

---

The City of Clewiston City Commission held a Special Commission Meeting in the City Hall Commission Chambers Monday, June 7, 2021. The meeting was called to order at 5:00 p.m. by Mayor Petersen. Mayor Petersen led the audience in reciting the Lord's Prayer and the Pledge of Allegiance.

**Commissioners Present:** Mayor Kristine Petersen, Vice Mayor Greg Thompson, Commissioner Mali Gardner, Commissioner Hillary Hyslope and Commissioner James Pittman.

**Personnel Present:** City Manager Randy Martin, City Clerk Kathy Combass, Interim Police Chief Tom Lewis, Code Enforcement Officer Debbie Clay and City Attorney Gary Brandenburg.

**Visitors Present:** Jerry Cochrane, Robert Shearman and Kyle Dudek

**Additions/Deletions/Changes and Approval of the Agenda** – Manager Martin stated that there were no additions, deletions or changes to the agenda.

**Commissioner Hyslope made a motion, seconded by Commissioner Gardner, to approve the agenda. Vote 5 yeas, 0 nays**

**Public Comments** - none

1. **Attorney/Client Meeting (Shade Meeting)** – The meeting regarding the matter of Clewiston Commons v. City of Clewiston, et al. Case No.: 2:18-cv-00339-SPC-MRM; Case No. 26-2018-CA-777 was requested by City Attorney Gary Brandenburg on May 24, 2021.

City Attorney Brandenburg stated that the Florida Statute 286.0118 allows closed door meetings with the City Manager, City Commission and attorneys to discuss strategy regarding pending litigation. He stated the request for the shade meeting has to be done in a public meeting as he is doing now so it is in compliance with the statute. He also stated the shade meeting will be attended by all Commissioners, himself, Manager Martin, Court Reporter Liz Barnes, Attorney Robert Shearman and Attorney Kyle Dudek.

**Commissioner Pittman made a motion, seconded by Vice Mayor Thompson, to temporarily adjourn the called meeting to conduct the Attorney/Client meeting. Vote 5 yeas, 0 nays**

The Special Commission Meeting temporarily adjourned at 5:04 p.m. and reconvened at 5:58 p.m.

2. **Commission Action on Potential Appeal of Special Magistrate Order**

Attorney Brandenburg stated that the Special Magistrate Order has been reviewed carefully and legal counsel believes there are adequate grounds to file an appeal of the decision and recommend the Commission do that.

**Vice Mayor Thompson made a motion, seconded by Commissioner Hyslope, to file an appeal to the Special Magistrate's Order. Vote 5 yeas, 0 nays**

3. **Commission Actions related to Commerce Park Contracts**

**A. Resolution No. 2021-56** – Resolution No. 2021-56 approves the 1<sup>st</sup> Amendment to the Contract for Sale and Purchase between the City of Clewiston and Sandra Bibiana Masso of Lot #3, Clewiston Commerce Park.

Mayor Petersen summarized and read Resolution No. 2021-56 by title. Attorney Brandenburg explained that the buyer has requested another 30 days to finance the project and recommended that the Commission approve her request.

**Commissioner Pittman made a motion, seconded by Vice Mayor Thompson, to approve Resolution No. 2021-56. Vote 5 yeas, 0 nays**

Before the vote, in response to Commissioner Gardner's question as to whether the City is required to extend the contract, Attorney Brandenburg stated that the City is not required to extend the contract but recommended that the City approve the extension as it appears the buyer is making a good faith effort to get financing in place. Manager Martin confirmed that was his recommendation and explained that their bank felt that it would be better to finance the acquisition and the construction together. Commissioner Gardner noted that there were others interested in this property.

**B. Resolution No. 2021-57** – Resolution No. 2021-57 approves the 1<sup>st</sup> Amendment to the Contract for Sale and Purchase between the City of Clewiston and Vladimir Spivak, Albert Israilov and Ivan Kravtchouk of Lots #10, #11 and #12, Clewiston Commerce Park and authorizes the closing and execution of the deed, closing statement and all documents necessary to close the sale.

Attorney Brandenburg explained that the amendment to the contract allows the assignment of the contract to VIA Clewiston Partners LLC, a corporation formed by the buyers. He stated that it appears the buyers are going to move forward and recommended approval.

**Vice Mayor Thompson made a motion, seconded by Commissioner Hyslope, to approve Resolution No. 2021-57. Vote 5 yeas, 0 nays**

## **Adjournment**

**Commissioner Pittman made a motion, seconded by Commissioner Gardner, to adjourn the meeting at 6:04 p.m. Vote 5 yeas, 0 nays**

---

Kristine Petersen, Mayor

---

Mary K. Combass, City Clerk