

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida
April 15, 2021

LET IT BE REMEMBERED, that the Collier County Planning Commission, in and for the County of Collier, having conducted business herein, met on this date at 9:00 a.m., in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

Karen Homiak, Acting Chairman
Joe Schmitt (appearing remotely)
Paul Shea
Robert L. Klucik, Jr. (appearing remotely)
Christopher T. Vernon
Tom Eastman, Collier County School Board Representative

ABSENT:

Edwin Fryer, Chairman
Karl Fry

ALSO PRESENT:

Raymond V. Bellows, Zoning Manager
Jeffrey Klatzkow, County Attorney
Heidi Ashton-Cicko, Managing Assistant County Attorney

PROCEEDINGS

CHAIRMAN HOMIAK: Good morning. This is supposed to be the April 15th meeting of the Collier County Planning Commission, but we do not have a quorum of four present in the room, so we cannot hold the meeting today. So everything will be tabled on this agenda till the May 6th meeting. And that's it. I don't know what else to say. Last-minute cancellation.

MR. BELLOWS: For the record, Ray Bellows. After the meeting maybe we can talk about alternate hearing meeting days as well.

CHAIRMAN HOMIAK: Put the alternate as May 26th?

MR. BELLOWS: To make up.

CHAIRMAN HOMIAK: Oh, to make up for this one.

MR. BELLOWS: Just a general discussion.

MR. KLATZKOW: Sure.

CHAIRMAN HOMIAK: Can we do that?

MR. KLATZKOW: Sure. Sure. I mean, why not?

MR. YOVANOVICH: Well, don't you have -- may I?

CHAIRMAN HOMIAK: Yes.

MR. YOVANOVICH: I think you have enough people with control of their calendars that are on today. They just are not here personally. Just as a representative of a few petitioners that --

MR. KLATZKOW: You're selling after the close, so...

MR. YOVANOVICH: I'm just asking if they can consider having a special meeting, because the ripple effect of this is pretty significant. You've got -- there's, I don't know, 10 or so petitions in the queue with the Board going on vacations or not taking hearings usually in July or August, and I -- for one, the two items that I had subsequent to this are being brought forward pursuant to a contract with the county that has deadlines for when things need to be finished.

So I just want to get that on the record. If there can be a special meeting scheduled amongst yourselves, that would be very helpful.

CHAIRMAN HOMIAK: Is that what the question was about May 26th, Anita?

MS. JENKINS: Good morning. Anita Jenkins, for the record.

Yes, that was what the email was about, to see if we could get a special meeting on May 26th. I haven't checked the calendar for the boardroom for dates earlier than that, but May 26th was available. So I did send an email to poll the commissioners to see if they would be available on May 26th. That's a -- that's a week that you do not have a hearing, so it's the week before.

UNIDENTIFIED SPEAKER: April.

MS. JENKINS: No, that one was for May 26th when it was available.

COMMISSIONER SHEA: Is it available earlier than that?

MS. JENKINS: I can check that. I haven't looked at the boardroom.

MR. KLATZKOW: We're starting to get jammed up here on petitions, I know that.

MS. JENKINS: Yeah.

MR. KLATZKOW: There is no legal requirement that we hold this meeting in this room, all right. So we have other facilities available through the county that we might be able to use. I know Troy's going to kill me about this, but -- because televising these things can be difficult, but that's why we pay Troy the big bucks.

So, you know, we're not just -- we're not just limited to this room. Look at the other facilities that we have. We have a large room in GMD that in the past we've used for Planning Commissions. It's not ideal, but it does work. We have North Collier Regional Park where we have an auditorium. We have other places as well.

The biggest thing is to make sure that the planning commissioners, who are volunteers and,

you know, have other things to do like employment related, make sure that they're available for those dates. Do that by email to them, one way communications, and get the available dates. And I'm sure Mr. Yovanovich can get his schedule to the point that we can hold these, we'll call them, special meetings.

MR. YOVANOVICH: If I may -- and thank you, Jeff. What my concern is is, with the time frame before a Board of County Commissioner meeting to get on the schedule, we probably need to have these meetings pretty soon, because the second meeting in June --

MR. KLATZKOW: No, the sooner the better. The sooner the better.

COMMISSIONER SHEA: To me that would include April. I mean, I know there's a couple weeks, but pushing it off till May, I just feel like we're getting really backed up with important issues, really important issues.

MR. KLATZKOW: No, I agree. That's why I'm saying that we think beyond just this one venue here. And, you know, we'll get it done, or at least we'll try to.

CHAIRMAN HOMIAK: Try before May 6th then?

MR. KLATZKOW: Yeah. Anita's going to look to see if this room is available the 19th and the 20th, I believe.

COMMISSIONER SHEA: Of what?

MS. JENKINS: Of April.

MR. KLATZKOW: Anyhow. Again, just --

MS. JENKINS: We'll poll the --

MR. KLATZKOW: Look, I don't want to make sausage here. Just find out what facilities are available in the county and what dates there are. We're going to do this at the convenience of the planning commissioners, first and foremost, and, you know, the dates that they're available, that's what we'll do, and Rich and his people will have to just --

MR. YOVANOVICH: One more point.

MR. KLATZKOW: Yeah. I've got advertising issues, too, here. I do understand that.

MR. YOVANOVICH: I know. So if we can confirm that you can have four in person on the 19th, could we continue these items?

MR. KLATZKOW: I don't know that we're going to be doing this the 19th. I don't want to continue something to a date that's uncertain.

MR. YOVANOVICH: You have five planning commissioners who are here today either virtually or in person. If they could check and confirm that they could be here in person on the 19th or 20th, we could figure it out.

CHAIRMAN HOMIAK: Online.

MR. YOVANOVICH: Five -- right. I think Joe's online. Mr. Klucik, I think, is online.

COMMISSIONER SHEA: Oh.

CHAIRMAN HOMIAK: Well, I'm available. I guess just me or --

COMMISSIONER SHEA: I can make myself available.

COMMISSIONER VERNON: I'm sure I'll make myself available. Let me double-check.

CHAIRMAN HOMIAK: How about -- is Joe or -- wait.

MR. KLATZKOW: Anita, you're certain this room's available the 19th?

MS. JENKINS: Yeah, they just --

MR. KLATZKOW: We'll continue this, then, to April 19th, all right. If for some reason we don't have a quorum, at that point in time, Anita, you and I will show up here, announce to the public what other plans are made. So we'll do it for the April 19th because we do have advertising issues.

COMMISSIONER VERNON: I can't be here.

MR. KLATZKOW: I don't know that we'll be able to be here, but I need a date certain,

otherwise I've got to start readvertising. That kicks the clock back at least two weeks.

COMMISSIONER VERNON: Yeah, I cannot.

MR. KLATZKOW: Okay.

CHAIRMAN HOMIAK: We just -- we need four in the room.

MR. KLATZKOW: You need four in the room.

COMMISSIONER SHEA: I'll be in the room.

CHAIRMAN HOMIAK: Two.

MR. KLATZKOW: I need a date certain. We're not going to go April 19th or April 20th or whatever, so...

CHAIRMAN HOMIAK: So April 19th.

MR. KLATZKOW: Is the room also available the 20th?

COMMISSIONER VERNON: I can't do it. It's just too short notice.

MR. KLATZKOW: You can't do it. I know you've got a livelihood to consider.

COMMISSIONER VERNON: I just cannot do it.

MR. YOUNGBLOOD: Madam Chairman? Madam Chairwoman, I have a message from Commissioner Klucik that says he cannot do the 19th or the 20th.

CHAIRMAN HOMIAK: Okay. Is Joe online?

MR. KLATZKOW: All right. This is what we're going to do. We're going to have -- we're going to reschedule the meeting for the 19th. I understand we may not have a quorum, but we're going to reschedule for the 19th. On the 19th, at the very least, Anita and I will be here, and if we're able to have the meeting here that day, you know, that's a good thing. If we can't have the meeting that day, then we'll be able to hopefully, by that time, have date-certain that we can, then, just reschedule everything for.

COMMISSIONER SHEA: For some reason that doesn't seem reasonable to expect people to come and show up for a surprise. It seems like we should be able to tell somebody whether we're going to have it or not.

MR. KLATZKOW: I don't disagree, but the option is just having to readvertise, and that kicks everything out into May.

MR. BELLOWS: And, for the record, Ray Bellows.

We should be able to know way in advance of the 19th if we'll have a quorum and put out that notice as well.

COMMISSIONER SHEA: Okay.

MR. YOVANOVICH: Just a technical question. Are the items today continued to the 19th?

MR. KLATZKOW: Yes.

MR. YOVANOVICH: And then if it doesn't, they would then go to the 6th; is that my understanding, Jeff?

MR. KLATZKOW: The way we're going to do this is I have to have a date certain, so we're going to continue these items to the 19th, all right, and if for some reason it all falls apart, then we'll have to pick a different date and continue it.

MR. YOVANOVICH: Okay. But the 6th is their normal date, so that's the only reason.

MR. KLATZKOW: But I'm assuming everybody who wanted to appear is in the audience today right now, so I'm assuming everybody who was thinking about appearing is now aware of what we're doing and can call in to Mr. Bellows for certainty as to whether or not they should show up.

I've got a bad choice and a worse choice. I don't know that to tell you. This is the bad choice. The worse choice is not doing anything.

COMMISSIONER SHEA: The 6th of May, though, that meeting was when we were going to have the town meeting presentation, and that was kind of time-certain on -- not

time-certain, but dependent on when the commissioners were going to hear the town. So do we -- does that slip, too?

MR. KLATZKOW: If the idea is to have the special meeting between now and May, I don't know how else to do it. I don't know how else to do it. I'm open to ideas. There are people in this room smarter than I am.

COMMISSIONER VERNON: It's just easier -- if I have notice, I can rework my calendar. But you're talking about next week; I can't rework my calendar.

MR. KLATZKOW: No, I'm fully appreciative.

CHAIRMAN HOMIAK: Okay.

MR. KLATZKOW: Anything else?

COMMISSIONER VERNON: I do, if you don't mind, take a couple minutes just to throw something out mostly for Jeff, because I don't want to screw up due process. This is long term. This does not fix what we're talking about short term.

But -- and I have very little historical context. I'm one of the new guys, but it just seems like this is sort of -- we're getting more and more and more backed up. And one solution, just from my years in the courtroom and my years on other committees, is without affecting due process, there may be some things we can do to limit people's time, you know, how much time a petitioner has to present something, and I think it requires cooperation from the Board not to be too interruptive and still get their questions answered. But maybe there's some long-term things we can do. And I say this somewhat jokingly. But, you know, when a judge says you've only got -- you know, your brief can't be more than 10 pages, typically a good lawyer can get that in 10 pages instead of 474 pages.

MR. KLATZKOW: I don't disagree with you. I do note that we've had some rather contentious petitions, especially with these three towns out there. That is an unusual circumstance where we have back to back to back contentious proceedings.

I don't -- once -- you know, it's like a snake eating a rat. Once that's been disposed of, I don't think we'll have these issues again. We'll go back to our normal type of hearings which are relatively short in comparison.

COMMISSIONER VERNON: Well, then that makes perfect sense. You have the historical context. But it's maybe something, if we get into the fall and this does become a recurring problem, we can get all the players involved and see if we can come up with something if it doesn't resolve itself.

MR. KLATZKOW: And I agree with you completely.

COMMISSIONER VERNON: Okay.

MR. KLATZKOW: And one of the things we can do is amend the Planning Commission rules so that public speakers are limited to three minutes. That's within your purview.

CHAIRMAN HOMIAK: That would be helpful.

COMMISSIONER SCHMITT: I don't know if the Board can hear me, but I'm available on the 19th at 11 o'clock, but earlier than that, I would not be available on the 19th. I'm available all day on the 20th.

COMMISSIONER VERNON: And I can be available by phone on the 19th after probably 1:00, but I'm not sure that helps anything.

MR. YOVANOVICH: Well, it sounds like we have three. If we have three in person, we just need one more.

UNIDENTIFIED MALE VOICE: That's not after 11:00.

MR. YOVANOVICH: Yeah, after 11:00.

COMMISSIONER VERNON: After 1:00, probably for me.

CHAIRMAN HOMIAK: So it's the 19th.

MR. KLATZKOW: The 19th. The other question is, do you want to start at 9:00 or

11:00?

COMMISSIONER VERNON: Well, again, I won't be available till 1:00, and it will only be by phone.

MR. KLATZKOW: I need four people here is the issue.

COMMISSIONER VERNON: So I'm out on being here in person.

MR. KLATZKOW: Yeah.

CHAIRMAN HOMIAK: Then I guess we'd have to say --

MR. KLATZKOW: I don't know if we have four people because I've got people who aren't here.

MR. YOVANOVICH: We'll try. Let's try at 11:00.

CHAIRMAN HOMIAK: So what do you want to do, 11:00?

COMMISSIONER SCHMITT: What's the plan on the 19th, just the one petition or try and make them all up?

MR. KLATZKOW: Try and make them all up if you can. Joe, you'll be here at 11:00 on the 19th?

COMMISSIONER SCHMITT: Yeah. I would prefer to make it noon. It just gives me more time. I've got a meeting at 9:00 I've got to be at, and I'll come in after that. So if we could make it at noon or --

CHAIRMAN HOMIAK: Why don't we just start at 1:00?

MR. KLATZKOW: Yeah. Can you make it that day?

CHAIRMAN HOMIAK: Yeah.

COMMISSIONER SCHMITT: That works for me; 1:00 works for me.

MR. KLATZKOW: Make it that day. Okay. With Joe, that's three, and I'm sure Ned can make it that day. So let's do it at 1:00, Chair.

CHAIRMAN HOMIAK: Okay.

MR. KLATZKOW: 1:00 on the 19th.

CHAIRMAN HOMIAK: The 19th at 1:00, next meeting.

COMMISSIONER KLUCIK: Can I give my proxy to somebody?

CHAIRMAN HOMIAK: No.

COMMISSIONER KLUCIK: I'm kidding; I'm kidding.

MR. KLATZKOW: No.

CHAIRMAN HOMIAK: You can drive in, though.

COMMISSIONER KLUCIK: I will actually be on an airplane.

CHAIRMAN HOMIAK: Oh, okay.

MR. KLATZKOW: 1:00 April 19th it is.

CHAIRMAN HOMIAK: Okay. That's it.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 9:17 a.m.

COLLIER COUNTY PLANNING COMMISSION


KAREN HOMIAK, ACTING CHAIRMAN

These minutes approved by the Board on _____, as presented _____ or as corrected _____.

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