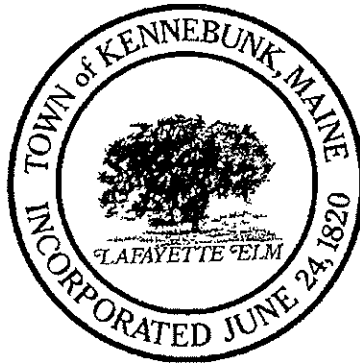


# Town of Kennebunk, Maine



## Charter Commission MEETING MINUTES

Wednesday, February 8, 2023

In-person meeting, Town Hall, 3<sup>rd</sup> Floor, 1 Summer Street, Kennebunk

This meeting was held in person and televised on Cable TV Channel 5.  
It is available for public viewing at any time at [TownHallStreams.com](http://TownHallStreams.com).

Chairman Christian Babcock called the meeting to order at 6:30pm.

### 1. Roll Call

Secretary Janice Vance called roll:

- Present: Susan Bloomfield, Christopher Babbidge, Janice Vance (Secretary), Brenda Robinson, Richard Smith (Vice-Chair), Ted Trainer, Stephen Sayers, and Christian Babcock (Chair)
- Also present: Merton Brown, Town Clerk; Natalie Burns, Town Attorney; Heather Balsler, Town Manager
- Absent: Christopher Cluff

### 2. Old Business

#### Meeting Policy:

Members discussed the adoption of a formal meeting policy, which could include in person only or a hybrid of in person and Zoom). R. Smith expressed concern that given the State-mandated time frame to complete the task of reviewing the charter and recommending changes, that the Commission needs to begin the review process sooner rather than later. After discussion, T. Trainer moved to adopt the same format currently being used by the Select Board, which allows for maximum flexibility for both members (who may be traveling for business but can attend the meeting and cast votes remotely via Zoom) and

residents who may wish to watch and offer comments from home. The motion was seconded by B. Robison. The vote to adopt the format was unanimous (8/0).

#### Legal Representation:

C. Babcock presented a video summary of the steps needed if the commission opted to go forward with an RFP for outside legal representation in lieu of using the Town Attorney. The Town Manager is designated, per the current town charter, as the town's purchasing agent. An RFP would detail the amount to be spent and an associated itemization of what the funds would cover. The Select Board would be responsible for approving, or not approving, the RFP. The Charter Commission has no funds available in the current fiscal year, which ends June 30, 2023. If the Charter Commission opted to move forward with the RFP for outside counsel, the SB would need to use its discretionary funds for the expense. Another option would be to use the Town Attorney until the beginning of the new fiscal year on July 1, when the new budget would provide funds for the expected duration of the Charter Commission's existence, including, if needed, outside counsel. It was noted that creating an RFP was difficult at this time because it was unknown how many hours of time the Commission would require the services of an attorney, and therefore made the estimation and dollar amount needed for the RFP unworkable. Members declined to make a motion to approve the creation of an RFP.

### **3. New Business**

#### Process for working the charter revision:

C. Babcock presented a simple proposed timeline that utilized a linear approach to all Articles in the Charter, with time built into the process after those were reviewed, for new ideas. S. Sayers and J. Vance both felt there were a few items that could be dealt with first – the recall process and committee-Select Board relationships – without getting into the meat of considering whether to change the Town's current form of government. R. Smith felt it was better to look at the form of government first, and everything else would flow from that. Discussion ensued about ensuring that the public comments received at the January 21<sup>st</sup> public meeting be taken into consideration as the document is reviewed; J. Vance will forward to C. Babcock the list she made. There was some consensus that multiple activities could go on at the same time, in order to keep the process moving faster. S. Bloomfield and B. Robison suggested a subcommittee could get on the agenda of the various committees to discuss their needs and how to improve the communications flow. Another option would be to schedule a "committee night" either as part of the Commission's regular meeting schedule, or in addition to it, and invite all committees to attend, or bring in one committee at a time. J. Vance suggested a "divide and conquer" method: binding boards such as Planning Board that have a staff person such as the Town Planner already working with them do not have the same needs as the community-based committees such as Lower Village and West Kennebunk, so the Commission would be best to concentrate on non-binding committees. C. Babcock suggested creating a survey of questions for committees that would help gather some information, and that perhaps a second survey for residents could be put together. He will work on this, and will break down the projects identified and send out for comments.

#### Process of using other towns' charters as a reference:

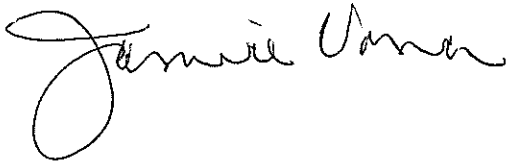
N. Burns had previously sent charters for four other towns to members via email: Falmouth, Standish, York and Wells. J. Vance had also looked briefly at all the towns in York County and assembled a brief Excel spreadsheet. C. Babcock asked members to each take a couple of charters – he would assign the list out – and review them. There was discussion about what members should look for. J. Vance explained that when she assembled the spreadsheet she was looking for just a few things – the form of government, how the charter was formatted (ecode360 or a pdf on the town website), how recalls were handled, and whether the town clerk was elected or appointed. She also noted things that jumped out at her as well formatted, easy to read, or interesting procedures. N. Burns requested that J. Vance send the spreadsheet to her. Members will bring their analysis to the next meeting in two weeks.

#### **4. Adjourn**

A motion to adjourn the meeting at 8:20pm was made by B. Robinson and seconded by R. Smith. The vote was unanimous.

Respectfully submitted,

Janice Vance (Secretary)

A handwritten signature in cursive script that reads "Janice Vance". The signature is written in black ink and is positioned below the typed name.

