

## Minutes, Bar Harbor Charter Commission, April 3, 2019 Meeting

The meeting was called to order at 8.33 AM by the Chair, Michael Gurtler.

Present: Julie Berberian, Joseph Cough, Anna Durand, Jill Goldthwait, Michael Gurtler, Peter St. Germain, Patricia Samuel, Martha Searchfield, Christopher Strout

1. There were no changes to the agenda as published.
2. It was moved and seconded to accept the minutes of the meeting of March 20, 2019, as distributed. All voted in favor except J. Cough, who abstained, as he was absent from that meeting due to illness.
3. Public Comment: A letter from Jim O'Connell has been received by all commission members.

Donna M. Karlson spoke:

- discussion of Article VII, Warrant Committee, at the March 20<sup>th</sup> meeting was helpful
- the use of sub-committees could be more efficient
- according to the town of Mt. Desert's website, the town has a Land Use Advisory Committee, and they rely heavily on the Code Enforcement Officer
- as compared with other towns, she believes that Bar Harbor's budget procedure is very good
- she supports resident interaction with town committees & boards
- the Warrant Com. could have a sub-committee for Land Use Ordinance amendments

As no one else wished to speak, the Chair closed the Public Comment period.

The Chair would like to schedule another Public Hearing after discussion of Articles VII (Warrant Com.) and III (Town Council) is finished.

#### 4. Items for Discussion:

- It was moved and seconded (C. Strout, J. Goldthwait) to accept the clarifying language proposed by the Secretary (P. Samuel) for Article IX C-48 B(1). Motion passed unanimously.
- discussion of notes on the civic purpose of the Warrant Com., and ways in which it might function more efficiently, distributed by the Secretary
- term limits?
- presently it is difficult for the nominating committee to find new members, 22 total members per year; would need a back-up plan
- support for open ballot for Warrant Com. members
- still favors 9 members total

- straw vote: Warrant Com. members to be elected on an open secret ballot, not as a slate, at the June election (Town Meeting Part 2); candidates would take out papers and collect signatures in the regular manner: all (9 members) in favor
- a member met with a resident who has served both on Warrant Com. and Town Council; this person favors a finance advisory committee which recommends to Town Council
- another member: we cannot recommend operational procedures to the Warrant Com.
- maximum of 15 members of Warrant Com. would be more efficient; experience with large committees is that smaller ones accomplish more
- motion (J. Goldthwait, J. Cough) that Warrant Com. have no more than 15 members
- not sure if 15 is the number: (1) Camden's finance com. runs between 22-25 members; (2) data on votes in Bar Harbor indicates that people rely on Warrant Com. recommendations
- another member talked to a business member of Warrant Com. who thinks that the sub-committee process is inefficient because the entire Warrant Com. does not hear all the discussions of the sub-committees
- question: Why aren't Town Council vote numbers (on various warrant items) listed on the ballot?
- another opposes listing any numbers of votes (yea, nay) for recommendations on ballot items; Chair wishes to return to this question at a later time
- should the Planning Board be elected?
- several members responded that Planning Board is not influenced by Town Council
- the deeper problem for Planning Board is getting people to serve: number of meetings is brutal & meetings can be very long
- Planning Board work is highly technical
- now we have a Town Planner; this will help encourage people to serve; it takes time to get comfortable serving on a committee, especially a small one
- we **need** more diversity of opinions
- Warrant Com. doesn't instigate things; rather, it serves as a sounding board
- two points: (1) it is a courtesy to the town staff to ask them to testify to Warrant Com. sub-committees; (2) the influence of "big money" in our town does not bode well for an elected Planning Board
- at this point the Chair re-opened the Public Hearing:
- Eben Salvatore: is there a need for a Warrant Com.? it is a challenge to get enough members to serve
- Public Hearing closed
- another member: make Warrant Com. a government advisory com. to *advise* Town Council on all issues
- now Warrant Com. figures out their sub-committee structure; 22 members is too many but 9 members is too few; note that the mechanics of budget review are described in Article VI
- What is the Warrant Com.'s role? We want eyes on the budget, a check

- regarding unfilled seat on committees, 30-40 open seats on boards and committees now; where are the young people we would like to participate in town government? There *are* opportunities to get into government
- another member: one reason Charter Comm. was called is a reaction to Warrant Com.; we want Warrant Com. to be smart, efficient, representative, and not reacting to personalities; we *must* come to consensus or voters will reject our proposed charter revisions
- regarding the Secretary's suggestions, item I-C in the document , (a way to ensure another group of citizens who are/become informed about town government and can discuss these things with their friends and neighbors, thus contributing to an informed citizenry), Is there a place for citizens to participate? There are perceptions around tone, and business vs non-business
- the Chair: hears call for change; he thinks Warrant Com. acts as a check
- another member: Warrant Com. acts as a sounding board
- a different member: Charter says the Warrant Com. is to review and advise
- another member: regarding Land Use issues, there is a professional (the Planner) and an educated volunteer board (Planning Board), whose work is placed on the ballot
- the Chair: returning the Warrant Com., would all of us, in turn, please state pluses and minuses about the committee?

### **Plus**

- reviews budget
- reviews Land Use Ordinance (LUO) amendments
- inclusive of more citizens
- review of LUO, with publicity and public attendance
- review of language in proposed LUO amendments
- information-gathering committee, average citizen needs information; an active group of people in the community; engenders *trust* by citizens
- there is generational knowledge within the committee
- planning (LUO) review is good
- check and balance role is good
- review is positive

### **Minus**

- sometimes not efficient;
- depends whether there is a professional Planner
- LUO review is a cumbersome process, very legalistic
- doesn't regularly import an expert for LUO, often relies on opinion

- depending on the Chair, discussion can go awry
- town already has a mechanism for LUO revision
- too big & inefficient for LUO review now; also generates a lot of negativity
- no Public Hearing process
- basically run by sub-committee process: problematic because the weight of their review is too heavy; no secondary review; lots of apathy where ignorance rules the day
- because there is no requirement for some Warrant Com. members to regularly attend Planning Board LUO work sessions, a last-minute objection by Warrant Com. adds a year to the LUO amendment process

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- Town Council elections do not always provide a choice of candidates; there is a perception that when there is no choice, then a poor candidate would automatically get elected; Warrant Com. members (usually) not experts; people who show up tend to be activist; therefore this member favors a ballot election of Warrant Com. with more candidates than positions
  - Warrant Com. is redundant; Warrant Com. members don't necessarily understand the budget; our current system continues an adversarial attitude
  - Chair: shall we move on or make a recommendation?
  - Vote: motion on the floor to limit Warrant Com. to no more than 15 members: 6 yeas, 3 nays
  - should there be a Warrant Com. at all? (2 members)
  - Warrant Com. has 2 functions now, LUO amendment review and budget review
  - people voted for a Charter Commission in order to get a change
  - we don't often make big changes in our town government
  - two-thirds of our members (Charter Comm.) think Warrant Com. needs a change
  - motion to remove Warrant Com. role in the review of LUO amendments
  - that would be throwing the baby out with the bath water; recommends a sub-committee to meet regularly with Planning Board; our town does not have much space ( a lot is ANP); land use & Planning Board work are important; we need to improve the Warrant Com.
  - we've been listing things about Warrant Com. that we don't like; should there be a smaller citizen panel to review Budget & Planning Board's LUO proposals? There is plenty of information offered to the public now, but people must choose to be informed
  - Town Council and Planning Board can streamline the LUO amendment process if they want; this doesn't require a Charter change
  - trial vote on motion to eliminate Warrant Com. consideration of LUO amendment proposals: 3 yeas, 6 nays
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5. Agenda for next meeting, Wednesday, April 17, 2019

-- school budget review

-- rest of budget review

6. Motion to adjourn (C. Strout, P. St. Germain); meeting adjourned 10.23 AM.

Respectfully submitted,

Patricia L. Samuel, Secretary

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