

**Town of Odessa**  
**MINUTES FOR REGULAR TOWN COUNCIL MEETING**  
**MONDAY, JANUARY 9, 2006 - 7:00 PM**  
**OLD ACADEMY BUILDING**

Those present at 7:00 PM:

Mayor Kathy Harvey  
Council Member John Freeman  
Council Member Karlyn Grant

Treasurer James Grant  
Secretary Jessica Norton

7 community members

---

- I. Call to Order and Pledge of Allegiance- The meeting was called to order at 7:07 PM.
- II. Roll Call- Kathy Harvey reported that John Raudenbush had called at 5:30 PM to say that he would not be in attendance.

**MOTION BY KARLYN GRANT, SECONDED BY JOHN FREEMAN: TO EXCUSE JOHN RAUDENBUSH.**

**MOTION CARRIED. VOTE: 3 AYE, 0 NAY**

- III. Council Appointment- Mayor stated that according to the Town Charter, it is now too close to election time to appoint a member to Council.
- IV. Delaware State Police Report- The reports for November and December 2005 were read by Lieutenant Logan and are attached hereto as Attachments B & C. Mayor Harvey requested more attention to speeding on Route 13. She reminded the Lieutenant that Ordinance 2005-4 is scheduled for its second reading later in the meeting, and said that she will notify Troop 9 if it passes. All of Council agreed that if passed, the new signs would require diligent enforcement.

- V. Approval of Minutes- Regular Meeting 11/7/05

**MOTION BY JOHN FREEMAN, SECONDED BY KARLYN GRANT: THAT THE MINUTES FROM THE REGULAR MEETING OF MAYOR AND COUNCIL ON NOVEMBER 11, 2005 BE ACCEPTED.**

**MOTION CARRIED. VOTE: 3 AYE, 0 NAY**

- VI. Correspondence

- A. The audit was received and is available for public review. It is attached hereto as attachment F.
- B. Department of Natural Resources- recycling assistance matching grant: Harvey praised residents' participation (ranging from 50%-85%) in curbside recycling, and stated that she hopes the Post Office will soon participate, too. She would like to look into programs for recycling leaves and yard waste.

**MOTION BY JOHN FREEMAN, SECONDED BY KARLYN GRANT: THAT THE MAYOR PURSUE THE RECYCLING GRANT.**

**MOTION CARRIED. VOTE: 3 AYE, 0 NAY**

*Action: Kathy Harvey will write the grant.*

- C. Jeff Bartsch- price quote for repair of storm drain on Cantwell Ave.
  - D. Verizon- regarding franchise agreement.
  - E. Sara Wozniak- list of ideas for leaf recycling.
- VII. Treasurer's Report: Treasurer Jim Grant read the Balance Sheet and Profit & Loss Budget Performance, attached hereto as attachments D and E respectively. After reading, he indicated that so far, the Town is under budget for the fiscal year, though over budget for the Police due to invoices received from the previous year. Mayor Harvey told all present that Jim deserves a lot of credit for maintaining the budget.

\$2000 for a DelDOT-approved catch basin to repair the sinkhole on Cantwell Avenue per Jeff Bartsch's proposal can be taken from the Municipal Street Aid money.

**MOTION BY JOHN FREEMAN, SECONDED BY KARLYN GRANT: THAT COUNCIL ACCEPT BARTSCH'S PROPOSAL.**

**MOTION CARRIED. VOTE: 3 AYE, 0 NAY**

*Action: Jeff Bartsch will be notified.*

- VIII. Commission Reports
- A. Historic- meets this Thursday and is working on the Historic Guidelines.
  - B. Planning- meets on the third Thursday this month. The Commission is looking at putting an amendment together and plans to meet the June deadline. They are working on the Zoning Ordinance at the same time.

- C. Parks- Two resignations in November leave the Commission too few members to meet. Harvey feels that the Town can operate and maintain the parks without a Commission, absorbing its money into the budget. She recommends writing an Ordinance to dissolve the Commission so that Council can take over the duties.

**MOTION BY KARLYN GRANT, SECONDED BY JOHN FREEMAN: THAT COUNCIL DRAFT AN ORDINANCE TO DISSOLVE THE PARKS COMMISSION.**

**MOTION CARRIED. VOTE: 3 AYE, 0 NAY**

*Action: Kathy Harvey will draft an ordinance.*

- D. Trees- Commission is looking for volunteers to help with pruning on January 15<sup>th</sup> and 16<sup>th</sup>, working with the Department of Forestry as part of Phase I.
- E. All commissions have been notified to make their budget requests for fiscal year 2006-2007.

IX. Old Business

- A. House Bill 172 (Handicapped Parking)- Representative Cathcart explained that the State is looking into amending the law to specify a minimum population for towns that are required to comply. He hopes legislation will be introduced this week.
- B. State Legislature Updates- Representative Cathcart spoke on current issues in the State Legislature, naming this as the “Year of the DelDOT Budget.” He speculates that towns are not likely to get their municipal street aid back, but stands behind his offer to make up the difference this year in the Town of Odessa from his suburban street fund.
- C. Ordinance 2005-4: An ordinance restricting traffic on High Street, Tatman Alley, and Osbourne Street by posting “Do Not Enter” and “No Right Turn” signs: Second Reading by Mayor Kathy Harvey.

Public Comment- Responding to an audience question, Harvey stated that signs could feasibly be up in a month, but since the Town has to rely on DelDOT, she hopes enforcement could start in three months time. Councilmember John Freeman indicated the need for 100% cooperation from the police officers, to which officers from Troop 9 responded that they would do the best they can, emphasizing the need to be effective at the beginning, allowing for a grace period where warnings are issued, and being vigilant after that time. Freeman also warned that the Ordinance should not draw attention away from the continuing speeding problems on Route 13. Harvey indicated that Jim

Grant has communicated to Police the Town's desire for a zero-tolerance policy.

**VOICE VOTE ON THE SECOND READING OF ORDINANCE 2005-4: KARLYN GRANT, JOHN FREEMAN, AND KATHY HARVEY IN FAVOR. NONE OPPOSED.**

**ORDINANCE 2005-4, AN ORDINANCE RESTRICTING TRAFFIC ON HIGH STREET, TATMAN ALLEY, AND OSBOURNE STREET BY POSTING "DO NOT ENTER" AND "NO RIGHT TURN" SIGNS PASSED UNANIMOUSLY.**

- D. Town Boundaries- Kathy Harvey summarized the issue, stating that the Town had paid Century Engineering \$3000 plus an additional \$609, at which time the Town ordered work to stop. Century has offered to finish the work for an additional \$6000, but the Town has nothing to show that any work was done in the first place. Treasurer Grant suggested tabling it, Councilmember Grant suggested dropping the issue. Harvey questions which surveyor made the error to begin with.

**MOTION BY KARLYN GRANT, SECONDED BY JOHN FREEMAN: THAT THE ISSUE OF TOWN BOUNDARIES BE REMOVED FROM THE AGENDA.**

**MOTION CARRIED. VOTE: 3 AYE, 0 NAY**

- E. Sidewalk / Right-of-way Clean-up- Volunteers will prune trees on January 15<sup>th</sup> and 16<sup>th</sup>. The Tree Commission is obtaining bids for the rest of the work, Phase II.
- F. Jake Brake Signs- DelDOT says the Town needs to designate a truck route. Enforcement will be difficult, but the signs themselves will be a deterrent. DelDOT will look over the ordinance again.
- G. Mechanic Street- Restoring 2-way Traffic Flow- still awaiting response from DelDOT. Harvey and Cathcart have both asked DelDOT to look at the timing of the 299 lights.
- H. NCC Emergency Operations Plan- As Harvey puts it, Odessa's needs are simple. In the case of an emergency, we need everything! She added that we are in communication with New Castle County officials.
- X. New Business
- A. Draft Ordinance: Public Gatherings- Harvey began writing an ordinance, but before presenting to Council, wants to meet with the Odessa Fire Company as well as Town residents to get their input. She emphasized her willingness to listen to all parties that would be affected. She asked Council to carry this agenda item over to the next

meeting. Representative Cathcart added that he has also gotten calls about the Odessa Fire Company's events.

B. Leaf Recycling- Harvey corresponded with DSWA and the Appoquinimink Watershed Association for design ideas. Sara Wozniak responded with some options. She said that DSWA does offer leaf recycling for a cost, which would be an acceptable use of grant money. She also suggested holding workshops to teach residents about backyard composting. A third option is a sheet leaf composting program, in which truckloads of leaves are taken to a local farmer. A community-wide compost pile would cause environmental problems including foul odor.

XI. Next Meeting's Date and Time: Monday, February 6, 2006, 7:00 PM

XII. Adjournment

**MOTION BY KARLYN GRANT, SECONDED BY JOHN FREEMAN: THAT THE MEETING BE ADJOURNED.**

**MOTION CARRIED. VOTE: 3 AYE, 0 NAY**

The meeting adjourned at 8:44 PM.

Minutes Approved:

2/6/06

Jessica Boston