

Town of Odessa
MINUTES FROM REGULAR TOWN COUNCIL MEETING
MONDAY, MARCH 6, 2006 - 7:00 PM
OLD ACADEMY BUILDING

Those present at 7:00 PM:

Mayor Kathy Harvey
Council Member John Freeman
Council Member Karlyn Grant
Council Member John Raudenbush

Treasurer James Grant
Secretary Jessica Norton

22 community members

- I. Call to Order and Pledge of Allegiance- The meeting was called to order at 7:00 PM.
- II. Roll Call
- III. Approval of Minutes- Regular Meeting 2/6/06- John Raudenbush clarified a statement made during the last meeting, stating that the letter issued to riders of off-road vehicles was not "certified" but was delivered by regular first class mail. The comment is here noted, though the minutes will reflect the discourse as spoken.

MOTION BY JOHN FREEMAN, SECONDED BY KARLYN GRANT: THAT THE MINUTES FROM THE REGULAR MEETING OF MAYOR AND COUNCIL ON FEBRUARY 6, 2006 BE ACCEPTED AS WRITTEN.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

- IV. Election- The Board of Elections has certified that the following people, who submitted letters of intention to run for office, meet the requirements to run:
 - A. For a 2- year term: David Fox, John Freeman, Karlyn Grant
 - B. For a 1-year term: Betts Jackson, Anthony Manista, Cindy Williams

A "Meet the Candidates Night" will be scheduled as soon as possible. Concerns should be addressed to the Secretary or the Board of Elections.
- V. Correspondence- letter from Mr. Bedzyk, discussed below.

- VI. Treasurer's Report- Treasurer Jim Grant read the Balance Sheet and Profit & Loss Budget Performance, attached hereto as attachment C.

MOTION BY KARLYN GRANT, SECONDED BY JOHN FREEMAN: THAT THE TREASURER'S REPORT BE ACCEPTED.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

- VII. Delaware State Police Report- The report was read by Lieutenant Bailey and is attached hereto as Attachment B. She reported that complaints about off-road vehicles seem to have subsided. Jerry Unruh raised a concern from the audience, which was echoed in a letter to the Town from Bill Bedzyk, regarding tractor trailers' parking along Southbound Route 13 north of Odessa. Bailey replied that she has spoken to DelDOT regarding the problem and suggested posting a "No Unattended Vehicles" sign.

VIII. Commission Reports

- A. Planning- Bill Bedzyk reported that the commission will meet on March 16. They are working with the University of Delaware and still plan to meet the June deadline for the Comprehensive Plan. They will host a public meeting to go over the land use map.
- B. Historic- Town received a \$1000 grant for painting from Preservation Delaware on behalf of a homeowner and is actively seeking additional funds.

MOTION BY KARLYN GRANT, SECONDED BY JOHN RAUDENBUSH: TO SOLICIT AND ACCEPT DONATIONS FOR PAINTING PROJECT ON HIGH STREET.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

Action: Council will make grant information available for residents.

- C. Trees- Commission considered bids and will have work completed using \$2000 grant money and \$85 from budget. Letters will be sent before work is done. Commission is planning Arbor Day and Earth Day activities.
- IX. Old Business
- A. House Bill 172 (Handicapped Parking)- Tabled.
- B. Jake Brake Signs- will remain on the agenda until the signs are posted. Jerry Unruh suggested contacting Representative Cathcart and Senator Vaughn to put pressure on DelDOT, calling the delay since passing the ordinance in October 2003 "inexcusable." Harvey did contact Cathcart.

- C. Draft Ordinance: Public Gatherings- Mayor Harvey reported that she has been communicating with Odessa Fire Company both by phone and in person and that Harvey Smith has been designated as the liaison between the Town and the Fire Company. The audience engaged in conversation regarding specific events at the Fire Company as well as general mischief around Town. Harvey summed up the arguments by stating that the Town does not have an issue with the fine service provided by Odessa Fire Company, but rather with the goings on of its social hall, and that she will continue to work with Odessa Fire Company to reach a solution that is agreeable to both parties.
- D. Route 299 Transportation Landscape Project- The project was originally supposed to go to bid in the Fall of 2005, but did not due to DelDOT budget cuts. At that time, the Department of Forestry grant for \$2000 was reallocated to the Trees Commission. The project now falls under a Federal Highways Program with a bid package. Harvey asked Council if they would want to pursue it, adding that the engineering firm felt that the money would go much farther in a State rather than Federal program; she suggested waiting so the Town can save money in the long run, 3-5 years from now. Karlyn Grant added that it is not feasible for the Town to put out a large sum of money at this time. Raudenbush felt that the money would be better spent later, calling this a “handout” from DelDOT.

MOTION BY JOHN RAUDENBUSH, SECONDED BY KARLYN GRANT: THAT THE TOWN NOT BID THE LANDSCAPING PROJECT OUT AS A FEDERAL PROJECT AND THAT DeIDOT BE NOTIFIED.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

Action: Mayor Harvey will notify DeIDOT.

- E. Second Reading: Ordinance 2006-1: An ordinance to repeal Odessa Parks Commission Ordinance- John Raudenbush reminded Council that Odessa Memorial Park is part of a grant and is a family-oriented asset to the Town. He recommended posting a sign up sheet for volunteers to continue the required inspections.

VOICE VOTE ON SECOND READING OF ORDINANCE 2006-1: JOHN FREEMAN, KARLYN GRANT, KATHY HARVEY, JOHN RAUDENBUSH ALL IN FAVOR, NONE OPPOSED.

ORDINANCE 2006-1, AN ORDINANCE TO REPEAL ODESSA PARKS COMMISSION ORDINANCE PASSED UNANIMOUSLY.

Action: Jessica Norton will post a sign-up sheet.

- F. Second Reading: Ordinance 2006-3: An ordinance granting non-exclusive cable franchise to Verizon Delaware, Inc.- In her “Report to Council,” attachment D, Mayor Harvey recommends adopting this ordinance. Harvey read the ordinance. Verizon representative Bonnie Metz added that engineering plans should be ready by Friday and construction could start soon after, offering the Town of Odessa fiber voice, video, and broadband that is faster than DSL in convenient package deals.

**VOICE VOTE ON SECOND READING OF ORDINANCE
2006-3: JOHN FREEMAN, KARLYN GRANT, AND
KATHY HARVEY IN FAVOR, NONE OPPOSED, JOHN
RAUDENBUSH ABSTAINING**

**ORDINANCE 2006-3, AN ORDINANCE GRANTING NON-
EXCLUSIVE CABLE FRANCHISE TO VERIZON
DELAWARE, INC. PASSED.**

Action: Harvey will sign the agreement.

- G. Second Reading: Ordinance 2006-2: An ordinance to amend Zoning Ordinance 97-1 section 80.1- Council and audience summarized many of the arguments presented in during the Public Hearing, including potential problems with taxation and the definition of “bed & breakfast.” Councilman Freeman suggested tabling the ordinance to allow Council time to explore the tax questions. Councilmembers Grant and Raudenbush recommended sending the ordinance back to the Planning Commission to tighten up the wording.

**MOTION BY KARLYN GRANT, SECONDED BY JOHN
RAUDENBUSH: TO SEND ORDINANCE 2006-2 BACK TO
THE PLANNING COMMISSION TO BE REWORKED.**

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

*Action: Jessica Norton will post the Planning Commission’s
agenda.*

- H. Councilman Raudenbush addressed Council, requesting that as his term comes to an end, Mayor and Council continue to ensure adequate representation of the West side of Town. He specifically referred to a deep rut in the road caused by recent utility work, stating that the Town must be held to the same standard of safety to which it expects dirtbikers and Mechanic Street motorists to adhere.

- X. New Business
 - A. Mowing Contract

MOTION BY JOHN RAUDENBUSH, SECONDED BY KARLYN GRANT; TO ACCEPT THE MOWING CONTRACT WITH MASSEY LAWN CARE.

MOTION CARRIED. VOTE: 3 AYE, 0 NAY

Action: Harvey will sign and return the contract.

- B. Schedule Budget Workshop- in April.

- XI. Next Meeting's Date and Time: April 3rd after the election, 8:30 PM

- XII. Adjournment

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

MOTION CARRIED. VOTE: 3 AYE, 0 NAY

The meeting adjourned at 8:56 PM.

Minutes Approved:

4/3/06

Jessica Norton