

Town of Odessa

**MINUTES FROM THE REGULAR TOWN MEETING OF MAYOR AND COUNCIL
MONDAY, JUNE 6, 2016 - 7:00 PM
OLD ACADEMY BUILDING
315 MAIN STREET
ODESSA, DE 19730**

Those present at 7:00 pm

Mayor: Kathy Harvey

Council Member: John Freeman

Council Member: Harvey Smith

Treasurer: Lionel Hynson (arrived at 7:21pm)

Secretary: Barbara Roberts

1 community member (Ed Pollard) & Kenneth Branner from Artesian Water Company

I. Pledge of Allegiance & meeting called to order at 7:08 p.m.

II. Roll Call

**MOTION BY JOHN FREEMAN, SECONDED BY HARVEY SMITH TO EXCUSE
LINDSAY RICE, BETTS JACKSON & LIONEL HYNSON FROM THE JUNE 6, 2016
MEETING OF MAYOR & COUNCIL**

MOTION CARRIED. VOTE 3 AYES, 0 NAYS

Mayor Harvey asked for a motion to move the review of the Right of Way Agreement with Artesian Water Company, up in the agenda to accommodate Mr. Branner's schedule.

**MOTION BY HARVEY SMITH, SECONDED BY JOHN FREEMAN TO MOVE THE
ARTESIAN AGREEMENT DISCUSSION UP IN THE AGENDA**

MOTION CARRIED. VOTE 3 AYES, 0 NAYS

- Mr. Branner reviewed the agreement with Council, outlining Artesian Water Company's plans to-date, and the tentative schedule to notifying residents of costs and responsibilities if they elect to participate in the public water project.
- Mayor Harvey noted that we have sent the agreement to the Town Attorney for legal review.
- Council agreed to not move forward with a motion on this agreement until the Mayor can speak with the attorney on his findings.

- III. Approval of Minutes
- a. Budget Workshop 5/2/2016 (2 page minutes document)
 - b. Regular Meeting of Mayor & Council 5/2/2016 (3 page minutes document)

MOTION BY HARVEY SMITH, SECONDED BY JOHN FREEMAN TO ACCEPT THE MINUTES FROM THE BUDGET WORKSHOP & REGULAR MEETING OF MAYOR & COUNCIL AS PRINTED

MOTION CARRIED. VOTE 3 AYES, 0 NAYS

- IV. Correspondence - *None*

- V. Treasurer's Report
- a. Balance Sheet/Profit and Loss as of 5/31/2016, attached hereto as attachments A & B (3 pg. report).

MOTION BY JOHN FREEMAN, SECONDED BY HARVEY SMITH TO APPROVE THE TREASURERS REPORTS FROM 5-31-2016

MOTION CARRIED. VOTE: 3 AYES, 0 NAYS

- VI. Commission Reports
- a. Historic – Meeting date May 12, 2016
 - b. Planning – Meeting date May 19, 2016 (minutes attached hereto as attachment C)
 - c. Trees – No May meeting

- VII. Old Business
- a. Set date for Public Hearing for Ord: 2016-01: Amend ord. 97-1 Zoning Ordinance, Section 81, C-1 General Commercial District 81-1, Permitted Uses – add #13 to read: Single Family Dwelling, attached hereto as attachment D (1 page ordinance)
 - Council agreed to schedule the public hearing for Ord. 2016-01 to July 11, 2016 at 6:45pm

- VIII. New Business
- a. Right of Way Agreement – Artesian Water

MOTION BY JOHN FREEMAN, SECONDED BY HARVEY SMITH TO TABLE THE RIGHT OF WAY AGREEMENT WITH ARTESIAN WATER COMPANY UNTIL THE LEGAL REVIEW IS COMPLETED BY THE TOWN ATTORNEY

MOTION CARRIED. VOTE 3 AYES, 0 NAYS

- b. Resolution 2016-2: Set Tax Rate for Fiscal Year 2016-2017, attached hereto as attachment E & F (1 page resolutions)

MOTION BY HARVEY SMITH, SECONDED BY JOHN FREEMAN TO AMEND RESOLUTION 2016-2, DELETING THE SECTION THAT STATES “BASED ON UNPAID BALANCES”

MOTION CARRIED. VOTE 3 AYES, 0 NAYS

MOTION BY HARVEY SMITH, SECONDED BY JOHN FREEMAN TO ACCEPT RESOLUTION 2016-2 IN ITS REVISED FORM, SO THE RESOLUTION WOULD READ “INTEREST RATE FOR UNPAID TAXES AND TRASH IS SET AT 2% PER MONTH

MOTION CARRIED. VOTE 3 AYES, 0 NAYS

- c. Resolution 2016-3: Set compensation for the Town Clerk, attached hereto as attachment G (1 page resolution)

MOTION BY JOHN FREEMAN, SECONDED BY HARVEY SMITH TO APPROVE RESOLUTION 2016-3 SETTING THE COMPENSATION FOR THE TOWN CLERK

MOTION CARRIED. VOTE 3 AYES, 0 NAYS

- d. Resolution 2016-4: Set compensation for the Town Secretary, attached hereto as attachment H (1 page resolution)

MOTION BY HARVEY SMITH, SECONDED BY JOHN FREEMAN TO APPROVE RESOLUTION 2016-4 SETTING THE SALARY FOR THE TOWN SECRETARY

MOTION CARRIED. VOTE 3 AYES, 0 NAYS

- At last month’s meeting, Council approved the purchase of a flag for the “Flag’s For Hero’s” program, sponsored by the Rotary. Flags were displayed at MHS on Memorial Day weekend and will be again on Veterans Day. Attached hereto as attachment I (1 page thank you letter)
- The Town has been contacted by the State of Delaware ADA Compliance Officer concerning ADA requirements throughout the Town. They cited the Town on 3 issues, 1 of which has already been resolved. They also recommended the Town conduct a self-evaluation, which has already been started.
- Mayor Harvey has contacted DNREC, Public Health and NCC concerning the complaints by some residents of standing water in neglected swimming pools and their concern about mosquito breeding and general health and safety issues related to these pools. They said they will investigate these concerns and spray.
- Council members each received a copy of the 2015 International Property Maintenance Code for review. Further discussion will take place on this code after council has a chance to review it.

IX. Next Meeting Date and Time

- a. Next meeting of Mayor & Council, July 11, 2016 at 6:45 for the public hearing and 7:00 pm for the regular meeting of Mayor & Council

X. Adjournment

MOTION BY HARVEY SMITH, SECONDED BY JOHN FREEMAN TO ADJOURN THE MEETING AT 7:55 PM.

MOTION CARRIED. VOTE: 3 AYES, 0 NAYS

Minutes Submitted: 6-9-16
Date

Barbara Roberts
Secretary

Approved: _____
Date