

Town of Odessa

**MINUTES FROM THE REGULAR TOWN MEETING OF MAYOR AND COUNCIL
MONDAY, SEPTEMBER 12, 2016 - 7:00 PM
OLD ACADEMY BUILDING
315 MAIN STREET
ODESSA, DE 19730**

Those present at 7:00 pm

Mayor: Kathy Harvey
Council Member: Lindsay Rice
Council Member: Betts Jackson
Council Member: Harvey Smith

Treasurer: -

Secretary: Barbara Roberts

1 Guest or Community Members: Kenneth Branner, Artesian Water

I. Pledge of Allegiance & meeting called to order at 7:09 p.m.

II. Roll Call

MOTION BY HARVEY SMITH, SECONDED BY BETTS JACKSON TO EXCUSE JOHN FREEMAN FROM THE SEPTEMBER 12, 2016 REGULAR MEETING OF MAYOR & COUNCIL

MOTION CARRIED. VOTE 4 AYES, 0 NAYS

MOTION BY BETTS JACKSON, SECONDED BY LINDSAY RICE TO EXCUSE LIONEL HYNSON FROM THE SEPTEMBER 12, 2016 REGULAR MEETING OF MAYOR & COUNCIL

MOTION CARRIED. VOTE 4 AYES, 0 NAYS

III. Approval of Minutes

a. Regular Meeting of Mayor & Council 8-1-16 (3 page minutes document)

MOTION BY HARVEY SMITH, SECONDED BY BETTS JACKSON TO APPROVE THE MINUTES FROM AUGUST 1, 2016 MEETING OF MAYOR & COUNCIL

MOTION CARRIED. VOTE 4 AYES, 0 NAYS

IV. Correspondence - *None*

- V. Treasurer's Report
- a. Balance Sheet/Profit and Loss as of 8/31/2016, attached hereto as attachments A & B (3 pg. report).

MOTION BY HARVEY SMITH, SECONDED BY BETTS JACKSON TO APPROVE THE TREASURERS REPORT FOR 8-31-2016

MOTION CARRIED. VOTE: 4 AYES, 0 NAYS

- VI. Commission Reports
- a. Historic – Meeting Date: 8-11-2016
 - b. Planning – No August Meeting
 - c. Trees – No August Meeting
 - Mayor Harvey reported that Delaware State Forestry Service had conducted a tree survey, and made recommendations on which trees needed maintenance. The Town will apply for a forestry grant and act on as many of these recommendations as possible. Attached hereto as attachment C (2 page survey & map)
- VII. Old Business
- a. Right of Way Agreement – Artesian Water Company, attached hereto as attachment D (9 page agreement in draft form).
 - Town Attorney has reviewed and made recommendations on this agreement.
 - Artesian Water company representative was emailed the Town's concerns with the agreement, and the Town is waiting for their response.
 - Mr. Branner will have Artesian update the agreement with the Town's concerns and have a copy sent to the Town
 - After discussion, Council agreed to vote on the agreement

MOTION BY HARVEY SMITH, SECONDED BY LINDSAY RICE TO ACCEPT THE RIGHT OF WAY AGREEMENT WITH ARTESIAN WATER COMPANY, SUBJECT TO THE FOLLOWING CORRECTIONS, OR THIS AGREEMENT IS NULL AND VOID:

**SECTION 5, SUBSECTION B: RESTORATION OF BRICK SIDEWALKS
SECTION 7: GRANTEE AGREES TO PAY PROPERTY TAXES TO THE TOWN
SECTION 11: TOWN HALL BUILDING, CONNECTED TO THE SYSTEM AT NO CHARGE**

MOTION CARRIED. VOTE 4 AYES, 0 NAYS

- b. 1st Reading: Ord. 2016-02: International Property Maintenance Code, 2015 Edition, attached hereto as attachment E (1 page ordinance)
 - This constitutes a first reading of ord. 2016-02
 - Public comments will be heard during the second reading, Oct 3, 2016

- c. 1st reading: Ord. 2016-03: Establishing Regulations & Responsibilities for Sidewalk Maintenance, Repair and Replacement, attached hereto as attachment F (5 page ordinance)
- This constitutes a first reading of ord. 2016-03
 - After some discussion on this ordinance, Mayor Harvey asked Council to come back next month with amendments to this ordinance.
 - Public comments will be heard during the second reading, Oct 3, 2016

VIII. New Business

- Councilman Smith asked about repair of the bricks and landscaping timbers around the Post Office kiosk. Mayor Harvey said we had spoken to a contractor but he never got back with a proposal. She will pursue another contractor.
- Cracks are appearing on the steps to the Town Hall and it has been determined they are caused by putting incorrect type of salt on the bricks. We will have to change the type of salt used for ice & snow removal.

IX. Next Meeting Date and Time

- a. Next regular meeting of Mayor & Council, October 3, 2016 at 7:00pm

X. Adjournment

MOTION BY BETTS JACKSON, SECONDED BY LINDSAY RICE TO ADJOURN THE MEETING AT 7:55 PM.

MOTION CARRIED. VOTE: 4 AYES, 0 NAYS

Minutes Submitted: 9-15-16
Date

Barbara Roberts
Secretary

Approved: _____
Date