

Town of Odessa

**MINUTES FROM THE REGULAR TOWN MEETING OF MAYOR AND COUNCIL
MONDAY, NOVEMBER 6, 2023 - 7:00 PM
OLD ACADEMY BUILDING
315 MAIN STREET
ODESSA, DE 19730**

Those present at 7:00 PM:

Mayor: Harvey C. Smith Jr.
Council Member: Lenny Aguilar
Council Member: John Freeman
Council Member: Lionel Hynson
Treasurer: David Sheats
Secretary: Amy Marie Ottinger
12 community members

- I. Call to Order & Pledge of Allegiance - Meeting was called to order at 7:01 PM.
- II. Roll Call

MOTION BY JOHN FREEMAN, SECONDED BY LENNY AGUILAR TO EXCUSE YENI OCAMPO FROM THE NOVEMBER 6, 2023 MEETING OF MAYOR & COUNCIL.

MOTION CARRIED. VOTE 4 AYES, 0 NAYS, 0 ABSTAIN

- III. Approval of Minutes
 - a. Minutes: Regular Meeting of Mayor & Council 10-2-23

MOTION BY LIONEL HYNSON, SECONDED BY JOHN FREEMAN TO APPROVE THE MINUTES FROM THE OCTOBER 2, 2023 MEETING OF MAYOR & COUNCIL.

MOTION CARRIED. VOTE 4 AYES, 0 NAYS, 0 ABSTAIN

- IV. Correspondence - None
- V. Treasurer's Report
 - a. Balance Sheet / Profit & Loss as of 10-31-23, attached hereto as Attachments A & B (3-page reports)
 - b. Treasurer Sheats reviewed various expenses on the report such as payments to Tree Inc in the amount of \$1500.00 for tree work completed at Old Academy and \$4250.00 for tree work performed at Memorial Park. Deposits consisted of transfer taxes, property tax payments, Halloween in the park donations and permit fees.

MOTION BY LIONEL HYNSON, SECONDED BY LENNY AGUILAR TO APPROVE THE TREASURERS REPORT FROM 10-31-23.

MOTION CARRIED. VOTE 4 AYES, 0 NAYS, 0 ABSTAIN

VI. Commission Reports

- a. Historic – No October meeting
- b. Planning – Meeting was 10-19-23. There was no quorum. Next meeting is scheduled for 11-16-23.
 - Council members received printed copies of the 2022 Update to the 2012 Town of Odessa Comprehensive Plan.

VII. Old Business

- a. American Rescue Act Funding
 - Following the advice of the ARPA attorney, Barnes & Thornburg, a grant agreement was created from a template provided by them, attached hereto as Attachment C (1-page ARPA Accounting and 8-page grant agreement) which stipulates terms and conditions for a monetary disbursement from council to each of the four non-profits the town has: Odessa Fire Company, Women’s Club, Corbit Calloway Library and Historic Houses of Odessa. The contract stipulates the lump sum amount, timeframe for disbursement, and defines the spending and reporting periods. After this disbursement it will leave the town with a little over \$37,000.00 in remaining ARPA funds.

MOTION BY LIONEL HYNSON, SECONDED BY LENNY AGUILAR TO PROVIDE A LUMP SUM DISBURSEMENT OF \$10,000.00 TO EACH OF THE FOUR NON-PROFITS FROM THE TOWN OF ODESSA’S ARPA FUNDING.

MOTION CARRIED. VOTE 4 AYES, 0 NAYS, 0 ABSTAIN

- The Mayor requested approval from Council to use ARPA funds for the removal of a dead tree on Third street and to cut back overgrowth on Osbourne Street prior to Christmas in Odessa, attached hereto as Attachments D & E (1-page estimates).

MOTION BY LIONEL HYNSON, SECONDED BY JOHN FREEMAN TO APPROVE TREE INC ESTIMATE #2720 IN THE AMOUNT OF \$1,975.00 FOR DEAD TREE REMOVAL ON THIRD STREET AND ESTIMATE #2722 IN THE AMOUNT OF \$375.00 FOR OVERGROWTH REMOVAL ON OSBOURNE STREET.

MOTION CARRIED. VOTE 4 AYES, 0 NAYS, 0 ABSTAIN

b. Memorial Park & Old Academy Updates

- Memorial Park – The tree work has been completed. Resealing of the walking path has been postponed until the Spring due to leaves dropping along with the daily temperatures. The contractor, Moore Seal Inc, will honor the quoted price until then. The town’s Halloween in the Park event was a huge success with over 30 trick or treat stations. The town sponsored a station which handed out candy, popcorn and cotton candy. We also provided a craft station, games, and a costume contest with first second and third place winners. The town would like to give a big thank you to Amanda Russell for making this event possible and to all of those who made monetary and similar donations.
- Old Academy – The tree work has been completed. Bathroom renovations are complete as well.

- c. 405 Main Street Update – The home was demolished by October 25, 2023. There was a sewer line that was capped at the street. A Kelly well (3’ diameter brick lined well) was discovered, sealed and properly abandoned. This means the property will now require a water hook up through Artesian Water Service. The yard has been seeded and covered with straw. Payment to the contractor Design Contracting Inc in the amount of \$33,000 will be mailed out tomorrow. A letter will be sent by the Mayor to the owner requesting payment for the demolition, permit fees, and any taxes due and owing on the property. The owner will then have 30 days to provide payment via certified check. If payment is not received after the 30 days, the Mayor will move forward with placing a lien on the property.

VIII. New Business

- a. Leaf Pick Up Dates – Tuesday, November 14th & Tuesday, November 28th, attached hereto as Attachment F (1-page notice)
- b. Thanksgiving Office Closure – Town offices will be closed on Thursday, November 23, 2023 in observance of the Thanksgiving holiday, attached hereto as Attachment G (1-page notice). Offices will reopen on Monday, November 27, 2023.

IX. Public Comment

- Michelle Burton presented Mayor & Council with a petition on behalf of town residents in support of the towns current zoning ordinance 97-1 thus maintaining the single-family residential R-1 ½ acre lot size, attached hereto as Attachment H (1 page cover letter & 15 pages of petitions).
- A resident inquired as to follow up on the proposals by DeIDOT on the bicycle and pedestrian path. The Mayor stated that there has been no further movement on this matter. The resident also inquired about an electronic speed reader for RT 13 NB. The mayor stated he will address the matter with Kevin Hensley to see if we can get one for the town.

X. Next Meeting Date and Time: Monday, December 4th at 7:00PM

Miscellaneous:

- Barry Baker (Osbourne Street Sub-Division) has submitted two requests that were approved by the towns zoning administrator: an administrative subdivision plan and a major subdivision plan. The approved major subdivision plan, attached hereto as Attachment I (2-page plot plan, 1-page engineers report, 1-page impact statement) is currently available for viewing at town hall. Next step will be for them to come before the Planning Commission and then for final plan approval by Mayor & Council.
- Mayor Smith had a busy month representing the Town of Odessa at several local functions such as Halloween in the Park, a Zoar Foundation meeting, the Corbit Calloway Library expansion fundraiser, and Odessa High School’s Marching Band presentation for their upcoming trip to London England for the New Years Day Parade in 2025. The Mayor stated that Odessa High School has requested representation from the town at memorable future events like graduation and such.
- Coffee Talk with Kevin Hensley will be Tuesday, November 14 @ 8:30 AM at the Odessa Fire Company
- Christmas in Odessa is scheduled for Saturday, December 2 from 9:30 AM to 5:30 PM. It’s the 59th Anniversary this year for Christmas in Odessa with over 26 stops on the tour. Advanced tickets were available for purchase starting November 1st until midnight on December 1st. Event is held rain or shine.

XI. Adjournment

MOTION BY JOHN FREEMAN, SECONDED BY LIONEL HYNSON TO ADJOURN THE MEETING AT 7:38 PM.

MOTION CARRIED. VOTE 4 AYES, 0 NAYS, 0 ABSTAIN

Minutes Submitted: 11/13/2023
By: Amy Marie Ottinger
Town Secretary
Approved: 12-4-23

c:meetings&agenda/2023