

# Town of Odessa

**MINUTES FROM THE PUBLIC HEARING  
MONDAY MAY 6, 2024 - 6:30 PM  
OLD ACADEMY BUILDING  
315 MAIN STREET  
ODESSA, DE 19730**

Those present at 6:30 PM:

Mayor: Harvey C. Smith Jr.  
Council Member: Lenny Aguilar  
Council Member: John Freeman  
Council Member: Lionel Hynson  
Council Member: Yeni Ocampo  
Treasurer: David Sheats  
Secretary: Amy Marie Ottinger  
No community members

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- I. Call to Order - The meeting was called to order at 6:30 PM.
- II. Roll Call
- III. Public Comment – Breezeline Cable Franchise Renewal, attached hereto as Attachment A (*18-page agreement*)
  - The prior agreement is expiring. This new agreement will run for a term of (10) years with an automatic extension rider of (3) additional terms of (5) years.
  - The new proposed agreement was sent to our Town Solicitor Barrett Edwards for review. He negotiated with the franchisee and the proposed changes are as follows:
    - Section (1)(d): There is the addition of a level playing field clause. Meaning if the Town of Odessa enters into another franchise agreement that Breezeline believes to have more beneficial terms, Breezeline would have the option of adopt all the terms from the other franchise agreement in full, but it couldn't just pick out those provisions it felt were more favorable.
    - Section (2): There will be no increase in Franchise Fees. The town will continue to receive 3% as in the prior agreement.
    - Section (3)(c)(3) : Breezeline has agreed to provide cable services to the two new developments being planned in Odessa (Osbourne Street Development and Odessa Commons) provided they are technically and economically feasible and notice is provided to the Franchisee in advance of construction.
    - Section (4)(b)(2): Breezeline has agreed to increase their auto liability insurance requirement to 1,000,000 per occurrence.
    - Exhibit 2 – Breezeline has agreed to provide Limited and Value Cable Services to the Town of Odessa if desired.
  - Mayor Smith asked council if they had any questions and opened the floor to comments. There were no questions or comments.

**MOTION BY LIONEL HYNSON, SECONDED BY LENNY AGUILAR TO MOVE TO COUNCIL FOR FINAL APPROVAL AT THE 7:00 PM MEETING OF MAYOR & COUNCIL.**

**MOTION CARRIED. VOTE 5 AYES, 0 NAYS, 0 ABSTAIN**

IV. Adjournment – The meeting was adjourned at 6:32 PM.

Minutes Submitted: 5/7/2024  
By: Amy Marie Ottinger  
Town Secretary  
Approved: 6-3-24