

# Town of Odessa

**MINUTES FROM THE REGULAR TOWN MEETING OF MAYOR AND COUNCIL  
MONDAY, OCTOBER 7, 2024 - 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: John Freeman  
Council Member: Lionel Hynson  
Council Member: Yeni Ocampo  
Treasurer: David Sheats  
Secretary: Amy Marie Ottinger  
County Councilman David Carter  
County Councilman Kevin Caneco  
(3) community members

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- I. Call to Order & Pledge of Allegiance – The meeting was called to order at 7:00 PM.
- II. Roll Call

**MOTION BY JOHN FREEMAN, SECONDED BY LIONEL HYNSON, TO EXCUSE LENNY AGUILAR FROM THE OCTOBER 7, 2024 MEETING OF MAYOR & COUNCIL.**

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

The Mayor went out of sequence for the meeting and introduced our newly elected County Councilman Kevin Caneco who recently won the Democratic primary in September, and since he has no opposition in the general election in November, he will be taking Bill Bell's position and representing the Town of Odessa office starting November 19<sup>th</sup>, 2024. Kevin stated that he looked forward to working with the Mayor and being an asset to the Town of Odessa.

- III. Approval of Minutes
  - a. Minutes: Regular Meeting of Mayor & Council 9-9-24

**MOTION BY YENI OCAMPO, SECONDED BY JOHN FREEMAN, TO APPROVE THE MINUTES FROM THE SEPTEMBER 9, 2024 REGULAR 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 9-30-24, attached hereto as Attachments A & B (3-page reports)
  - b. Treasurer Sheats reviewed various expenses on the balance sheet. In the Odessa Community Account, the deposit consisted of rental income. Expenses consisted of normal operating expenses with the exception of a payment to PHB Inc in the amount of

\$602.50 for repairing two rotten windowsills at the Old Academy. Remaining American Rescue Act Funding (ARPA) funds were used for this repair. In the PNC Operating Account, deposits consisted of mainly property tax payments, permit fees, and JP court fees. The town also received its Municipal Street Aid Grant in the amount of \$11,127.69 which is used to pay for street lighting. Expenses consisted of normal operating expenses with the exception of a payment to DE League of Local Governments in the amount of \$525.00 for yearly membership dues, a payment to Casella (our trash collection company) in the amount of \$19,831.98 for four months of trash service, and a payment to A-Del Construction Company in the amount of \$34,282.50 for the Front Street repaving project and High Street speed bump installation. The town secretary has requested reimbursement for this project from the State of Delaware in the amount of \$29,982.50. Total assets are \$663,554.43.

**MOTION BY LIONEL HYNSON, SECONDED BY JOHN FREEMAN, TO APPROVE THE TREASURER’S REPORT FROM 9-30-24.**

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

VI. Commission Reports

- a. Historic – Meeting was 9-12-24 (Maureen Given, Timothy Jubilee, K. Hovnanian)
- b. Planning – No meeting in September

VII. Old Business

a. Old Academy Update

- Mayor Smith provided an update to Council on the status of the Old Academy roof. The Davinci Cedar Shake composite roof was installed the week of September 23, 2024.
- There were (3) sheets of plywood decking and an additional 62’ of crown moulding that was rotted and needed to be replaced. A change order in the amount of \$906.67 was signed by the Mayor for the additional work.
- The crew ran short on ridge cap materials. More caps were ordered and they are expected to take (3) weeks to come in. The roof is water-tight and Kirkin Exteriors will return to install the caps as soon as they come in. \$500 was withheld from the final invoice until the job is completed.
- The roof replacement is being paid for with a combination of State of Delaware 2024 Bond & Capital Improvement Grant monies and the remainder of the American Rescue Act Funding (ARPA).
- PHB repaired two rotten windowsills: one outside council chambers and one on the far side of the building. The cost of the repair was \$602.50 and was paid for using remaining ARPA funds.

VIII. New Business

- a. Introduction of Ordinance 2024-01: An Ordinance Banning Marijuana Establishments in the Town of Odessa, attached hereto as Attachment C (*3-page Ordinance*)
  - Mayor Smith provided a brief background on how this ordinance originated.
  - The town secretary provided the first reading of the Ordinance.
  - Councilman Hynson stated he felt the need for more information before voting on the matter.

**MOTION BY JOHN FREEMAN, SECONDED BY YENI OCAMPO, TO APPROVE THE FIRST READING AND MOVE ORDINANCE 2024-01 TO A SECOND AND FINAL READING AT THE NOVEMBER MEETING OF MAYOR & COUNCIL.**

**MOTION CARRIED. VOTE 3 AYES, 1 NAY (HYNSON), 0 ABSTAIN**

- b. Boyer & Boyer Engagement Letter, attached hereto as Attachment D (*2-page engagement letter*)

**MOTION BY YENI OCAMPO, SECONDED BY JOHN FREEMAN, FOR THE MAYOR TO SIGN THE ENGAGEMENT LETTER WITH BOYER & BOYER TO PERFORM THE YEARLY AUDIT FOR YEAR ENDING JUNE 30, 2024.**

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

- c. 2024-2025 Snow Removal Contract, attached hereto as Attachment E (*1-page contract*)

**MOTION BY JOHN FREEMAN, SECONDED BY YENI OCAMPO, TO APPROVE THE 2024-2025 SNOW REMOVAL CONTRACT WITH AUSTIN & BEDNASH FOR THE TOWN OF ODESSA.**

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

IX. Public Comment – There were no public comments.

- X. Next Meeting Date and Time: Next meeting of Mayor and Council will be Monday, November 4, 2024 at 7:00 PM with a public meeting at 6:45 PM for the final reading of Ordinance 2024-01.

Miscellaneous:

- The Town of Odessa will be hosting a Halloween in the Park event on Saturday, October 26<sup>th</sup> from 2-4 PM. We are currently accepting donations (monetary, crafts and/or candy) with a drop box for candy donations outside of the town secretary’s office. Sponsorship forms are available. Although we have twenty people signed up so far, there is still a need for people to hand out candy along the trail and prizes for the costume contest. Please contact Amanda Russell with any additional questions.

XI. Adjournment

**MOTION BY JOHN FREEMAN, SECONDED BY LIONEL HYNSON, TO ADJOURN THE MEETING AT 7:26 PM.**

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

Minutes Submitted: 10/17/24  
By: Amy Marie Ottinger  
Town Secretary  
Approved: \_\_\_\_\_