

# Town of Odessa

**MINUTES FROM THE REGULAR TOWN MEETING OF MAYOR AND COUNCIL  
MONDAY, MAY 4, 2026 - 7:00 PM  
OLD ACADEMY BUILDING  
315 MAIN STREET  
ODESSA, DE 19730**

Those present at 7:00 PM:

Mayor: Harvey Smith

Council Member: John Freeman

Council Member: Yeni Ocampo

Secretary: Megan Heck

Treasurer: Amy Marie Ottinger

(9) community members (Carole Coleman, Michael Callaghan, Matthew Fiedler, Andrew Ward, Melaine Minear, Sean & Jenn Mattingly, Maureen Given, Sam Cannan)

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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 YENI OCAMPO, TO EXCUSE LIONEL HYNSON FROM THE MAY 4, 2026 MEETING OF MAYOR & COUNCIL.**

**MOTION CARRIED. VOTE: 3 AYES, 0 NAYS, 0 ABSTAIN**

- III. Approval of Minutes
  - a. Minutes: Regular Meeting of Mayor & Council 4-6-2026

**MOTION BY YENI OCAMPO, SECONDED BY JOHN FREEMAN, TO APPROVE THE MINUTES FROM THE APRIL 6<sup>TH</sup>, 2026 REGULAR MEETING OF MAYOR & COUNCIL.**

**MOTION CARRIED. VOTE: 3 AYES, 0 NAYS, 0 ABSTAIN**

- IV. Correspondence- Public Notice from Alcoholic Beverage Control Commissioner concerning variance requested at Cantwell's Tavern, 109 Main St. Odessa; received via mail 4-28-2026, attached hereto as Attachment A (*1-page letter*)

Correspondence- Leonard Aguilar, Town Council Member, submitted his letter of resignation via email, received 5-2-2026 and effective immediately, attached hereto as Attachment B (*1-page email*)

- V. Treasurer's Report
  - a. Balance Sheet / Profit & Loss as of 4-30-2026, attached hereto as Attachments C & D (*2- page reports each*). Treasurer Ottinger reviewed various expenses on the report.  
Looking at the Balance Sheet for the Period Ending April 30, 2026:
    - 1) In the Odessa Community Account (Old Academy Account): Expenses consisted of normal operating expenses with the exception of a payment to Kirkin Exteriors in the amount of \$3,036.21 for the balance on the installation of snow guards on the roof here at town hall.

- 2) In the PNC Operating Account: Deposits totaling \$11,260.84 consisted of JP court fees, permit fees and transfer tax received from the sale of 636 Main Street. There was a one-time transfer in the amount of \$3,000.00 from this account to the Municipal Street Aid Account to make sure that account did not overdraw since there have been so many snow related expenditures this year. Expenses consisted of normal operating expenses with the exception of a payment in the amount of \$166.00 payable to Dave's Locksmithing for the re-keying of a rental unit upstairs and two payments totaling \$400.00 payable to Wiggins Shredding for a long overdue file and records management project.
- 3) In the Municipal Street Aid Account: Expenses consisted of normal operating expenses and show the \$3,000.00 transfer of funds from the Operating Account. Total assets are \$905,198.47.

**MOTION BY JOHN FREEMAN, SECONDED BY YENI OCAMPO, TO APPROVE THE TREASURERS REPORT FROM 04-30-2026.**

**MOTION CARRIED. VOTE: 3 AYES, 0 NAYS, 0 ABSTAIN**

VI. Commission Reports

- a. Historic – Meeting was 4-9-26 (Gauger - approved iron porch handrails; Miller - approved 2 windows, changed 1 design before approval: 3 total; Historic Odessa- shed extension approved; WSM/GWM LLC- finalization of materials approved; Seibert/Dolamore preliminary discussion- no decision).
- b. Board of Adjustment – Meeting was 4-14-26 (Mayor & Council special exception use approval for new renter; Ortiz side yard zoning variance for shed placement).
- c. Planning – No meeting in April

VII. Old Business – there was no old business

VIII. New Business

- a. Commission Appointments, attached hereto as Attachment E (*1-page document*)  
There is a vacancy on the Board of Adjustments, no response received on re-appointment request; if that remains, Mayor Smith will call for appointment approval at June's town council meeting. Tom Carle, Planning Commission, wished to retire and not be re-appointed.

**MOTION BY JOHN FREEMAN, SECONDED BY YENI OCAMPO, TO APPROVE THE APPOINTMENTS FOR 2026-2027, FOR THE 1-YEAR TERMS FOR TOWN SECRETARY, SOLICITOR, ENGINEER AND ZONING ADMINISTRATOR.**

**MOTION CARRIED. VOTE: 3 AYES, 0 NAYS, 0 ABSTAIN**

\*Commission Appointments, attached hereto as Attachment E (*1-page document*), included Historic Commission members with 2-year terms that expired in 2026. Mayor Smith reviewed them to ensure all were properly appointed and called for a motion.

**MOTION BY YENI OCAMPO, SECONDED BY JOHN FREEMAN, TO APPROVE THE APPOINTMENTS FOR 2026-2028 HISTORIC COMMISSION APPOINTMENTS AS LISTED.**

**MOTION CARRIED. VOTE: 3 AYES, 0 NAYS, 0 ABSTAIN**

- b. Melaine Minear & Carole Coleman – discuss Saw Leaf Zelcova tree removal

Carole Coleman read a poem “Trees” by Joyce Kilmer. Carole explained they wanted council to rescind the previous vote to remove the tree. Carole read a letter from the Quentin Schlieder, prior Tree Commission Member, to Mayor & Council concerning the tree and retaining wall near it. A picture of the tree was presented. Carole stated she has the same kind of tree and it’s 31 years old.

Carole read an ordinance that was started under previous Mayor, Kathy Harvey, in 2016, but not passed; Ordinance: 2016-03. Carole read the construction sidewalk policy for the Town of Odessa adopted by council on 3-12-2002, found on our website.

Melaine (Mel) Minear stated she spent a great deal of time researching the charter & ordinances. Copies she would like filed were given to the town secretary, attached hereto as Attachments F (23- page document submitted). Mel is disappointed by the removal of the tree and spoke on the importance of trees to Mayor & Council. Mel discussed the removal of boxwoods in front of the Old Academy. Mel read the first line of the oath of office and explained that the American automobile is being prioritized over the people. Speeding examples, nonstops at stop signs, and noise pollution were all given examples of public safety concerns. Mel shared the Town Tree map. Mel requested time on the next meeting agenda for bidding and threshold discussion. Mel questioned the Page Precision contract for landscaping and questioned Councilmembers if they had approved it.

Mayor Smith responded the State of Delaware’s threshold is \$10,000, which the town uses.

Melaine stated she wants to be more involved and will attend more meetings. She thanked everyone.

Mayor Smith addressed the boxwood bushes - the lack of maintenance on the boxwood bushes allowed for hidden items such as drug paraphernalia, condoms, blankets, etc. Safety was the main concern for removing the overgrown boxwoods; for the children attending the park and the safety if someone was hiding in the overgrowth when staff would leave the building. Mayor Smith also mentioned that he didn’t realize that tree stumps had to come out - those will be removed. It will be added in next year’s budget. Mayor Smith stated he and Council do the best they can. When Mary Alice Aguilar came in, she made an official complaint and stated how a tree was damaging the walkway and curbing in front of her house. We verified it was a town tree. Tree Inc, now Cassello, evaluated the tree, as well as Andrew Bradley - the arborist for Historic Homes- and agreed it should go because of the damage it was causing. Mel’s pros are correct, not mentioned were cons- weak branches and evasive roots which can extend out 1.5 times the height of the tree. For example, the roots of a 50 ft. tree can extend 75 ft. This information is what was used to make the decision to continue the tree removal.

John Freeman spoke on the fact that he contacted a tree person and the recommendation was that the tree should come down.

Mel mentioned that Page Precision drives their ride on mowers too quickly down the street.

Jen Mattingly asked who is going to fix the sidewalk in front of 501 High Street? Mayor Smith responded that it’s the homeowner’s responsibility, after the stump removal, which will be drilled down about 6” below grade.

- c. Councilman Freeman asked Mayor Smith if the State Police can monitor morning traffic because of how fast people drive and how many only slow down for the stop sign? Mayor Smith said we could ask Jobs 4 Blue and reviewed his personal 8-hour traffic study he previously conducted.

Sean Mattingly stated the High St. speed bump is very low and doesn't slow anyone down. He asked that the town request a radar camera from the light to the Sunoco station to assist with speeding.

- d. Leonard Aguilar's Letter of Town Council Resignation- Mayor Smith called for a motion to accept his letter.

**MOTION BY JOHN FREEMAN, SECONDED BY YENI OCAMPO, TO REGRETFULLY ACCEPT LEONARD AGUILAR'S LETTER OF RESIGNATION AS SUBMITTED.**

**MOTION CARRIED. VOTE: 3 AYES, 0 NAYS, 0 ABSTAIN**

- IX. Public Comment - Sean Mattingly asked why, when he had an old tree that was falling down before, he had to fight and fight for it to be removed? Mayor Smith responded that when there was a tree commission, it would go before them. Now it's defunct and requests come before the town council. Mattingly asked if there's money in the budget for tree maintenance? We haven't been able to get grant money lately because there isn't time for the town secretary to write grants. Mattingly mentioned Grant in Aid and community grants. Jenn Mattingly volunteered to help with grants to help trim trees.
- X. Next Meeting Date and Time: Next meeting of Mayor and Council will be Monday, June 1st at 7:00 PM with the Budget Workshop being held prior at 6:30 PM. Budget Workshop will include the proposed tax rate adjustments.

Miscellaneous: Town Hall will be closed on Monday, May 25th, 2026 in observance of Memorial Day

- XI. Adjournment

**MOTION BY JOHN FREEMAN, SECONDED BY YENI OCAMPO, TO ADJOURN THE MEETING AT 8:14 PM.**

**MOTION CARRIED. VOTE: 3 AYES, 0 NAYS, 0 ABSTAIN**

Minutes Submitted: 5/11/2026  
By: Megan C. Heck  
Town Secretary

Approved: \_\_\_\_\_