

**VILLAGE OF SOUTH LEBANON
MINUTES
SPECIAL MEETING
PUBLIC HEARING
RECONVENE
SEPTEMBER 16, 2010
6:45 P.M.**

1. A motion to reconvene the public hearing from August 19, 2010 was made at 6:45 by Carbo, seconded by Madison, all yeas.

2. Randall Atkins - Present Glenn Holloway – Present
 Sherri Carbo – Present Bill Madison – Present
 Dean Evans – Absent Jeff Sturtevant – Absent

3. Mayor Smith asked if Jim Mocas the representative from King Electric would like to speak to Council before their vote. Mr. Mocas thanked the Mayor and Council for the opportunity to speak. He stated that if Council chooses not to approve the zoning change, River Crossing Church will have to look at other location alternatives. King Electric would continue to lease the building as it has for the last 6 years. Mr. Mocus said approval of the zoning change would allow the church to continue providing services in our community.

Mayor Smith asked Administrator Craig to bring Council forward from Planning Commission recommendation to current. He presented Council with an exhibit and aerial photo showing four parcels. Administrator Craig stated that on May 27, 2010 Planning gave a favorable recommendation on two of the four parcels, building “A” and held back building “B”. Building “A”, lot number 111 and 112, houses the Salvation Army and is where the River Crossing Church would like to be located. Building “B” is back before Planning. Bob said that before Council is a favorable recommendation from Planning to rezone from residential flood plain to general business B-2 zoning.

Mayor Smith verified with Administrator Craig that building “B” is scheduled to go before Planning on September 28, 2010.

Carbo stated concern regarding building “B” and asked Mr. Mocas if he was the owner of both properties. He stated that his employer, King Electric, is the owner. Atkins asked why properties were separated when initially brought to Planning as one. Mayor Smith clarified that Administrator Craig worked through the issues and legally found a way to separate the property that is in good shape from the property with problems. Mayor Smith explained that it is not unusual for a business property to be separated. Mayor Smith felt that Administrator Craig did an excellent job working through the issues to satisfy everyone. Atkins stated concern with building “B”. Mayor Smith stated that the only issue before

Council is building “A”. Solicitor Nixon cautioned from a legal perspective to simply deny a rezone on one property based upon concern of another property owned to be arbitrary. Carbo stated that the properties when initially brought before Planning were one and Planning separated. Solicitor Nixon agreed and reiterated that only building “A” is before Council and building “B” Planning.

A motion to approve rezoning of building “A” to B-2 classification by Holloway, seconded by Madison, all yeas.

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James D. Smith, Mayor

Sharon Louallen, Fiscal Officer