

A regular meeting of the Bad Axe City Council was called to order at 7:30 p.m. on Monday August 15, 2011 by Mayor Pro Tem Dave Rapson in the absence of Mayor Hicks.

### **ROLL CALL**

Present: Council members: Hall, Particka, Peterson, Rapson and Rochefort.  
Other Officers present: City Manager VanDeVusse, Clerk Goebel.  
Absent: Mayor Jim Hicks and Cleland.

### **APPROVAL OF MINUTES**

Clerk Goebel read the minutes from the August 1, 2011 regular meeting. Motion by Peterson, second by Hall to approve the minutes as read. Voice vote: all voting aye, motion carried.

### **PUBLIC COMMENTS**

Claude Mestack, 414 Cleveland Street inquired about the maintenance responsibility of the shut off valves which have been installed as part of the Cleveland Street reconstruction. Rob Stiverson, City Engineer stated that all shut offs have been placed at the right of way line and are the responsibility of the home owner. Mr. Mestack also inquired about the traffic lights which have been switched to flashing mode. City Manager VanDeVusse stated that Michigan Department of Transportation is compiling data for ninety days and will determine whether to continue to maintain the traffic lights the way they are, remove and install stop signs or allow the city pay to maintain the traffic lights.

### **ORDER OF BUSINESS**

1. Rob Stiverson and Jason Nicol gave an update of the Cleveland Street water and sewer project. They discussed that the Bad Axe Drain Phase III contracts have been signed and the combined two projects within the city should be completed by November 1, 2011. It was also discussed that city council could request the finishing asphalt layer be completed after the winter months to allow for settling.

2. Motion by Hall, second by Rochefort to approve Resolution 2011-10 Revised: Industrial Facilities Exemption Certificate to Axly Production Machining Inc.

AYES: Hall, Particka, Peterson, Rochefort, Rapson.  
NO: None.

3. Motion by Rochefort, second by Particka to approve Resolution 2011-11 Revised: Industrial Facilities Exemption Certificate to Gemini Group, Inc.

AYES: Hall, Particka, Peterson, Rochefort, Rapson.  
NO: None.

4. Motion by Hall, second by Particka to approve Resolution 2011-12 Revised: Industrial Facilities Exemption Certificate to Gemini Precision Machining, Inc.

AYES: Particka, Peterson, Rochefort, Rapson, Hall.  
NO: None.

5. Motion by Particka, second by Peterson to approve Resolution 2011-13 Revised: Industrial Facilities Exemption Certificate to Thumb Plastics, Inc.

AYES: Peterson, Rochefort, Rapson, Hall, Particka.  
 NO: None.

6. Motion by Hall, second by Rochefort to approve Resolution 2011-14 Revised: Industrial Facilities Exemption Certificate to Thumb Tool & Engineering, Co.

AYES: Rochefort, Rapson, Hall, Particka, Peterson.  
 NO: None.

7. Motion by Hall, second by Rapson to adopt Ordinance 2011-1; Off Road Vehicles Chapter 11, Art XI, Sec. 11-800 through 11-809 Code of Ordinances.

AYES: Rapson, Hall, Particka.  
 NO: Peterson and Rochefort.

Motion defeated, charter required four affirmative votes to adopt ordinance.

8. Motion by Rochefort, second by Hall to adopt Ordinance 2011-2; amendment to Section 6-72 Code of Ordinances.

AYES: Hall, Particka, Peterson, Rochefort, Rapson.  
 NO: None.

9. Motion by Hall, second by Rochefort by adopt Ordinance 2011-3; confirm the establishment under Michigan Planning Enabling Act, Public Act 33 of 2008.

AYES: Hall, Particka, Peterson, Rochefort, Rapson.  
 NO: None.

10. Motion by Rochefort, second by Hall to request the Planning Commission to consider rezoning 711 E. Soper from R-1 to B-2. Voice vote: all voting aye, motion carried.

11. Chief Dave Rothe and Officer Scott Zaleski distributed and discussed information regarding USAonWatch, Neighborhood Watch program and stated that a meeting for interested residents will be scheduled sometime in September.

12. Motion by Hall, second by Rapson to approve payment of bills in the amount of \$ 292,850.08.

AYES: Particka, Peterson, Rochefort, Rapson, Hall.  
 NO: None.

### **MAYOR AND COUNCIL COMMENTS**

Clerk Goebel stated that the deadline to file nominating petitions for the city's November 8, 2011 General Election for mayor and three council seats is August 16, 2011 at 4:00 p.m.

### **ADJOURNMENT**

Motion by Peterson, second by Rochefort to adjourn at 8:15 p.m. Voice vote: all voting aye, motion carried.