

MINUTES  
TONKA BAY CITY COUNCIL  
REGULAR MEETING  
APRIL 22, 2025

1. CALL TO ORDER

The regular semi-monthly meeting of the Tonka Bay City Council was called to order at 7:00 p.m.

2. ROLL CALL

Members present: Mayor Jennings, Council Members Anderson, Eckland, and Ottum. Also present were City Administrator Holl, City Engineer Bradford, City Planner Johnson, and City Attorney Nason.

3. APPROVAL OF AGENDA

Council Member Anderson made a motion to approve the agenda as presented. Council Member Eckland seconded the motion. Ayes: Anderson, Eckland, Ottum, and Jennings. The motion carried.

4. CONSENT AGENDA

- A. Minutes from April 8, 2025 City Council Meeting
- B. Minutes from April 8, 2025 City Council Work Session Meeting
- C. 2025 April Claims – Check numbers 28272 – 28334, E-check numbers 25779 - 25792
- D. Escrow Refund – 4330 Manitou Road
- E. March 2025 Expenditure Guidelines
- F. Wellhead Protection Program Notice to LGU's
- G. MGSA & MBA Special Event Permits
- H. Regional Trail Signage
- I. EMS Response Time Update

Council Member Anderson made a motion to approve the consent agenda with notations to item 4C. Council Member Eckland seconded the motion. Ayes: Anderson, Eckland, Ottum, and Jennings. The motion carried.

5. SPECIAL BUSINESS

- a) **PRESENTATION:** South Lake Minnetonka Police Department – Chief Tholen Quarterly Report Summary: Police Chief Tholen provided an update covering 2024 service activity, crime statistics, current 2025 trends, staffing levels, and plans for upcoming special events. Officers continue to respond to a range of incidents, including proactive policing efforts and resident calls. Call volume remains consistent and reflects positive trends in community safety. There has been a noticeable decrease in both serious and minor crimes. While specific incidents were referenced, the overall trend shows a decline in criminal activity, suggesting improved safety and effective policing. Officers are maintaining a visible presence in the community through both proactive and reactive policing.

The department's efforts are part of a broader strategy to sustain low crime levels and enhance public safety. Early data shows continued positive trends. Chief Tholen emphasized the importance of not becoming complacent and continuing to support community safety efforts. He concluded by highlighting the department's commitment to serving Tonka Bay and maintaining strong engagement with the community.

- b) SLMPD Code Enforcement for Excelsior - Chief Tholen explained that since 1980, South Lake Minnetonka Police Department (SLMPD) has contracted with the City of Excelsior for additional Community Service Officer (CSO) and Public Service Officer (PSO) hours, specifically for park patrol and traffic control.

This agreement is separately budgeted, with Excelsior billed directly for the services. Per the Joint Powers Agreement, all member cities must approve the contract for it to proceed.

Importantly, this arrangement does not affect the regular CSO services in other cities—scheduled officers will still respond to calls as usual. The additional hours are meant to provide experience for aspiring police officers while enhancing coverage in Excelsior.

A motion to approve the South Lake Minnetonka Police Department Joint Power Agreement for additional CSO and PSO service hours for Excelsior was made by Council Member Anderson. Council Member Eckland seconded the motion. Ayes: Anderson, Eckland, Ottum, and Jennings. The motion carried.

- c) Retiring May 23, 2025 – Chief Tholen announced that he will be retiring from the police department and noted that he will still be a presence in the community. Council thanked Chief Tholen for his service to SLMPD and to the Tonka Bay community.

## 6. MATTERS FROM THE FLOOR

Peni Gensler, 185 Woodpecker Ridge Road asked Council for an update on the soils. Council noted the public hearing to discuss mitigation of the soils will be May 13, 2025.

## 7. PUBLIC HEARINGS

### A. Consideration of Special Home Occupation Permit – Dennis Richards

City Planner Johnson addressed the Council regarding a request from Dennis Richards at 5100 Manitou Road for a special home occupation permit to operate a

cannabis microbusiness with cultivation endorsement from his home. The property is zoned R1A, designated for single-family residential use.

Mr. Richards proposed using a spare bedroom for the business, with no employees, no customer visits, and no on-site sales or storage. However, Johnson explained that, under city zoning regulations and current state cannabis laws:

- Cultivation of cannabis for sale is not an allowable use in a residential zoning district.
- Such activity requires a license from the Office of Cannabis Management (OCM), which is not currently issuing licenses and may not permit cultivation in residential dwellings.

Based on these factors, Johnson concluded that the proposed business does not qualify as a permitted home occupation and recommends that the City Council deny the permit request, as the proposed use does not comply with local or state regulations.

The Public Hearing was opened at 7:35 p.m. (*Video time stamp 35:18 minutes*)

Dennis Richard, the applicant for the Home Occupation Permit at 5100 Manitou Road, was present and read his comments to the Council.

No other comments from the audience were heard.

The Public Hearing was closed at 7:42 p.m.

Mayor Jennings stated that, regardless of how the application was submitted, the request does not meet the requirements of the City ordinance and therefore cannot be approved. He noted that under the cannabis ordinance adopted by the Council, cannabis-related commercial activity is only permitted in C-2 zoning districts, which in this City is limited to the strip mall near the bowling alley and Hazelwoods. He emphasized that allowing such activity elsewhere would constitute unauthorized commercial use. He added, "For the record, this isn't like writing a book — we're dealing with a controlled substance." He also commented on the application fee being submitted in pennies, suggesting that such actions do not contribute to efficient government operations, and concluded by stating his support for denying the application.

City Administrator Holl clarified that the nature of the proposed activity fits the criteria for a *special* home occupation permit, not a *limited* one, and that is why a public hearing was required based on legal advice.

City Attorney Nason affirmed that the resolution in question both upholds the Zoning Administrator’s determination that the proposed business is ineligible for a limited home occupation permit and denies the special home occupation permit as well. She clarified that the proposed business fails to meet the criteria for either type of home occupation permits under City code and State law.

A motion to approve Resolution 2025-11 Denying an Application for a Home Occupation Permit and Memorializing the Findings and Reasons for Denial was made by Council Member Anderson. Council Member Eckland seconded the motion.

Roll call: Anderson Aye  
Eckland Aye  
Ottum Aye  
Jennings Aye

The motion carried.

8. OLD BUSINESS

None

9. NEW BUSINESS

A. LMCIT Insurance Renewal: City Administrator Holl informed Council that this is the time of year when the City starts doing the renewal activities for insurance. Holl stated he talked to League of Minnesota Cities Insurance Trust (LMCIT) today, and the City’s insurance premiums through the League of Minnesota Cities Insurance Trust (LMCIT), managed by Gallagher, are expected to decrease by approximately 6–8% this year—a trend seen across cities statewide. Holl noted this as very positive news. As part of the annual renewal process, the Council will need to take three actions: approve the insurance coverage binder, decide whether to waive the statutory tort liability limits (which were not waived last year), and approve the Workers’ Compensation Policy. Holl highlighted that the City’s workers’ compensation experience rating is currently 0.87, down from 0.92 last year, indicating a strong safety record and few claims. Holl also mentioned a change in deductibles: the minimum deductible is increasing from \$250 to \$500, which will be applied this year.

A motion to approve the League of Minnesota Cities Insurance Trust coverage binder, as well as the approval to “not waive” the monetary limits for statutory tort liabilities, and to approve the Workers Compensation Policy was made by Council Member Anderson. Council Member Ottum seconded the motion. Ayes: Anderson, Eckland, Ottum, and Jennings. The motion carried.

10. MATTERS FROM THE FLOOR

None

11. REPORTS

**City Administrator Holl** provided a brief update on several additional items from his report in the packet. Holl noted that Security and Sound staff have been working hard in preparation to move the sever equipment downstairs. The space, which was previously cluttered with wires, has since been cleaned up, and a new IT cabinet is now installed. Holl also mentioned that he and Public Works Director Schallberg will be attending a League of Minnesota Cities training tomorrow. Tomorrow evening, he and Council Member Eckland will be attending the Excelsior Fire District Board meeting. Additionally, there is a Parks and Docks meeting scheduled for Monday April 28, 2025 at 5:30 p.m. Lastly, he thanked City Engineer Bradford for providing a new map now displayed in the Council chambers.

**Council Member Eckland** inquired about a potential donor interested in supporting the Tonka Bay fields through the Minnesota Baseball Association (MBA). Holl explained that while no formal proposal has been made yet, they mentioned a donor interested in sponsoring a portion of the park, and this will be discussed further at the upcoming Parks and Docks meeting. Eckland also asked about the previously discussed \$30,000 MBA donation commitment over three years. Holl confirmed that no funds have been received yet, as the donation—originally intended to begin last year—requires a formal agreement, which is still being developed. Once finalized, the annual \$10,000 contributions would go to the City and be allocated to Parks and Docks for field maintenance and improvements.

Mayor Jennings asked whether the previously mentioned scheduling conflicts between baseball and softball had been resolved. Holl confirmed that the schedules were worked out, with both MBA and MGSA reviewing and agreeing on the field use plan. Invoices for 2024 field usage have been issued, including a delayed invoice for 2023. Holl also noted that an additional bill just received likely covers maintenance from 2023 and possibly earlier. MBA handles upkeep within the fenced field area, including mowing, dragging, fertilizing, and watering, but not the rest of the park.

**City Engineer Bradford** reported that construction has begun, including the milling of asphalt and ongoing storm sewer installation on Birch Bluff Road. Significant traffic impacts are expected in the coming days, with only buses and emergency vehicles allowed through; regular traffic is restricted at a soft closure near 122 Birch Bluff Road. Residents have been notified. Bradford noted that a public hearing regarding soil repatriation is scheduled for May 13, 2025. Bradford stated that Council will receive

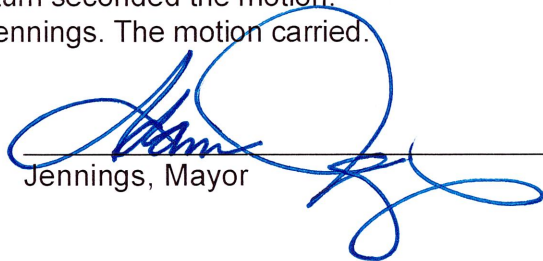
materials in advance of the May 13 meeting, including both public and possibly confidential packets. Public hearing notices were mailed out that day and will be published in the Sun Sailor newspaper on May 1, 2025.

**Mayor Jennings** reported that a preliminary South Lake Minnetonka Police Department budget meeting was held recently, though no major updates were discussed as the process is still in early stages. He shared that Representative Myers has invited him to testify at the Capitol on Thursday April 24, 2025 regarding the City's 2026 Capital Improvement Proposal for Lakeview Avenue and Wildhurst Road—an exciting opportunity, which he plans to follow up on with Council. He noted he will miss this Friday's monthly regional roundtable meeting with Senator Ann Johnson Stewart and other area mayors, but City Administrator Holl will attend on his behalf. Upcoming meetings include Parks and Docks on Monday, April 28 at 5:30 p.m., and the next code review session on Wednesday, April 30 at 6:00 p.m. Lastly, he announced a community blood drive on May 10, 2025 from 10 a.m. to 4 p.m., sponsored by South Lake area mayors, and encouraged public participation. He noted to watch for announcements on our weekly email blasts.

12. ADJOURNMENT

There being no further business, Councilmember Anderson made a motion to adjourn the meeting at 8:08 pm. Councilmember Ottum seconded the motion.

Ayes: Anderson, Eckland, Ottum, and Jennings. The motion carried.

  
\_\_\_\_\_  
Jennings, Mayor

Attest:

  
\_\_\_\_\_  
Gildemeister, City Clerk



**\*Check Summary Register©**

Checks 28272-28350

Name	Check Date	Check Amt	
<b>10100 US Bank</b>			
28272 Summit Fire Protection	3/31/2025	\$706.48	Annual Fire Extinguisher Inspection -2025
28273 Toll Gas & Welding Supply	3/31/2025	\$429.00	co2 tank rental
28274 Total Control Systems Inc	3/31/2025	\$270.00	Water Tower Cell Srvc: 10/01/24-03/31/25
28275 US BANK	3/31/2025	\$558.98	Zoom Subscription
28276 Verizon Wireless	3/31/2025	\$67.20	Telephone (2/21/25 - 03/20/25)
28277 Vestis	3/31/2025	\$33.46	Uniform Cleaning
28278 Wm Mueller & Sons Inc	3/31/2025	\$44.15	Concrete Sand: 5.66 ton
28279 Xcel Energy	4/17/2025	\$205.38	51-5684057-0, City Offices
28280 Xcel Energy	4/17/2025	\$1,531.34	51-5684059-2
28281 Xcel Energy	4/17/2025	\$2,620.25	51-5684062-7
28282 Xcel Energy	4/17/2025	\$24.75	120 Woodpecker Ridge Rd, Lift Station
28283 Abel Heating & Cooling	4/17/2025	\$4,800.00	Heater in water plant
28284 Belay Host	4/17/2025	\$135.62	Microsoft 365 BizStdSubscription: 04/01/25-04/
28285 Cady Building Maintenance	4/17/2025	\$510.00	Janitorial Service: APR 2025
28286 Campbell Knutson	4/17/2025	\$921.04	Prosecution Services: Mar 2025
28287 Catalis LLC	4/17/2025	\$1,995.00	Content Management Annual Subscription 4/1/
28288 CenterPoint Energy	4/17/2025	\$744.25	Utility Bill: 02/19/25 - 03/18/25, Water Tower
28289 CenturyLink	4/17/2025	\$66.00	Telephone: 04/01/25 - 04/30/25
28290 City of Excelsior	4/17/2025	\$153.74	Seal and hydraulic oil
28291 City of Shorewood	4/17/2025	\$158.10	2025 Qtr1 5531 Manitou Rd
28292 City of Tonka Bay	4/17/2025	\$245.79	Utility Bill: City Hall, Qtr1 2025
28293 City of Tonka Bay	4/17/2025	\$95.36	Utility Bill: Shop, Qtr1 2025
28294 City of Tonka Bay	4/17/2025	\$87.18	Utility Bill: Park, Qtr1 2025
28295 ECM Publishers Inc	4/17/2025	\$225.00	Public Hearing Notice - Home Occupations
28296 Earl F Andersen Inc	4/17/2025	\$141.80	Fishing Signs
28297 Excelsior Fire District	4/17/2025	\$77,679.51	2025 Qtr2 fire safety, operations
28298 Flexible Pipe Tool Company	4/17/2025	\$461.20	Vac truck parts (1/3 total cost)
28299 Flexible Pipe Tool Company	4/17/2025	\$349.00	Annual Maintenance Service
28300 JANELL GILDEMEISTER	4/17/2025	\$134.40	Reimbursement, mileage MCFOA conf
28301 Gopher State One-Call	4/17/2025	\$35.10	2025 March Locates - Tonka Bay
28302 Greater MN Communications	4/17/2025	\$1,026.99	2025 Q1 City Newsletter - Print & Post
28303 Henn Co Information Technology	4/17/2025	\$139.16	Radio Fleet Fee - Mar 2025
28304 Hennepin County Treasurer	4/17/2025	\$383.37	SWM Fee Reporting: Mar 2025
28305 Hennepin County Treasurer	4/17/2025	\$17.50	2025 Special Assessments Fees
28306 Christopher Holl	4/17/2025	\$100.00	Cell Phone Reimbursement -Qtr1 2025
28307 Kennedy & Graven	4/17/2025	\$4,192.10	Legal Services: MAR 2025
28308 Kennedy & Graven	4/17/2025	\$1,437.14	Legal Services: DEC 2024
28309 Kennedy & Graven	4/17/2025	\$5,281.90	Legal Services: JAN 2025
28310 LMCD	4/17/2025	\$1,948.75	Municipal Dues - Admin (2025 Qtr2)
28311 Metropolitan Council	4/17/2025	\$17,404.08	Wastewater Service: MAY 2025
28312 MN PEIP	4/17/2025	\$4,903.26	2025 Health Insurance (5/01/25-5/31/25)
28313 Navarre True Value Hardware	4/17/2025	\$92.48	loppers
28314 OREILLY AUTO PARTS	4/17/2025	\$20.77	Butane, fuse, and terminal kit
28315 Jeremy Pickus	4/17/2025	\$325.11	2025 Safety Equip Stipend/Reimbursement
28316 Republic Services #894	4/17/2025	\$16,101.85	MAR 2025 - Garbage Service
28317 SafeAssure Consultants Inc	4/17/2025	\$2,192.71	Safety Training & Support - 2025
28318 Sensaphone	4/17/2025	\$299.40	Lift #9 - 00:07:F9:00:9D:F6
28319 SLMPD	4/17/2025	\$3,512.00	Public Safety Aide: Qtr1 1/1/25 -3/31/25
28320 SLMPD	4/17/2025	\$3,512.00	Public Safety Aide: Qtr2 4/1/25 -6/30/25
28321 SLMPD	4/17/2025	\$116,385.99	Operating Budget: Qtr2 4/1/25 -6/30/25
28322 Terradek Lighting Inc	4/17/2025	\$345.11	Lights: City Hall Sign
28323 Terradek Lighting Inc	4/17/2025	\$1,025.98	Outdoor Lighting Fixtures
28324 Toll Gas & Welding Supply	4/17/2025	\$1,560.84	4100 co2 gas & fuel charges



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**\*Check Summary Register©**

Checks 28272-28350

	<b>Name</b>	<b>Check Date</b>	<b>Check Amt</b>	
28325	Toshiba Business Solutions	4/17/2025	\$156.04	Copier Service & Usage: APR 2025
28326	Toshiba Business Solutions	4/17/2025	\$135.05	Copier Service & Usage: MAR 2025
28327	Total Energy Systems LLC	4/17/2025	\$7,058.20	Repair computer on transfer switch in plant
28328	Utility Consultants, Inc	4/17/2025	\$49.48	Bacti tests x2
28329	Vestis	4/17/2025	\$124.29	Mat Cleaning: City Hall
28330	Vestis	4/17/2025	\$33.46	Uniform Cleaning
28331	Vestis	4/17/2025	\$33.46	Uniform Cleaning
28332	WELLS FARGO BANK	4/17/2025	\$50.00	2024 safety deposit box 4/25/25-4/25/26
28333	Wm Mueller & Sons Inc	4/17/2025	\$424.18	5.52 ton blacktop, Interlachen water main brea
28334	WSB & Associates Inc	4/17/2025	\$160.00	General Engineering Srvs: Feb2025 Council Mt
	<b>Total Checks</b>		<b>\$285,861.73</b>	



City of Tonka Bay

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\*Check Summary Register©

Checks 25779-25793

Name	Check Date	Check Amt	
<b>10100 US Bank</b>			
25779e	EFTPS	1/13/2025	\$4,874.51 PR01 FIT/SS/MC withheld
25779	Utility Consultants, Inc	2/10/2022	\$42.00 2022 Jan water testing
25780e	HSA Bank	1/13/2025	\$150.00 PR01 HSA contribution
25780	Verizon Wireless	2/10/2022	\$143.61 telephone
25781e	MN Dept of Revenue	1/13/2025	\$889.02 PR01 SIT Withheld
25781	Water Conservation Service Inc	2/10/2022	\$382.02 water lek near co rd 19 and trail
25782e	MN State Retirement System	1/13/2025	\$75.00 PR01 Health Care Savings Plan
25782	Xcel Energy	2/10/2022	\$398.95 51-5684059-2
25783	MN Public Facilities Authority	2/14/2022	\$8,026.29 MPFA-DWRF-L-060-FY19 repay05 (interest on
25783e	Nationwide Retirement Solution	1/13/2025	\$761.04 PR01 Deferred Comp Program
25784	Aramark Uniform Services	2/24/2022	\$36.04 uniforms
25784e	PERA	1/14/2025	\$2,972.86 PR01 PERA
25785	Biffs Inc	2/24/2022	\$115.00 Manitou Park - Ice Rink 1/26-2/22/22
25786	Cady Building Maintenance	2/24/2022	\$490.00 2022 Feb janitorial service
25787	Critter Control Inc	2/24/2022	\$145.00 2022 Qtr1 pest control
25787e	MN State Retirement System	1/24/2025	\$50.00 PR02 Health Care Savings Plan
25788	Custom Hose Tech Inc	2/24/2022	\$668.11 parts for backhoe
25788e	EFTPS	1/24/2025	\$4,276.46 PR02 FIT/SS/MC withheld
25789	Definitive Technology Solution	2/24/2022	\$992.30 billing correction from Apr2021 to present
25789e	HSA Bank	1/24/2025	\$150.00 PR02 HSA Contribution
25790	ECM Publishers Inc	2/24/2022	\$35.70 ordinance 202201 published
25790e	MN Dept of Revenue	1/24/2025	\$825.39 PR02 SIT Withheld
25791	Education & Training Services	2/24/2022	\$499.00 Mgmt & Supervisory Training - Schallberg
25791e	Nationwide Retirement Solution	1/24/2025	\$673.76 PR02 Deferred Comp Program
25792	FineLine Lakeshore Services	2/24/2022	\$1,290.30 repairs to slip #15 (damaged in 2021)
25792e	PERA	1/27/2025	\$2,669.74 PR02 PERA
25793	Hennepin County Treasurer	2/24/2022	\$2,925.00 2022 Jan swm fee reporting
<b>Total Checks</b>			<b>\$34,557.10</b>