

MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
SEPTEMBER 9, 2025

1. CALL TO ORDER

The regular semi-monthly meeting of the Tonka Bay City Council was called to order at 7:02 p.m.

2. ROLL CALL

Members present: Mayor Jennings, Council Members Anderson, Eckland, and Ottum.

Staff present: City Administrator Holl 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

1. Minutes from August 26, 2025 City Council Meeting
2. Minutes from August 26, 2025 Special Council Work Session Meeting
3. August 2025 Claims
4. Demo Escrow Refund for 65 and 75 Lakeview Avenue
5. Demo Escrow Refund for 385 and 395 Lakeview Avenue
6. Escrow Refund for 395 Lakeview Avenue
7. Resignation of Kristin Smith from Parks and Docks Commission
8. MN OSHA Grant Letter
9. SLMPD Stat Report for August 2025
10. SLMPD Staff Recognition Ceremony
11. Xcel Energy Notice of Increase in Electric Rates
12. Public Hearing Notice September 23, 2025 - 335 Lakeview Avenue

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

5. SPECIAL BUSINESS

None

6. MATTERS FROM THE FLOOR

Kristin Viger, 60 Pleasant Avenue, commented on the discussion from the previous meeting regarding a more open meeting format. While acknowledging that less structure could be a concern, Viger expressed frustration that her emails to council

members are often unanswered, despite claims that residents have direct access outside meetings. Viger thanked the City Administrator for being responsive but asked that Council Members at least acknowledge receipt of emails if direct access is to be emphasized.

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

A. Nominations for Council Vacancy: City Administrator Holl opened the discussion, stating that the City solicited applications to fill a council seat through December 2026 using social media, newspaper notices, and mailed letters. Six applications were received, and five candidates were interviewed. After thorough deliberation, the council is now prepared to make a nomination.

Mayor Jennings opened the floor to nominations.

Council Member Anderson nominated Kevin Broas to fill the vacant seat.

No other nominations were received.

Mayor Jennings closed the floor to nominations.

A motion to accept the nomination of Kevin Broas for the City Council seat vacated by Kelly Wischeier was made by Council Member Anderson. Council Member Eckland seconded the motion. Ayes: Anderson, Eckland, Ottum, and Jennings. The motion carried.

Mayor Jennings thanked the applicants for their interest and noted that the decision was not an easy one. Jennings expressed appreciation to all who applied and stated that the newly appointed member will be sworn in at the September 23, 2025 Council Meeting.

B. Midco Franchise Agreement: City Attorney Nason recapped that a public hearing on the Midco franchise agreement had been held with no public comments submitted. Midco representatives previously outlined the rollout timeline for the new cable communications system. Nason explained that the agreement before Council, for consideration, is the franchise ordinance, modeled closely after the existing Mediacom franchise, and sets requirements for Midco's installation of cable communications facilities in Tonka Bay. The agreement outlines the types of franchise fees Tonka Bay may receive and how

agreement before Council for consideration is the franchise ordinance, modeled closely after the existing Mediacom franchise, and sets requirements for Midco's installation of cable communications facilities in Tonka Bay. This agreement outlines the types of franchise fees you may receive and how they can be calculated as a Council. Nason explained that the franchise ordinance addresses required items, such as customer service responsibilities, procedures in the event of a company sale, and provisions for facility abandonment, along with all elements mandated by state statute. She advised that Council is being asked to approve both the franchise ordinance and a summary publication resolution. Both actions could be approved in a single motion.

Questions Raised by Council:

1. Franchise Fees & Revenue

- How much revenue will the City receive? (~\$300/month, 5% of cable-related revenue).
- Do fees apply to internet services? (No, only cable).
- Should advertising and home shopping revenue be included in gross revenue? (Yes, according to Mediacom agreement).

2. Ordinance Details

- Exhibit A lists "1 year" instead of "10 years", is this a typo? (Yes, corrected to 10 years).
- County reference says Ramsey instead of Hennepin, is that a typo? (Yes, corrected).
- Should the City request "as-built" plans for its records? (Yes, advisable for future street projects).

3. Construction & Accountability

- How will the city hold Midco accountable for construction cleanup and restoration?
- Who will be the City's point of contact? (City Administrator, with Midco providing a dedicated project contact).

Nason reviewed the timeline for the Midco franchise agreement. Following approval of the ordinance and summary publication resolution, the ordinance summary will be published and become effective. The executed ordinance will then be provided to Midco, who will coordinate with the City Administrator and assign a construction contact. Construction and installation are anticipated to begin in the spring of 2026.

A motion to approve Resolution 2025-21: Approving the Publication of a Summary of Ordinance 2025-04, an Ordinance Amending Section 803, Appendix D, to add Appendix D-2, Granting a Cable Franchise to Midcontinent

Communications to Construct, Operate, and Maintain a Cable System in the City of Tonka Bay, Minnesota; Setting Forth Conditions Accompanying the Grant; Providing for Regulation and Use of the System; and Prescribing Penalties for the Violation of its Provisions and correcting the two typos 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.

9. NEW BUSINESS

- A. Manitou Park Lighting: City Administrator Holl reported that the Parks and Docks Commission discussed adding security lighting at Manitou Park. The commission recommended that the three poles along Manitou Road be fitted with security-style lights that would also provide minimal parking lot illumination. Holl stated the installation cost is covered by Xcel Energy, and the cost to the City would be \$45 per light per month, with no additional fees, and the lights can be removed if needed.

Council Member Eckland expressed frustration that no representatives from the Parks and Docks Commission attend council meetings to discuss proposals. He noted that the council only receives secondhand information from the Mayor or staff and raised concern about the commission requesting funding for projects like new playground equipment, tennis courts, and now lights without being available to answer questions directly.

Mayor Jennings responded that as a Council liaison to the Parks and Docks Commission, he can relay questions and provide answers, with staff also available to assist. Jennings suggested that Council could discuss the issue further at the next meeting if needed. Other Council Members provided feedback, noting that while having Commission Members present could be beneficial, it is not strictly necessary. Jennings indicated that this feedback would be passed along to the commission.

A motion to approve Xcel Energy to install security lights to three poles at Manitou Park and monthly charges from Xcel Energy, NTE \$50 a month, 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

Susan Fuhr, 20 Lilah Lane, thanked the City for the replacement of trees following construction, but noted that the new trees are unwrapped, leaving them vulnerable to deer damage, and suggested the City consider protecting the trees on City property. Fuhr also raised a concern about ongoing construction on Lilah Lane, reporting that a contractor brought in at least 10 dump trucks of cement chunks, which may not be allowed. Fuhr thanked Holl for resolving the issue and stopping the trucks.

Kristin Viger, 60 Pleasant Avenue, commented that Pleasant Avenue was not fully paved, as work was stopped near homes due to anticipated heavy truck traffic from private construction on Lilah Lane. Viger noted that nearby Brentwood Avenue received new asphalt despite similar truck activity and questioned whether delays from private projects will affect the City's paving timeline for Pleasant Avenue.

11. REPORTS

- A. City Administrator Holl reported that the cement dumping issue on Lilah Lane was promptly addressed with WSB staff and the building inspector, resulting in the trucks being stopped and the developer agreeing to remove the materials. Holl also noted restoration work has begun near City Hall, with grass growth progressing well. He informed the Council that John Bradford, City Engineer, will be out for two weeks, with WSB staff covering responsibilities in his absence. Lastly, he distributed a copy of an anonymous letter addressed to the Mayor and Council regarding the Excelsior Fire Department.

Mayor Jennings addressed the anonymous letter, noting that Tonka Bay has actively participated in Fire Board meetings, recommending residents watch the June 23, July 23, and August 13, 2025 Fire Board meetings through the League of Minnesota Cities website. Jennings explained that while Tonka Bay voted against the fire budget, the measure passed regardless, due to approval from other cities. He emphasized that concerns raised by firefighters at recent meetings were serious and credible, and that Tonka Bay has been engaged in advocating for accountability and transparency throughout the process.

Mayor Jennings directed staff to follow up on wrapping up the newly planted trees to protect the bark from deer.

Council Member Anderson made a lighthearted remark about shooting the deer, to which the Mayor clarified, "for the record, Council Member Anderson was joking."

- B. Mayor Jennings announced that this will be his final term as Mayor of Tonka Bay, as he plans to run for another public office. He noted that the Council is the first to hear this news and expressed hope that sharing it now will give the City ample time to consider and prepare for future leadership.

12. ADJOURNMENT

There being no further business, Council Member Anderson made a motion to adjourn the meeting at 7:48 p.m. Council Member Ottum seconded the motion. Ayes: Anderson, Eckland, Ottum, and Jennings. The motion carried.



Jennings, Mayor

Attest:



Gildemeister, City Clerk