

MINUTES  
TONKA BAY CITY COUNCIL  
REGULAR MEETING  
JUNE 10, 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, Ottum, and Wischmeier. Also present were City Administrator Holl, City Engineer Bradford, and City Attorney Nason.

VISITORS

EFD Chief Mackey, SLPD Chief Ballsrud

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

- A. Minutes from May 27, 2025 City Council Meeting
- B. Minutes from May 28, 2025 Special Council Work Session Meeting
- C. 2025 May Claims – Check numbers 28370 – 28434, E-check numbers 25806 - 25811
- D. Escrow Refund – 40 Northrup Avenue
- E. 2024 SUIP Meeting Notes from May 21, 2025
- F. 2024 SUIP Meeting Notes from May 28, 2025

Council Member Anderson made a motion to approve the consent agenda with corrections to minutes. Council Member Wischmeier seconded the motion. Ayes: Anderson, Eckland, Ottum, Wischmeier, and Jennings. The motion carried.

5. SPECIAL BUSINESS

None

6. MATTERS FROM THE FLOOR

None

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

A. SLMPD E-Bike Enforcement Update: Interim Chief Ballsrud of the South Lake Minnetonka Police Department provided an update regarding ongoing e-bike enforcement efforts. He began by clarifying that most enforcement concerns are not related to legal electric bicycles (e-bikes), but rather to electric, non-pedal off-highway vehicles (OHVs) that resemble small dirt bikes. These vehicles can reach speeds of 40 to 50 miles per hour, lack pedals, and are not legally categorized as bicycles and fall under Department of Natural Resources (DNR) statutes and not traffic laws. To assist with enforcement, the department developed and distributed a visual flow chart to help distinguish between legal e-bikes and illegal OHVs. This tool has been well received by neighboring agencies. Ballsrud noted that the department has experienced multiple incidents involving these illegal vehicles, including two pursuits during the week of his report. Chief Ballsrud explained that legal e-bikes fall into three state-defined categories, with Class 3 e-bikes being the fastest, capable of reaching up to 28 miles per hour, and all classes requiring functional pedals. Current enforcement issues arise from powerful two-wheeled electric vehicles with no pedals, which are being operated by youth on public roads and trails. These vehicles are not covered under e-bike statutes and are often misidentified by both parents and riders. Ballsrud stated the department can cite juveniles for illegal use and, in certain cases, can also cite parents who knowingly allow their children to operate these vehicles unlawfully. Chief Ballsrud explained that while local trails fall under the oversight of Three Rivers Park District, South Lake Minnetonka officers are authorized to respond and enforce violations observed on those trails. In the event SLMPD receives a call, dispatch will typically alert both the police and the park district. However, due to proximity and response time, SLMPD officers are often the first on the scene, particularly in emergency situations. Council raised concerns about the growing prevalence of these unregulated vehicles and questioned whether legislative action might be necessary. There was interest in pursuing a proposal that would require electric OHVs to carry license plates and insurance to make them easier to identify and regulate. Chief Ballsrud supported this idea, stating that clearer legal classification and mandatory registration could aid law enforcement and better protect public safety. Ballsrud emphasized the importance of ongoing education, as many parents are unaware that these vehicles are not legally considered bicycles and cannot be operated on public roads. The department has been active on social media, sharing public service announcements to increase awareness, and is considering coordinated checkpoints on trails in partnership with Three Rivers Park District. Ballsrud reiterated the department's willingness to partner with Tonka Bay and other agencies in raising awareness and encouraging safe practices before a serious incident occurs.

9. NEW BUSINESS

A. SLPD Law Enforcement/EFD Building HVAC “Chiller” Replacement Expense: Excelsior Fire District Chief Mackey addressed the City Council regarding the unexpected costs associated with replacing the HVAC chiller system in the shared police and fire building. The expense is estimated at \$70,000, which was not budgeted for in either the police or fire department budgets. Mackey explained that although the building was recently paid off, this major maintenance issue is the first significant infrastructure expense since then. Need arose last fall when one of the unit’s compressors failed, and service technicians warned that the entire system was aging and likely to experience further issues. The current chiller dates to the original building construction. Mackey stated that historically, the approach to such maintenance has been ad hoc, with departments soliciting bids and including expenses in their annual budgets as needed. In this case, after receiving and reviewing bids and applying cost-sharing formulas, the fire and police departments agreed to split the cost evenly. The total amount will be rolled into their respective budgets but effectively treated as one shared capital expense.

Council discussed the need to develop a long-term capital plan to prevent future councils from being caught off guard by unexpected expenses, such as the current HVAC chiller replacement. There was concern about the financial impact such planning could have on the tax levy, especially if cities begin setting aside a percentage (e.g., 3%) annually for capital needs. Council Members acknowledged that while there may not have been strong support for a capital plan in the past, situations like this highlight the need for proactive planning. It was agreed that developing a capital investment plan would require collaboration among all participating cities and coordination with department chiefs, and that it will be a gradual, cooperative process.

A motion to allocate money, for the replacement of the “chiller”, to SLMPD in the amount of \$35,343.45 and to EFD in the amount of \$34,593.39 was made by Council Member Anderson. Council Member Wischmeier seconded the motion.

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

B. Resolution 2025-15 In Support of the Tonka Bay Capital Budget Request for the 2026 Watermain Replacement Project: Mayor Jennings shared that Representative Myers recently informed the City that, for the capital road improvement project to be considered by the legislature, it must be submitted through the State’s Capital Budgeting Program. Jennings had already testified before the legislature in support of funding and explained that this step, submitting a formal resolution, is required to have the project officially recognized in the system provided by Representative Myers. The project is part of the City’s broader road capital improvement plan, and the City is requesting \$2.85 million, which is 50% of the total \$5.7 million project cost. Jennings noted that more details about funding sources will become available during 2026 budget

discussions in July and August. The resolution itself simply formalizes the request and language necessary for submission.

A motion to approve Resolution 2025-15 In Support of the Tonka Bay Capital Budget Request for the 2026 Watermain Replacement Project was made by Council Member Anderson. Council Member Eckland seconded the motion.

Roll call: Anderson Aye  
Eckland Aye  
Ottum Aye  
Wischmeier Aye  
Jennings Aye

The motion carried.

#### 10. MATTERS FROM THE FLOOR

None

#### 11. REPORTS

**City Administrator Holl** reported that he had just returned from an eight-day vacation and shared a few key updates. First, the City's water plant is currently down due to a vacuum pump failure on the ejector system that injects CO<sub>2</sub> into the lime plant. The part has been ordered, and the hope is that it will arrive soon so the plant can be brought back online. Additionally, light poles have been installed outside City Hall.

Holl noted that the City's new part-time summer employee, Wilson, has started. He is currently working around 20 hours per week, helping with parks, beaches, and other maintenance tasks around Tonka Bay. Holl reminded Council that City Hall will be closed next Thursday in observance of the Juneteenth holiday.

Council Member Eckland raised a question regarding a couple claims on this month's financials. Holl explained that those expenses are paid out of escrow funds that residents have already deposited. The City covers the invoice, but it is immediately reimbursed from escrow, resulting in no additional cost to the City. Eckland also brought up concerns about a large sign that had briefly been placed on West Point Road, referencing a resident letter that criticized its size and visual impact. Mayor Jennings acknowledged responsibility for the decision, saying the intention had been to make a more visible sign but admitted it ended up being larger than expected. The signs were only up for about a day.

Holl explained the context behind the signs, emphasizing that they were meant to address ongoing issues with illegal tree and brush removal, as well as dumping of yard waste on city property. These actions have led to clogged culverts and ecological

damage. The City has sent letters to homeowners near affected areas, reminding them not to dump waste or cut vegetation in protected zones. The City consulted both the police and the DNR. While no enforceable wetland violations were found by the DNR, it was confirmed that these were serious breaches. Holl stated that if such activity continues, the City will reinstall the signs.

**City Engineer Bradford** reported that paving on Birch Bluff Road is scheduled for Thursday, weather permitting. Residents can expect minimal delays and will be able to drive on the new surface immediately. However, due to recent heavy rainfall, the planned sacred soil movement has been delayed and is now expected to take place during the week of the 23rd.

Council also asked about which path would be used through the area. Bradford clarified that the property line near the new houses at the end of Lilah runs through the middle of the old path, which mostly lies on Shorewood's side. While Shorewood owns the old hiking trail between Wedgewood and Manitou Park and has prohibited Tonka Bay from connecting to Wedgewood or placing gravel on their property, the project will instead utilize the north side path on Tonka Bay's side. Large wood chip piles from tree removal will be spread over the existing path to support equipment access. The final path will be about 10 feet from property lines. Tree removal is complete, and mound construction will be underway soon. Council also asked about the buffer from the wetland. Bradford reiterated that, based on earlier information shared with Council, both the DNR and the watershed district are satisfied with the current buffer plan.

Lastly, Bradford noted that a cost estimate for potential reconstruction of Lilah Lane will be presented at the next meeting. Preliminary assessments suggest that existing asphalt and gravel can be ground and stabilized with cement to avoid deep excavation, making it less disruptive than other road reconstruction projects.

**City Attorney Nason** reported that the legislative session ended at 2 a.m. this morning and she will be attending a League of Minnesota Cities Legislative Update on June 10.

**Council Member Eckland** addressed a letter of complaint he received regarding certain fire lanes. He stated he will look at the lanes mentioned and provide Holl with an update next week.

## 12. ADJOURNMENT

There being no further business, Council Member Anderson made a motion to adjourn the meeting at 8:24 pm. Council Member Wischmeier seconded the motion.

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



Jennings, Mayor

Attest:

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Gildemeister, City Clerk