

MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
JANUARY 14, 2025

1. CALL TO ORDER

The regular semi-monthly meeting of the Tonka Bay City Council was called to order at 7:01 p.m.

2. OATH OF OFFICE

The administration of the Oath of Office is a formal requirement that signifies the assumption of duties by newly elected or re-elected Council Members. As per Minn. Stat. §358.05, it is the responsibility of the City Clerk to administer the oath during a designated council meeting.

The individuals to take the oath include:

- Jeff Anderson, Newly Elected Council Member
- Kathleen Ottum, New Elected Council Member
- Adam Jennings, Re-Elected Mayor

City Clerk Gildemeister administered the Oath of Office and welcomed each member to Tonka Bay City Council. The new and re-elected Council Members assumed their official duties immediately following the oath, participating fully in the Council Meeting and decision-making processes.

3. ROLL CALL

Members present: Mayor Jennings, Council Members Anderson, Eckland, Ottum, and Wischmeier. Also present were City Clerk Gildemeister, City Engineer Bradford, and City Attorney Nason.

4. APPROVAL OF AGENDA

Council Member Wischmeier made a motion to approve the agenda with one addition of 9F. Council Member Anderson seconded the motion. Ayes: Anderson, Eckland, Ottum, Wischmeier, Jennings. The motion carried.

5. CONSENT AGENDA

- A. Minutes from December 10, 2024 Regular City Council Meeting
- B. 2025 City Holiday Calendar
- C. Manitou Road Watermain Improvement Project Pay Voucher #13
- D. 2024 Street and Utility Improvement Project Pay Voucher #8

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

6. MATTERS FROM THE FLOOR

Todd Wagner, 4770 Manitou Road, the 2024 Chair of the Parks and Docks Commission, recognized outgoing members Carl Awalt, Ty Bricker, former City Administrator Dan Tolsma, and Council Liaison Kristin Viger for their contributions. He reflected on the commission's progress since its formation in 2022, emphasizing its role in community outreach, project prioritization, and securing funding for park improvements.

He highlighted major projects completed under the City's master plan, including the parking lot (2022), the softball and baseball field (2023), and the trail connection (2024), with a recommendation to focus on the playground in 2025. Notably, 95% of recent investments have been directed toward Manitou Park, with 80% of funding sourced from grants, totaling nearly half a million dollars.

Wagner also detailed community engagement efforts, including meetings held in neighborhood parks to gather resident input. Feedback led to specific improvements, such as clearing wooded areas, replacing broken amenities, addressing park accessibility issues, and identifying future maintenance needs, including resurfacing aging tennis court.

He concluded by expressing gratitude for the opportunity to serve over the past five years, including two years as chair, and announced his decision to step down to allow others to continue the commission's work. He commended the City's efforts in making significant investments in its parks and docks and thanked the Council for their support.

Kristin Viger, 60 Pleasant Avenue, Kristin Viger addressed the council regarding the December 10, 2024, discussion about the Parks and Docks Commission, refuting misinformation and expressing frustration over how the commission's work was handled. She emphasized that the commission had been operating with a five-year Capital Improvement Plan (CIP) since 2021, regularly updating and presenting it to the council, most recently on October 22, 2024. At that time, no objections were raised, and council members expressed support for the commission's efforts.

Viger noted that between the October presentation and the December 10 meeting, no council members attended commission meetings or provided feedback. She was surprised by the council's sudden criticism of the CIP and the commission's performance, describing it as a "premeditated ambush." She strongly objected to the mayor's suggestion to discard the CIP and shift decision-making authority solely to the council, calling it an authoritarian move that undermined the commission's role.

She also addressed concerns about transparency, clarifying that all meeting notes were sent to former City Administrator Dan Tolsma for review and approval. Additionally, she refuted claims about improper spending, explaining that any city funds used for food were for community engagement events, such as park meetings, the tree lighting ceremony, and Arctic Fever.

Viger closed by expressing disappointment over the handling of the situation, calling for better communication and respect for the commission's work. She praised the dedication of volunteers who have served on the Parks and Docks Commission and urged the council to recognize their contributions.

7. SPECIAL BUSINESS

None

8. PUBLIC HEARINGS

None

9. OLD BUSINESS

A. Grading Plan Proposal for Repatriation of Soils – Mayor Jennings opened discussion by stating, given the significant public interest and the number of emails Council and City Staff received on this topic, we will be following a public hearing format, even though it is not legally required.

Jennings laid out how Council will proceed, noting that Staff will present their position and provide background on the proposal. The Council will then have an opportunity to ask questions. After that, we will open the floor for public comments. If you wish to speak, please approach the podium, state your name and address for the record, and kindly keep your remarks to five minutes.

City Engineer Bradford provided an update on the soil repatriation project. Approximately 5,000 cubic yards of soil from the 2024 project need to be relocated. A site has been identified in coordination with MIAC and under Council direction. The wetland delineation has been completed, and the Phase One cultural report found no significant impact, allowing the project to proceed.

Next steps include surveying the property, consulting with the Mayor and tribal representatives on grading requirements, and developing a preliminary grading plan for Council review before finalizing design and beginning construction.

The project is planned for winter to utilize frozen ground conditions, allowing access via Pleasant Avenue rather than Lilah Lane, minimizing neighborhood disruption. If delayed past road restriction periods, access may need to shift to Lilah Lane.

Tree clearing will be required, but tribal representatives have indicated that replanting significant trees on burial mounds would be a respectful approach. Further consultation will address site restoration, including property, roadway, and wetland buffers, as well as potential trail improvements between Manitou Park and the site.

Bradford confirmed that Lilah Lane will not be connected to Wedgewood Drive. A site survey will begin immediately upon approval to assess tree impacts and finalize project plans.

Council inquired whether the designated tribe follows mound burial practices. Bradford confirmed that all indications suggest they are mounds. He noted that previous discussions included the possibility of a soil swap, where non-cemetery soil could be replaced with cemetery soil, potentially reducing mound height. Further discussions with the tribe will determine the desired height and specific design details.

Council confirmed that the site is not currently designated as a public park but is city-owned land. There is no indication that the tribe intends to designate it as a park. Council also verified that the existing soils have not been disturbed and that wetland studies have been conducted, identifying upland areas within the parcel. Bradford estimated that 4.5 to 5.5 acres of the site consist of upland.

Regarding potential construction impact, Bradford assured that any damage to Lilah Lane or other streets would be repaired.

Council asked whether the City has discretion over the repatriation site selection. Bradford stated that, based on MIAC's direction, the City must comply with their designation. Any disputes would require legal counsel review.

Finally, Council asked if any information had been withheld from them. Bradford affirmed that all discussions have been documented in Council meetings, minutes, and public records, and that he has been fully transparent.

Following the discussion, Mayor Jennings opened the meeting for public comment at 8:05 p.m.

The following individuals addressed the Council:

Kristin Viger – 60 Pleasant Avenue
Megan Stadelman – 55 Lilah Lane
Susan Fuhr – 20 Lilah Lane
Paul Schilke – 25 Pleasant Lane East
Carrie Prehoda – 50 Pleasant Lane West

Each speaker provided their input, concerns, and questions regarding the grading plan proposal and repatriation of the soils. Their comments will be taken into consideration as the project moves forward.

- B. Resolution 25-01 Supplemental Agreement for 2024 SUIP – A motion to approve Resolution 25-01 subject to the archeological findings and to proceed with the topographic survey but hold off on the design work until after the meeting with MIAC, was made by Council Member Wischmeier. Council Member Anderson seconded the motion.

Roll Call: Anderson Aye
 Eckland Aye
 Ottum Nay
 Wischmeier Aye
 Jennings Aye

The motion carried.

- C. Draft Ordinance 25-01 Dangerous and Diseased Trees (First Reading) - Mayor Jennings opened the discussion on the first reading of the proposed ordinance revisions regarding dangerous and diseased trees. He provided background on the topic, noting that it had been discussed in a previous work session. The Public Works Supervisor had requested updates to streamline the language of the existing ordinance, which was outdated and overly restrictive. The proposed revisions would grant discretion to address diseased or hazardous trees, including managing the emerald ash borer and any future tree-related issues without requiring additional ordinance changes.

Mayor Jennings noted that the document presented was the same version reviewed during the Work Session. Due to Legal Counsel not yet having the opportunity to review the proposed changes, no action was taken at this meeting. The second reading is scheduled for the next Council Meeting on January 28, 2025, with potential implementation after the 28th.

10. NEW BUSINESS

- A. Authorization of Employment Offer to C.J. Holl – The City Council proudly announced the hiring of C.J. Holl as the new City Administrator. Mr. Holl attended the meeting, where he shared a brief overview of his professional background and expressed his gratitude to the Council for the opportunity to serve the city and its residents.

A motion to authorize the Employment Offer to C.J. Holl was made by Council Member Eckland. Council Member Wischmeier seconded the motion. Ayes: Anderson, Eckland, Wischmeier, Jennings. Nays: Ottum

Council members, staff, and community members present warmly welcomed Mr. Holl. He is set to officially begin his role on January 21, 2025.

- B. Resolution 25-02: 2025: Annual Appointments - A motion to approve Resolution 25-02 was made by Council Member Eckland. Council Member Wischmeier seconded the motion.

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

The motion carried.

- C. Parks and Docks Commission Revised Charter & 2025 Guidance Discussion – Mayor Jennings reflected on his efforts to use the Parks and Docks Commission as a mechanism to fund parks since his tenure began in 2021. Recently, Council has requested information and documentation that would help understand the direction Parks and Docks is working toward. Now, Jennings is proposing revisions to streamline and improve its operations. Jennings emphasized the need for better communication and alignment between the Commission and the Council. He also proposed that the City Council should appoint the chair and vice-chair of the Parks and Docks Commission to strengthen collaboration. Additionally, he stressed focusing limited funds on priority projects like completing Manitou Park improvements, rather than spreading resources thin on unrelated initiatives. Jennings clarified that fire lanes are not part of parks and mentioned that decisions regarding fire lanes should rest with the City Council. Regarding meeting frequency, Jennings suggested shifting to quarterly meetings to address quorum challenges during summer months.

Council Members Eckland and Wischmeier raised several objections, including concerns that quarterly meetings would impede progress and suggested continuing monthly meetings instead, with the option to cancel if no issues arise. He opposed one-year Commission terms, advocating instead for staggered three-year terms to ensure continuity and expertise within the group. Eckland also disagreed with the Council appointing Commission leaders, favoring the Commission's autonomy to select its own chair and vice-chair. Additionally, he suggested that a Councilmember, not the Mayor, should serve as the liaison to the Parks and Docks Commission, emphasizing a need to maintain checks and balances.

Other Council Members provided feedback, proposing compromises, such as staggered two-year terms and flexible meeting schedules. Concerns were raised about transparency and proper documentation, with suggestions to introduce audio or video recordings of meetings to aid in producing accurate minutes and fostering public trust. There was also acknowledgment of difficulties in recruiting Commission members and suggestions to improve outreach and reduce perceived formality to encourage participation.

Ultimately, Jennings agreed to sit down with the Parks and Docks Commission and draft a revised proposal incorporating Council feedback along with Commission feedback, emphasizing the importance of collaboration and addressing concerns to improve the Parks and Docks Commission's effectiveness.

- D. Resolution 25-03 2025 Parks & Docks Appointments – A motion to approve Resolution 25-03 with the exclusion of Todd Wagner, who announced his resignation at tonight's meeting, was made by Council Member Wischmeier. Council Member Anderson seconded the motion.

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

The motion carried.

- E. Temporary Increase for City Clerk and City Treasurer - Council discussed and approved a temporary \$5 hourly wage increase for the City Clerk and City Treasurer to address the additional workload created by the transition period following Dan Tolsma's departure. The increase is retroactive to January 1, 2025, recognizing the extra burden on administrative staff while the new City Administrator, Mr. Holl, gets acclimated to his role and systems. Initially proposed to extend through March 1, 2025, the motion was amended to

continue until Friday February 28, 2025. The estimated cost of \$3,500 was deemed manageable within the budget.

A motion to approve the temporary \$5 hourly wage increase for the City Clerk and City Treasurer retroactive from January 1, 2025 through February 28, 2025 was made by Council Member Wischmeier. Council Member Eckland seconded the motions. Ayes: Anderson, Eckland, Ottum, Wischmeier, and Jennings. The motion passed unanimously.

- F. Resolution 25-04: Memorializing and Appointing Authorized City Officials as Liaisons Between the City of Tonka Bay and the Minnesota Indian Affairs Council – The City Council discussed and approved Resolution 25-04, which formalizes and codifies the appointment of City officials as liaisons in interactions with regulatory agencies, including the Minnesota Indian Affairs Council (MIAC). The resolution designates the City Administrator, City Engineer, City Planner, City Attorney, and Mayor as the primary representatives.

During the discussion, Council Members emphasized the importance of ensuring transparency and responsiveness to constituents' concerns, particularly given the sensitivity of the project. Suggestions were made to include a City Representative, such as the City Planner or other designated staff, in MIAC meetings, even if held via Zoom, to enhance communication and confidence among residents.

A motion to approve Resolution 25-04 which seeks to balance due diligence and effective representation was made by Council Member Wischmeier. Council Member Eckland seconded the motion.

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

The motion carried.

11. MATTERS FROM THE FLOOR

Susan Fuhr, 20 Lilah Lane raised concerns about buckthorn, an invasive species she has actively worked to remove from her property. She noted its detrimental impact on local ecosystems, emphasizing how it chokes out other vegetation. She shared her extensive efforts over five years to eradicate buckthorn from her yard, even using city-provided tools, and questioned whether the City plans to address buckthorn in a manner similar to its efforts with ash trees.

City representatives acknowledged the issue, describing buckthorn removal as a complicated and widespread challenge. While there are no immediate plans, it remains a future consideration. Fuhr also inquired about truck routes related to an ongoing project, expressing interest in more specific information. The city clarified that the exact route design is still under development and part of the planning phase.

12. REPORTS

Mayor Jennings – Jennings reported that on January 8, 2025 he attended an SLMPD meeting and discussed a replacement project for a “chiller” that went out and the potential impact on the City. He also reported that he will be attending the State of the Cities Meeting on January 21, 2025, hosted by the Chamber and on January 24, 2025, Commission Edelson is hosting a District 6, EMS Workshop that he will be attending as well.

13. ADJOURNMENT

There being no further business, Councilmember Anderson made a motion to adjourn the meeting at 10:05 p.m. Councilmember Eckland seconded the motion. Ayes: Anderson, Eckland, Ottum, Jennings. The motion carried.

Jennings, Mayor

Attest:

Gildemeister, City Clerk