

**DEEPHAVEN CITY COUNCIL WORKSHOP MINUTES****5:30 p.m., Monday, August 4, 2025**

**1. CALL THE MEETING TO ORDER:** Mayor Kent Carlson called the workshop to order at approximately 5:30 p.m.

**PRESENT:** Mayor Kent Carlson, Councilmembers Emily Scherschligt, Tom Erdmann, Tony Jewett and John Studer

**STAFF:** City Administrator / Special Counsel, Dan Madsen

**Hennepin County Assessor**

The City Council and Staff met with Assistant Hennepin County Administrator Dan Rogan and Hennepin County Assessor Josh to discuss the City's interest in hiring our own assessor and to review the service levels provided by the County during the 2024 / 2025 assessment process.

Mr. Hoogland and Mr. Rogan explained that the process this past year was particularly challenging given the limited time they had to ramp up to taking on Deephaven and numerous other cities so late in the assessment timeline. Members of the Council and Staff reviewed the challenges with last year's process and discussed opportunities for systems improvements for next year. Mr. Hoogland and Mr. Rogan stated they were confident the service would be more consistent and timely given the County's ability to start the process much earlier than last year and shared that Michael Smerdon would be the primary point of contact for Deephaven and would be conducting all reviews with one other assessor to help guarantee conformity in their review and determinations.

Members of the Council and Staff discussed various other matters including potential improvements to the valuation appeal process, receptiveness and responsiveness to resident questions and concerns, and general concerns over valuations and understanding the difference between lakeshore and non-lakeshore properties. No formal action was taken as this matter was set on for discussion purposes only.

With no other items on the Agenda for discussion, Mayor Carlson adjourned the Workshop at approximately 6:58 p.m.

Typed and respectfully submitted, August 14, 2025.  
Dan Madsen, City Administrator / Special Counsel

# **DEEPHAVEN CITY COUNCIL MEETING MINUTES**

**7:00 P.M. Monday August 4th, 2025**

**1. CALL THE MEETING TO ORDER:** Mayor Carlson called the meeting to order at approximately 7:00 p.m.

**PRESENT:** Mayor Carlson, Councilmembers, Emily Scherschligt and John Studer

**ABSENT:** Tony Jewett & Tom Erdmann

**STAFF PRESENT:** City Administrator Dan Madsen, Police Chief Cory Johnson, Planning Director Pat Smith, City Engineer Steve Hegland with Stantec

**GUEST:** Chris Jewett, Lake Minnetonka Yacht Club  
David Ruoho, Tracer Pool & Landscape  
Dan Scholtec, Red Sky Building

## **2. PLEDGE OF ALLEGIANCE:**

The Council recited the Pledge of Allegiance

## **3. APPROVE CONSENT AGENDA:**

Motion made by Studer and seconded by Scherschligt, to approve the consent agenda consisting of the following;

- A. Approve the July 21<sup>st</sup>, 2025 Workshop and Regular City Council Meeting Minutes
- B. Approve Payment of Claims
- C. Approve Deephaven/Minnetonka School District Voting Equipment Contract
- D. Approve the Kickball Fundraiser Special Event at Thorpe Park

Motion Carried, Voting in favor were Mayor Carlson, Councilmembers Scherschligt & Studer. Jewett & Erdmann were absent. 3/0 Vote.

## **4. MATTERS FROM THE FLOOR:**

Chris Jewett on behalf of the Lake Minnetonka Yacht Club wanted to thank the City of Deephaven Police Department & City Staff for all their help during the Regatta.

## **5. PLANNING & ZONING MATTERS:**

### **A. Conditional Use Permit to exceed the hardcover limit for a swimming pool at 3500 Montgomerie Avenue**

Smith presented the staff report. David Ruoho, Tracer Pool & Landscape, is requesting a Conditional Use Permit to exceed the hardcover limit by 13.8% in conjunction with constructing an inground swimming pool at 3500 Montgomerie Avenue.

According to Hennepin County Property Information, the house was constructed in 2012. The existing hardcover is 30.4%. The applicant is proposing to install an inground pool that would increase the hardcover to 38.8%. The pool is proposed to be 20' x 37'.

The applicant is proposing to mitigate the additional hardcover by installing a dry infiltration basin in the rear yard. The infiltration basin will provide 349 CF of storage. This exceeds the required 172 CF of storage by 89 CF.

The Existing Drainage Map shows the majority of the site (E2 and E3) drains to the property to the southwest of the subject site, while E1 drains toward Montgomerie Avenue. With the proposed swimming pool and infiltration basin, stormwater from 4,207 square feet of the site will now be directed to the infiltration basin rather than the property to the southwest. This represents 28% of the site.

With the proposed dry infiltration basin, the effective hardcover is 17.81%. The City Engineer has reviewed and approved the grading and stormwater management plans.

Councilmember Scherschligt asked about the drainage in the area and how this project would affect the stormwater drainage. Councilmember Studer said that with the infiltration basin, the project will be relieving the stress of the stormwater in the area. The applicant is going above and beyond what is required.

Councilmember Scherschligt noted that the property owner to the south appeared at the Planning Commission meeting and supported the project, while the property owner to the northwest wrote a letter in opposition of the project. Neither property owner appeared at the City Council meeting.

David Ruoho, addressed the City Council. He is suggesting that pool equipment be placed between the shed and the infiltration basin.

Motion by Councilmember Studer, seconded by Councilmember Scherschligt, to accept the recommendation and findings of staff and the Planning Commission and approve a conditional use permit to exceed the hardcover limit by 13.8% in conjunction with building an inground swimming pool at 3500 Montgomerie Avenue, as presented. Motion carried 3/0.

**B. Front Yard Setback Variance for a Portico at 18065 Berry Lane**

Smith presented the staff report. Dan Scholtec, Red Sky Building, is requesting a front yard in conjunction with adding a portico to the house at 18065 Berry Lane. According to Hennepin County records, the subject house was constructed in 1968. The house was constructed with a front yard setback of 34.3 feet making the house a legal non-conforming structure. The proposed portico over the front door would result in a front yard setback to 28.5 feet.

Councilmember Scherschligt said the proposed portico will not have a negative effect on neighboring properties. Mayor Carlson said the wide right-of-way makes the house appear farther from the road than the existing 34.3-foot setback.

Motion by Councilmember Scherschligt, seconded by Councilmember Studer, to accept the recommendation and findings of staff and the Planning Commission and approve a variance to encroach 6.5 feet into the minimum required front yard setback in conjunction with the construction of portico to the house located at 18065 Berry Lane, as proposed. Motion carried 3/0.

**C. Adopt Ordinance No. 04-93 Amending Planning Fees**

Smith stated that the planning fees have not changed since 2021, and staff has determined that the fees do not cover the full cost of staff time and postage.

Motion by Councilmember Scherschligt, seconded by Councilmember Studer, to waive the second reading and adopt Ordinance No. 04-93, amending the City's planning fee

**6. UNFINISHED BUSINESS:**

NONE

**7. NEW BUSINESS:**

NONE

## **8. COUNCIL REPORTS:**

- A. **Mayor Carlson:** Nothing to report. Personnel & Finance will be discussed during a closed sessions talking about union contracts.
- B. **Scherschligt: Park** Committee meeting postponed for tomorrow night due to National night out. However, the committee is looking into a couple of different grants Hennepin County Activities possibly being one of them and the other is one is funding to help clean up Buckthorn in Thorpe Park.
- C. **Jewett:** Absent, Madsen gave a brief report stating that the Fire Board has a Special meeting coming up the end of August for the budget.
- D. **Studer:** Nothing new
- E. **Erdmann:** Absent

## **9. DEPARTMENT REPORTS:**

- A. **Police Department:** Chief Johnson stated that the last month has been busy. Tuesday is National night out and they have 6 groups that have organized activities within the city.
- B. **Excelsior Fire District:** already covered by Madsen in Jewett's council report
- C. **Public Works:** Already covered in Mayor Carlson report
- D. **Administration:** Working the budget and working with Engineer Hegland on a couple projects and he can give those updates in his report. Updated budget will be given during the August 15<sup>th</sup> workshop meeting.
- E. **Engineering Update:** Hegland has been working on bids for the City Hall Hockey Rink, both the rink itself and the lighting for the rink.  
There also was a meeting with the Watershed group, they came to talk to the City about their Next Generation plan & also talked to them about the Montgomerie Ave project. Still working on the funding side of the project, they were unable to commit the funding to us a staff level, it will need to go to the board for that commitment. Hegland doesn't think that meeting will happen until later this month possibly.

## **10. CLOSED SESSION: Union Negotiation Strategy**

## **11. ADJOURNMENT:**

Motion made by Studer and seconded by Scherschligt, to approve to adjourn the Regular City Council meeting at 8:00 pm.

Motion Carried, Voting in favor were Mayor Carlson, Councilmembers Scherschligt & Studer. Jewett & Erdmann were absent. 3/0 Vote.

Typed Respectfully on August 6<sup>th</sup>, 2025  
By Kimberly Lenarz-Greenwaldt  
City Clerk  
Deephaven, MN