DEEPHAVEN CITY COUNCIL WORKSHOP MINUTES
6:00 p.m. Monday, October 6th, 2025

1. **CALL MEETING TO ORDER:** Mayor Carlson, called the Workshop to order at approximately 6:00 p.m.

   PRESENT: Councilmembers Emily Scherschligt, Tom Erdmann, Tony Jewett and John Studer.

   STAFF: City Administrator Dan Madsen

Mayor Carlson called the Workshop to Order at approximately 5:30 p.m. Motion was made by Scherschligt, and seconded by Erdmann, to enter closed session pursuant to Minn. Stat. Section 13D to consider and discuss the Police and Public Works 2026 Union Contracts. The motion carried by unanimous vote and the Council entered Closed Session at approximately 5:34 p.m.

Motion was made by Scherschligt, and seconded by Erdmann, to exit closed session at 6:17 p.m. Motion carried by unanimous vote. Administrator / Special Counsel Madsen explained that the Council discussed both Police and Public Works Union Contracts in Closed Session, and that no determinations had been made as the matter was set on for general discussion purposes only.

The Council then discussed Non-Union Staff Compensation for 2026. Members of the Staff and Council reviewed the proposed cost of living increase and generally discussed how the City's level of compensation should compare to cities previously used as comparison cities for evaluation purposes. No formal action was taken as this matter was set on for general discussion purposes only.

Motion was then made by Scherschligt, and seconded by Jewett, to adjourn the Workshop at approximately 6:55 p.m. Motin carried by unanimous vote and the Workshop was adjourned.

Typed and respectfully submitted, October 16th, 2025.
Dan Madsen, City Administrator / Special Counsel

DEEPHAVEN CITY COUNCIL MEETING MINUTES
7:00 P.M. Monday October 6th, 2025

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

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

ABSENT: none

STAFF PRESENT: City Administrator Dan Madsen, Planning Director Pat Smith, City City Engineer Steve Hegland with Stantec,

GUEST:

2.PLEDGE OF ALLEGIANCE:

The Council recited the Pledge of Allegiance

3.APPROVE CONSENT AGENDA:

Motion made by Jewett and seconded by Scherschligt, to approve the consent agenda of following item and removing the Non Union Employee Compensation;

A. Approve September 15th, 2025 Regular City Workshop and Council Meeting Minutes
B. Approve Payment of Claims
C. Approve Union Contracts
D. Approve Resolution of Support of Jessica Loftus, Minnehaha Creek Watershed Board of Directors

Motion carried, Voting in favor was Mayor Carlson, Councilmembers Scherschligt, Jewett, Studer and Erdmann. 5/0 vote.

4. MATTERS FROM THE FLOOR:

None

5. PLANNING AND ZONING MATTERS:

A. Showcase Event Permit for 4205 Chimo East

Smith presented the staff report. Brenda Koehnen, representing Lecy Brothers Homes, is requesting a Showcase Event Permit to include the renovated residence at 4205 Chimo East on the Artisan Home Tour. The applicant estimates there will be 50-150 visitors each day.

Lecy Brothers Homes has arranged to lease a 15-passenger shuttle to transport guests to and from the City Hall parking lot and the home. The applicant has agreed that there will be no onsite parking for guests. Representatives of Lecy Brothers Homes have met with Police Chief Cory Johnson, who has approved the proposed traffic management plan

Councilmember Studer asked if the applicant plans to use the City Hall parking lot or the parking lot near the paddle ball courts. Brenda Koehnen stated they plan to use the lot near the paddle ball courts.

Councilmember Scherschligt moved, Councilmember Studer seconded, to approved the Showcase Event Permit for Lecy Brothers Homes, for the property located at 4205 Chimo East to participate in the Artisan Homes Tour, as proposed. Motion carried 5/0.

B. Lake Yard Setback Variance for a Retaining Wall at 19725 Lakeview Avenue

Staff presented the staff report. John Daly, Revision LLC, has applied for a variance to encroach into the lake yard setback to construct a retaining wall at 19725 Lakeview Avenue. The City Council discussed this item at their September 2, 2025 meeting and continued the discussion to he October 6, 2025 meeting to give the applicant time to make changes to the retaining wall plans and to publish the public hearing notice for a variance to exceed the three-foot grading limit.

Smith stated the applicant has submitted revised plans that reduces the height of the proposed wall from 11.25 feet to 7.2 feet at the highest point. The setback is the same, however, the south portion of the retaining wall is proposed to be three feet closer to the lake.

The Department of Natural Resources (DNR) requires all communities that have lake to adopt a shoreland overlay ordinance to regulate the land uses around lakes in order to preserve water quality and natural views from the lake. Thus, the City's 100-foot lake yard setback is to preserve the open views of neighbors and to keep the views from Lake Minnetonka as natural as possible. Smith stated that the revised plans are an improvement from the initial submittal, but staff is recommending the applicant plant shrubs in front of the retaining wall on the southside to help soften the views from Lake Minnetonka.

Mayor Carlson opened the public hearing. No one spoke. Mayor Carlson closed the public hearing.

John Daly, applicant, addressed the City Council. Councilmember Studer asked about the decking. Daly said the structure and footings of the decking will remain. Just the top boards will be replaced. Councilmember liked the shrub recommendation. Mr. Sugalski likes the idea of planting shrubs on the south side of the new retaining wall as well as long as the lower retaining wall does not need a variance. Smith stated retaining walls under 3.5 feet are not considered structures and are not subject to the 100-foot lake yard setback.

Moved by Councilmember Scherschligt, seconded by Councilmember Erdmann, to accept the recommendation and findings of staff and approve variances to encroach 51 feet into the lake yard setback and to exceed the 3-foot grading limit by 4.2 feet in conjunction with building a new retaining wall at 19725 Lakeville Avenue. Motion carried 5/0.

C. Sign Ordinance

Smith presented the staff report. At the City Council/Planning Commission joint work session, one of the items that the City Council wanted the Planning Commission to discuss was updating the City's sign ordinance. The Planning Commission reviewed the sign ordinance over the past five months. The goal was to allow new signs to be approved administratively but to ensure the sign regulations resulted in discreet permanent signs.

Councilmember Jewett stated that the Midas pylon sign was supposed to be removed as part of the agreement to allow for the banner signs. Smith will look in the resolution and follow up. Smith said the proposed sign ordinance is based on the signs that have been approved in the city so only a handful of signs would be considered non-conforming with the proposed sign ordinance.

Every lot in Deephaven's commercial districts is allowed 100 square footage of signage regardless of the size of the lot. The proposed sign ordinance has a sliding scale so large lots are allowed more signage. The proposed ordinance prohibits internally-illuminated signs in the C-1 zoning district. The proposed sign ordinance also prohibits electronic message signs. The proposed sign ordinance also changes the display time for temporary signs from 180 days to 42 days (three 14-day periods). The City Council discussed the need for temporary signs.

Mayor Carlson recommends more discussion at the November 3rd workshop.

<u>6. UNFINISHED BUSINESS:</u>

A. Montgomerie Avenue Stormwater Improvement Project Design Approval

Motion was made by Studer and seconded by Scherschligt to approve Stantec Engineering to proceed with the Montgomerie Ave BMP project Design to bid as Alerate to 2026 Street Project.

Motion carried, Voting in favor was Mayor Carlson, Councilmembers Scherschligt, Jewett, Studer and Erdmann. 5/0 vote.

<u>7. NEW BUSINESS:</u>

A. First reading of Amendment to Ordinance 1005.04; Subd. 6 entitled "Certificate of Inflow and Infiltration Compliance"

No action taken, bring back to next meeting.

8. COUNCIL REPORTS:

A. **Mayor Carlson**: No updates
B. **Scherschligt:** No update
C. **Jewett:** Main topic was the sale of the fire engine, coming up meeting Chief performance review
D. **Studer:** No update
E. **Erdmann:** Planning board already updated, LMCC has a meeting coming up

9. DEPARTMENT REPORT:

A. **Police:** Busy month if council would discuss any situation feel free to call me and we can discuss it
B. **Excelsior Fire:** Change Batteries in smoke detectors
C. **Public Works:** Street sweeping starting
D. **Administration:** Budget, Newsletter should be coming out soon,
E. **Engineer Update**: Village hall projects, hockey rinks and tennis courts underway.

ADJOURNMENT:

Motion was made by Studer and seconded by Jewett to adjourn the Regular City Council Meeting at 8:35pm.

Motion carried, Voting in favor was Mayor Carlson, Councilmembers Scherschligt, Jewett, Studer and Erdmann. 5/0 vote.

Typed Respectfully on October 15, 2025 by:
Kimberly Lenarz-Greenwaldt
Deephaven City Clerk