

**DEEPHAVEN CITY COUNCIL WORKSHOP MINUTES****5:00 p.m., Monday, February 2<sup>nd</sup>, 2026**

1. **CALL MEETING TO ORDER:** Mayor Kent Carlson, called the Workshop to order at approximately 5:00 p.m.

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

**ABSENT:** Emily Scherschligt

**STAFF:** City Administrator / Special Counsel, Dan Madsen; City Planner, Pat Smith

**RESIDENTS:** Maggie Eaton and family

**WORKSHOP:****A. Pickleball Sound Mitigation Discussion**

Members of the Council and Staff met with Maggie Eaton to discuss pickleball noise and its impacts on the neighborhood near Village Hall Park. Ms. Eaton stated that the planned expansion of the pickle ball courts would increase the disturbance that noise created on her family and several neighboring properties. Ms. Eaton shared that many neighbors were supportive of her effort to work with the City to find a way to mitigate noise or otherwise address the disturbance pickleball can create in the area.

Members of Staff and the Council discussed and considered numerous options or opportunities that could provide some benefit or noise reduction to the area. Some suggestions, such as the installation of natural fencing or noise mitigating walls or mesh fencing, drew concern from the Council. While it was acknowledged that the City wants to partner with our residents to mitigate noise and disruption, the cost of installing such measures appeared prohibitive, with such measures needing to be provided fairly across all parks and areas in the community. It was acknowledged that this would create a difficult process or pattern to govern equitably and would prove burdensome to enact and maintain.

As another component of the discussion, Ms. Eaton provided the City with resources in the form of grant opportunities that could be pursued to help offset the cost of noise mitigation if desired by the Council. The Council and Staff shared their appreciation for her research and asked that those grant programs be sent to Staff for exploration and application.

Members of the Staff and Council also discussed the option of installing signage that would either prohibit use of the courts during certain hours, or otherwise request that neighbors and the community be considerate and limit use of the courts a predetermined recommended hours of operation. The option of installing signage was generally supported, but the approach appeared to favor less mandatory regulation and more of a directed request that would be supported by the City. Members of the Council asked Staff to again present this matter to the Park Board for their consideration and review.

No formal action was taken as this matter was set on for discussion purposes only.

**B. Retaining Wall Ordinance Discussion**

Members of the City Council and Staff reviewed the regulations surrounding the approval process for retaining walls. The Council expressed concern that some retaining walls, possibly regardless of height or size, may be required to be approved under the current standard building permit process. City Planner, Pat Smith, provided a review of the current regulations pertaining to retaining walls and asked for direction from the Council on a path forward. Staff agreed that they would continue to discuss the potential for language that provided more controls over the regulation of retaining walls and would engage the Planning and Zoning Commission in those discussions.

Motion was then made by Studer, and seconded by Erdmann, to adjourn the meeting at approximately 6:57 p.m. Motion carried, voting in favor were Carlson, Jewett, Studer, and Erdmann, and the workshop was adjourned.

Typed and submitted Thursday, February 26<sup>th</sup>, 2026  
Dan Madsen  
City Administrator / Special Counsel  
Deephaven, Minnesota

# **DEEPHAVEN CITY COUNCIL MEETING MINUTES**

## **7:00 P.M. Monday February 2nd, 2026**

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

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

**ABSENT:** Emily Scherschligt

**STAFF PRESENT:** City Administrator Dan Madsen, Pat Smith City Planner, Kimberly Lenarz-Greenwaldt City Clerk and City Engineer Steve Hegland with Stantec,

**GUEST:** Heather Edelson, Jody Wentland, Randy & Charlotte Ward

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

The Council recited the Pledge of Allegiance

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

Motion was made by Jewett and seconded by Studer to approve the Consent Agenda and to approve the following items;

- A. Approve January 5<sup>th</sup>, 2026 Workshop and Council Meeting Minutes
- B. Approve Payment of Claims
- C. Approve Resolution Local Board of Appeal and Equalization, April 20<sup>th</sup>, 2026
- D. Approve Met Council I&I Grant Agreement
- E. Approve Sale of 2006 Sterling PW Plow Truck
- F. Approve Contracts for Pantheon IT Service and Campbell Knutson Prosecution Services
- G. Approve Updated Council Appointments, LMCD Representative Matt Timmer and Alternate Jonathan Ortner
- H. Approve purchase of Flock Camera System
- I. Approve Tour De Tonka Special Event
- J. Approve Tonka Trail Trot Special Event

Motion carried, Voting in favor was Mayor Carlson and Councilmembers Jewett, Studer and Erdmann. Scherschligt was absent. 4/0 Vote.

### **4. MATTER FROM THE FLOOR**

None

## **5. COUNTY UPDATE: COMMISSIONER EDELSON AND MANAGER JODI WENTLAND:**

Hennepin County Commissioner Edelson and County Manager Jody Wentland provided a presentation to the Council regarding county initiatives and budget matters. Discussion included the County levy and its impact on local property taxes. They responded to Council questions regarding how county decisions affect cities and residents. No action was taken.

## **6. PLANNING AND ZONING MATTERS:**

### **A. Conditional Use Permit to Exceed the Hardcover Limit and a Grading Variance for a New House at 18800 Highland Avenue**

Smith presented the staff report. Sam Steadman, Cardinal Custom Homes, is requesting a variance to exceed the grading limit and a Conditional Use Permit to exceed the hardcover limit by 12.3% in conjunction with constructing a new house.

According to Hennepin County Property Information, the existing house was constructed in 1940. The existing house is a legally non-conforming structure with non-conforming front yard and side yard setbacks. The existing hardcover is 23.87%. The applicant is proposing to raze the existing house and construct a new house that would increase the hardcover to 37.3%.

The proposed grading plan includes two four-foot retaining walls in the rear yard. Raising the grade eight feet exceeds the grading limit of three feet; thus, a grading variance of five feet is required.

Councilmember Studer asked about the location of the proposed retaining walls. City Engineer Hegland said the applicant would need to address the conveyance of the stormwater runoff prior to issuance of a building permit.

Councilmember Erdmann asked about the proposed building height as it exceeds the maximum building height limit. Smith stated that the applicant did not apply for a height variance and because of that any new building would have to meet the maximum building height limit.

Motion by Councilmember Erdmann, seconded by Councilmember Jewett, to accept the recommendation and findings of staff and the Planning Commission and deny a variance to exceed the grading limit by five feet and a Conditional Use Permit to exceed the hardcover limit by 12.3% in conjunction with building a new house at 18800 Highland Avenue. Motion carried 4/0.

## **B. Maximum Building Footprint**

Councilmember Studer said having a sliding scale made sense, so the size of the house is compatible to the size of the lot. Councilmember Jewett asked about the exception for large lots. Smith stated that the Planning Commission discussed this question, and they thought any house that did not comply with the maximum footprint regardless of the size of the lot should go through the variance process.

Mayor Carlson said having a more realistic maximum building footprint limit will help reduce the number of larger hardcover requests.

Councilmember Erdmann stated that the proposed maximum building footprint limit is more conservative than Excelsior's.

Councilmember Erdmann understood the concept of allowing single-story homes with a larger footprint; however, he is concerned someone would use the ordinance to circumvent the intent of the ordinance of regulating massing by building a single-story house and then later ask for a variance for a second story. The Council waived the first reading of the ordinance and scheduled the second reading for March 2, 2026.

## **C. Comprehensive Plan Amendment – Trails and Sidewalks**

Smith presented the staff report. The next Comprehensive Plan update is at the end of 2028. Instead of waiting until then, staff and the Planning Commission are recommending amending the existing Comprehensive Plan to include the pedestrian trail and sidewalk plan. This would enhance our chances of securing grants. Councilmember Studer asked if adding this section into the Comprehensive Plan mandates the City Council into implementing all the recommending trail improvements. Smith stated no. There is no obligation to implement any of the recommending trail improvements. It would always be up to the City Council on when and where trail improvements were to be made.

Motion by Councilmember Erdmann, seconded by Councilmember Jewett, to amend the Comprehensive Plan to include a section on pedestrian trails and sidewalks. Motion carried 4/0.

## **D. Signs**

The City Council moved this item to the March 2 work session to have a more thorough discussion regarding the proposed changes.

## **E. Variance Review Process**

John Studer asked about the use exception from a variance request. Smith stated that state law forbids communities to granting a variance for a use in a zoning district. If a property owner wanted to use the property for something that is not allowed by the zoning ordinance, the appropriate procedure would be to request a rezoning of the property not a variance to allow an illegal use.

Motion by Councilmember Jewett, seconded by Councilmember Studer, to waive the second reading of Ordinance amending the variance process without any changes. Motion carried 4/0.

## **7. UNFINISHED BUSINESS:**

NONE

## **8. NEW BUSINESS:**

The Council reviewed proposed 2026 parking sticker designs and discussed incorporating patriotic elements in recognition of the America 250 celebration. Councilmembers selected their preferred design concepts and provided feedback for final revisions.

## **9. COUNCIL REPORTS:**

**A. Mayor Carlson:**

**B. Scherschligt:** Absent

**C. Jewett:** Fire Board meeting later this month will have an update for the March meeting.

**D. Studer:** Nothing to report

**E. Erdmann:** LMCC finalized the sale of the old building. Planning commission Pat covered.

## **10. DEPARTMENT REPORTS:**

**A. Police Department:** Chief Johnson reported that it has been pretty quiet lately. Officers doing house checks for residents on vacation

**B. Excelsior Fire Department:** Meeting later in February, update in March

**C. Public Works:** PW has been busy plowing and maintaining the rinks and working on equipment on downtime.

**D. Administration:** New permit clerk Maria Borell started and things have been going well and Diane will be retiring this week.

**E. Engineer Updates:** Bids start February 10<sup>th</sup>, Hegland is thinking that there will be at least 6 bidders.

**11. Adjournment:**

Motion was made by Studer and seconder by Erdmann to adjourn the Deehaven Reglar City Council meeting at 9pm.

Motion carried, Voting in Favor was Mayor Carlson and Councilmembers Jewett, Studer and Erdmann. 4/0 Vote.

Typed Respectfully on February 23,2026

By: Kimberly Lenarz-Greenwaldt

Deehaven City Clerk