

DEEPHAVEN CITY COUNCIL WORKSHOP MINUTES**6:00 p.m., Monday, January 6, 2025**

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

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

STAFF: City Administrator Dan Madsen

2. **Employee Health Insurance Expense**

Administrator / Special Counsel Madsen explained to the Council that Members of the Personnel Committee had discussed levels of funding for healthy insurance benefits for Staff in 2025. The proposal considered by the Personnel Committee proposed that the City would continue to cover 100% of Single Coverage and 80% of Family Coverage for Staff, including a standardized contribution for Employee HSA Accounts in the amount provided for Single coverage for both Single and Family coverage employee accounts. This amount was established to be \$3,250 for insurance purposes for 2025. Madsen explained that both the Police Union and Public Works Unions had reviewed and agreed to this proposal, and Staff felt the proposal was also fair to both the City and the Employees.

Members of the Council discussed and reviewed the recent history of City-paid insurance contributions, comparing those amounts and percentages with amounts covered by other similarly situated cities in our area. No formal action was taken, as this matter was set on for discussion purposes only.

3. **City Council Appointments**

Members of the Staff and Council discussed the previous City Council Assignments and Appointments to the various City Boards and Commissions. Members of the Council reviewed their list of assignments and briefly discussed whether any changes or shifts in assignments should be made. No formal action was taken, as this matter was set on for discussion purposes only.

4. **Hockey Rink Boards**

Administrator / Special Counsel Madsen explained that Staff had continued to work toward the Hockey Rink project in Village Hall Park and had a couple of different options for the Council to consider as it related to boards for the proposed rink. Madsen reviewed one proposal that included new boards with fiberglass facing, chain link fencing and installation for a project cost of \$179,740. Madsen also reviewed an option to reface used hockey boards with fiberglass, which also included chain link fencing and installation, for a cost of \$128,712. Members of the Council considered options to leave the existing poly facing on the boards to save money, noting that the poly facing would likely fail and need replacement in five to seven years. The Council

also discussed the potential of installing the boards with Staff to save money or contracting for the chain link fencing separately to drive down costs for the project. No formal action was taken, as this matter was set on for discussion purposes only.

5. Adjournment

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

Typed and respectfully submitted, January 27, 2024.
Dan Madsen, City Administrator / Special Counsel

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

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

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

STAFF PRESENT: City Administrator Dan Madsen, Police Chief Cory Johnson, City Planner Pat Smith and City Engineer Jim Stremmel

2. **PLEDGE OF ALLEGIANCE:**

The Council recited the Pledge of Allegiance

3. **OATH OF OFFICE**

Councilmembers Emily Scherschligt & Tom Erdmann were sworn into office.

4. **APPROVE CONSENT AGENDA:**

Motion by Councilmember Jewett and second by Councilmember Scherschligt, to approve the consent agenda consisting of the following items:

- A. Approve the December 2,2024 City Council Workshop & Regular Council Meeting minutes
- B. Approve Verified Claims
- C. Approve 2025 City and Employee Health Insurance Contributions
- D. Approve Freightliner Plow Truck Purchase
- E. Approve 2025 Tree Removal Company Quotes
- F. Approve sale of F350 Public Works Truck

5. **MATTERS FROM THE FLOOR:**

NONE

6. **APPEARANCE: HENNEPIN COUNCTY COMMISSIONER EDELSON**

Hennepin County Commissioner Heather Edelson did a presentation and explained to the council the wide range of services that Hennepin County offers to support the residents & quality of life. Reminding them of some of the different grants that are available to apply for.

7. PLANNING & ZONING MATTERS:

A. Variance to Expand a Non-Conforming Structure and a Conditional Use Permit to Exceed the Maximum Hardcover at 4200 Water Street

Smith presented the staff report. Troy Mason, Mason Construction Services, is requesting a variance to expand a non-conforming structure and a Conditional Use Permit to exceed the hardcover limit by 9.3% in conjunction with constructing an addition.

According to Hennepin County Property Information, the existing house was constructed in 1885. The existing hardcover is 25.8%. The applicant is proposing to construct an addition onto the west side of the existing house, which would increase the hardcover to 34.3%. The house is considered legal non-conforming due to the house has an exterior side yard setback of 13.8, while an exterior side yard setback of 25 feet is required. The proposed garage addition will be setback from the house and will have an exterior side yard setback of 15 feet.

Councilmember Studer asked about the design of the raingarden. City Engineer Stremel said the raingarden is designed to overflow to the street. Mayor Carlson said that the stormwater design will significantly help with the stormwater runoff from this property. Councilmember Studer asked about the downspouts. Troy Mason, applicant, addressed the Council. He said the downspouts will be dumping into a draintile system that is directed to the raingarden.

Councilmember Scherschligt asked if there are two proposed raingardens as stated in the staff report. Smith replied that the applicant removed the second rain garden located south of the house right before the Planning Commission meeting because it was not needed. The City Engineer has reviewed the revised plan and has confirmed that the single rain garden is large enough to mitigate the extra hardcover.

Motion by Councilmember Jewett, seconded by Councilmember Studer, to accept the recommendation and findings of staff and the Planning Commission and approve a variance of 10 feet from the exterior side yard setback and a Conditional Use Permit to exceed the hardcover limit by 9.3% in conjunction with building an addition to the at 4200 Water Street as proposed. Motion carried 5/0.

B. Variance to Exceed the Grading Limit for a New House at 20740 Linwood Road

Smith presented the staff report. The applicant, Kyle Hunt, Kyle Hunt & Partners, Inc., is requesting a variance to exceed the grading limit by three feet in conjunction for constructing a new house on a vacant lot.

The subject site is vacant and is relatively flat; however, there is a “shelf” in the middle of the lot that drops five feet. The applicant is proposing a new house that would raise the grade six feet in the planter area, which is shaded blue in the proposed survey. The maximum grade change without a variance is three feet; thus, a variance to exceed the grade limit by three feet is required.

Typically, architects and property owners see a drop in elevation as an opportunity to create a walkout level for a new house. In this case, however, it is the desire of the property owner to have lakeside access via the main level and want to soften the mass of the structure so it feels more like a 1.5-story house rather than a 2.5-story house from the lakeside view.

Kyle Hunt addressed the City Council. He is working to address the City Engineer’s comments. Lisa Goodwin, the homeowner, is the fourth generation Wyard living in Deephaven.

Motion by Councilmember Scherschligt, seconded by Councilmember Jewett, to accept the recommendation and findings of staff and the Planning Commission and approve a variance to exceed the maximum grade limit by three feet in conjunction with constructing a new house at 20740 Linwood Road, as proposed. Motion carried 5/0.

C. Ordinance Review – Commercial Districts

Currently Deephaven has two commercial zoning districts – C1 and C2. The commercial node at Chowens Corner is zoned C1 along with the commercial node at Highway 7 even though the two commercial districts have different characteristics. The Planning Commission and staff are recommending creating three commercial zoning districts for the three different commercial nodes in Deephaven.

Councilmember Jewett recommends having cannabis businesses allowed by conditional use rather than permitted administratively. Mayor Carlson stated that the city is bound by state laws that limit what the city can approve or not.

Motion by Councilmember Jewett, seconded by Councilmember Studer, to waive the second of Ordinance No. 13-XX and adopt said ordinance with the change that cannabis dispensaries are allowed in the C3 zoning district as a conditional use. Motion carried 5/0.

D. Rezoning Highway 7 Commercial Properties

Staff recommends clarifying the zoning of 19400 Highway 7 since the zoning map shows the entire property as zoned C1, which the legal description of the C1 zoning district in the zoning ordinance states that the westerly half of 19400 Highway 7 is zoned residential. Smith stated that if the Council prefers that the westerly part of 19400 Highway 7 remain as a buffer, then it should be written as such in the zoning regulations instead of using the legal description to regulate the development of that lot.

Motion by Councilmember Studer, seconded by Councilmember Jewett to rezone 19400, 19340 and 19300 Highway 7 from C-1 to C-3. Motion Carried 5/0.

E. Traffic Studies Ordinance

Cities typically have a provision in the zoning ordinance that requires developers to submit a traffic study for any development when necessary.

Councilmember Studer asked if the proposed ordinance would pertain to single-family residential properties. Smith stated that the ordinance is written generally to so that any development that the Council or staff believes will have a negative impact on the traffic on local roads, the Council or staff could request the developer to conduct a traffic study. A multifamily residential development could trigger a traffic study. Smith stated that a single-family development is pretty standard on traffic patterns and would not trigger a traffic study.

Motion by Councilmember Studer, seconded by Councilmember Erdmann, to waive the second reading of Ordinance No. 13-XX, and adopt said ordinance without changes. Jewett left at 8:05pm. Motion carried 4/0.

F. Trail Plan Open House

The Trail Steering Committee is in the middle of the planning process of creating a Master Trail Plan for Deephaven. The next step is to host an Open House to solicit community input on possible options for trail improvements. The Council should comment on the draft boards.

Councilmember Erdmann is going to pass along to Planning Director Smith the trail improvements that were recommended through the 2020 Bikeway Feasibility Report. Councilmembers Studer and Scherschligt suggested residents being able to rank their top three improvements at the open house. Councilmember Scherschligt cautioned community expectations for installing pedestrian trails along Lake Avenue since the road was recently improved.

8. UNFINISHED BUSINESS:

NONE

9. NEW BUSINESS:

- A. Each year the city is required to establish a date that they hold a public hearing letting residents come in and discuss and/ or appeal the evaluation their property. We do have to councilmembers certified that allows us to hold this Public Hearing and serving as the Board & Equalization.

Motion made by Studer and seconded by Erdmann to approve Resolution 01-25 Establishing a Date for 2025 Local Board of Appeal & Equalization Public Hearing. Jewett was absent, motion carried 4/0.

- B. Motion made by Studer and seconded by Scherschligt to approve Resolution 02-25 Establishing the Official 2025 Deephaven meeting Calendar with the correction of July 21 instead of July 14th. Jewett was absent, motion carried 4/0.

- C. Motion made by Erdmann and seconded by Scherschligt to approve Resolution 03-25 Designating 2025 Council Appointments & Assignments. Jewett was absent, motion carried 4/0.

- D. Motion made by Studer and seconded by Erdmann to approve Resolution 04-25 Establishing 2025 Administrative fee Schedule. Jewett was absent, motion carried 4/0.

- E. The Council discussed different options for the Hockey Rink Boards at Village Hall Park in workshop, City Administrator Dan Madsen did a recap stating that Councilmember Studer was going to look into pricing on concrete for under the ice. The topic will be tabled until more information is gathered.

10. DEPARTMENT REPORTS:

- A. Police Chief Cory Johnson said that he had sent two squad cars up to Kare 11 for the Toys for Tots Drive, as it was a good turn out.

Thanking the community for their donations.

The department will be getting new cars so they will be taking some up to Clear Lake.

- B. Dan Madsen updated the council on the fire district, stating that they are still working on the chiller.

- C. Public works is busy getting the ice rinks back up.

D. Administration has been working on end of year and start of a new year reports. Andrew has been busy with both Deephaven & Woodland audits.

11. ADJOURNMENT:

Motion made by Studer and seconded by Scherschligt to adjourn the meeting at 8:40pm. Jewett left at 8:05pm., motion was carried 4/0.

Typed and respectfully submitted Wednesday January 8, 2025.
Kimberly Lenarz-Greenwaldt, City Clerk

All meetings of the Deephaven City Council are video recorded and available for viewing on-line at www.cityofdeephaven.org. Meeting minutes are intended to be a general synopsis of the meetings of the City Council, and more detail regarding discussions and policy considerations is provided by watching the recording of the meeting.