

DEEPHAVEN CITY COUNCIL WORKSHOP MINUTES**6:00 p.m., Tuesday, September 8, 2026**

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

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

STAFF: City Administrator / Special Counsel, Dan Madsen

WORKSHOP AGENDA:**2026 Preliminary Property Tax Levy, Payable in 2027:**

Administrator, Special Counsel Madsen explained that the Draft Resolution presented in the Council Packets reflects the Draft 2027 Budget, inclusive of a 7th Police Officer at estimated cost of approximately \$175,000. If the Greenwood Police Services Agreement is ultimately not approved, that expense can be removed from the 2027 Draft Budget and Levy. The General Fund Property Tax Levy is currently projected to be \$3,820,924.60. If approved, this would reflect an increase of \$331,258.60, or 9.49%, from the 2026 Final Levy of \$3,489,666. The Capital Improvement Fund Levy is currently projected to be \$1,100,000. If approved, this would reflect an increase of \$100,000, or 9.09%, from the 2026 Final CIP Levy of \$1,000,000. This fund has a current negative balance of 283,133 coming into 2026. With the delay of the Pavilion Project, this fund balance should end 2026 in a positive state of approximately \$220,000 at the end of 2026. We will update the CIP Spreadsheet when we have more capital expenses factored later this year and upon completion of the 2026 Street Project. The Debt Service Levy is currently projected to be \$189,315. If approved, this would reflect a decrease of \$1,470, or .78%, from the 2026 Final Levy of \$190,785. The 2026A Series Bond has a payment in the amount of \$128,418.75, but that payment was capitalized upon bond issuance and has already been reserved for payment.

Madsen concluded that, overall and if left unchanged, the 2027 Draft Preliminary Property Tax Levy would be in the amount of \$5,110,239.60. This reflects an increase of \$429,788.60, or 9.18%, from the 2026 Final Property Tax Levy in the amount of \$4,680,451. Members of the Council discussed the levy increase and encouraged Staff to continue to review the Budget and Preliminary Levy for final approval at the September 21, 2026, Council Meeting. No formal action was taken as this matter was set on for discussion purposes only.

Motion was then made by Jewett, and seconded by Scherschligt to adjourn the Workshop at approximately 6:55 p.m. Motion carried by unanimous vote the Workshop was adjourned. Respectfully typed and submitted Thursday, September 17, 2026.

Dan Madsen
City Administrator, Special Counsel
Deephaven, Minnesota

DEEPHAVEN CITY COUNCIL MEETING MINUTES

7:00 P.M. Monday September 7th, 2026

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

PRESENT: Mayor Kent Carlson and Councilmembers Emily Scherschligt, Tony Jewett

ABSENT: Tom Erdmann and John Studer

STAFF PRESENT: City Administrator Dan Madsen, Finance Clerk Andrew Keller and City Engineer Steve Hegland with Hakanson Anderson,

2. PLEDGE OF ALLEGIANCE:

The Council recited the Pledge of Allegiance

3. APPROVE THE CONSENT AGENDA:

Motion made by Jewett and seconded by Scherschligt to approve the consent agenda as presented, and to approve the following items;

- A. Approve August 17th, 2026 Workshop and Council Meeting Minutes
- B. Approve Payment of Claims
- C. Approve BCA and CJDN Master Agreement and JPA
- D. Approve the 2027 LMCC Budget

Motion carried, Voting in favor was Mayor Carlson and Councilmembers Scherschligt and Jewett. 3/0 Vote.

4. MATTERS FROM THE FLOOR:

Nothing

5. PLANNING AND ZONING MATTERS:

A & B . Showcase Event – 18600 Minnetonka Boulevard

Smith presented the staff report. Albertsson Hansen Architecture and Davide Heide Design Studio have each applied for a Showcase Event Permit, but are using the same shuttle service for their events for the properties at 18600 Minnetonka Boulevard and 19380 Walden Trail, respectively.

The Homes by Architects Tour is one weekend, Saturday and Sunday, September 19 and 20. The applicants estimate there will be 1000 visitors each day. They have arranged to use St. Therese Church for guest parking, and a shuttle that will operate every 10 minutes will bring visitors to the two houses.

Staff sent notices to all homes within 350 feet of the two houses planned to be in the Homes by Architects Tour. The only response received was from the neighbor of 19380 Walden Trail, who supported the Showcase Event application.

Councilmember Scherschligt appreciates that the tour is only one weekend. Mayor Carlson asked about the number of homes on the tour. Brad Belka, David Heide Design Studio, said there are about a dozen homes on the tour. He is not in charge of selling tickets but he believes they will sell about 3,000 tickets.

Motion by Councilmember Scherschligt, seconded by Councilmember Jewett, to accept the recommendation and findings of the staff and approve the Showcase Event Permits for the properties located at 18600 Minnetonka Boulevard and 19380 Walden Trail to participate in the Homes by Architects Tour, as proposed. Motion carried 3/0.

C. Conditional Use Permit to Exceed Hardcover Limit for Artificial Turf at 19155 Lake Avenue

Smith presented the staff report. Cal Schmidt, the property owner, installed artificial turf with an impermeable base in the backyard of this newly constructed house, which increased the hardcover from 24.69% to 40.12%. To mitigate the hardcover over the 25% maximum hardcover limit, the applicant is proposing an infiltration trench on the two downward sides of the artificial turf.

Under the previous conditions and current conditions, the majority of the stormwater drains southwest to the local basin in the backyard of the vacant property at 19190 Park Avenue. The infiltration trench surrounding the area with artificial turf will now capture stormwater runoff from the majority of the backyard. The City Engineer has reviewed and approved the grading and stormwater management plans.

Councilmember Scherschligt asked about hardcover approved previously. Smith stated that most Conditional Use Permit requests fall within the 30%-35% range, but one was approved with 50% hardcover because it was a small lot with a detached garage located behind the house.

Councilmember Jewett asked about the effective hardcover. Smith confirmed the effective hardcover will be 24.3%. Councilmember Jewett asked if the vacant lot on Park Avenue that collects all the stormwater for the area was considered buildable.

Smith stated most of the lot is located in the flood prone area making constructing a house on the lot very challenging.

Jane McMichael, 3865 Northome Avenue, addressed the City Council. She has been aware of the drainage issue in her vacant lot at 19190 Park Avenue, but believes the lot is buildable. City Engineer Steve Hegland said the drainage pattern is not going to change. The size of the drainage area is large enough that any significant rain fall would have a minimal change in level of stormwater collected.

Motion by Councilmember Jewett, seconded by Councilmember Scherschligt, to accept the recommendation and findings of staff and the Planning Commission and approve conditional use permit to increase the hardcover to 40.12% for artificial turf in the backyard of the property located at 19155 Lake Avenue, as presented. Motion carried 3/0.

D. Lake Yard Setback Variance for a Pergola at 19620 Cottagewood Road

Smith presented the staff report. The house was constructed in 1947 with non conforming lake yard setbacks. The applicant submitted a building permit for a deck and a trellis on June 17, 2026. Staff approved the building permit without realizing the extent of the trellis. A resident questioned if a variance for the pergola was approved. Staff inspected the site and told the property owner and contractor that variance is required for the pergola. Work could continue on the deck as the deck does not need a variance, but work on the pergola needed to stop.

The Planning Commission recommended approval of a 21.7-foot lake yard setback variance for a pergola. Since the Planning Commission meeting, the applicant has revised the plans and eliminated half of the pergola towards Lake Minnetonka, and is proposing to screen in the half of the pergola that has been constructed. The lake yard setback variance reduces from 21.7 feet to 7 feet.

Councilmember Scherschligt said the house was built in 1937, and to have a screen porch requires some type of lake yard setback, and the property owners have placed it in the area that is least obtrusive to the lake yard setback and does not impact the view of neighboring property owners of Lake Minnetonka. Councilmember Scherschligt said she is reviewing the application request as if the applicant requested the lake yard variance before starting construction on the pergola.

Mayor Carlson said Deehaven has the largest lake yard setback around Lake Minnetonka to ensure any proposed encroachments do not negatively effect neighbors. Councilmember Jewett asked if the deck needed a lake yard setback variance. Smith said the deck does not need a variance as it is under 3.5 feet and therefore is not considered a structure. Councilmember Jewett said the location of the proposed screen porch seems reasonable. He said his vote would not change if the screen porch went back to the Planning Commission or not. Councilmember Jewett stated that the

proposed encroachment has been improved since the Planning Commission made their recommendation in August.

Jarrett Reed, 19610 Cottagewood Road, addressed the City Council. City Administrator Madsen confirmed that Mr. Reed's written comments were distributed to the City Council.

Councilmember Jewett moved, Councilmember Scherschligt seconded, to accept the recommendation and findings of the staff and the Planning Commission and approve a variance to encroach seven feet into the lake yard setback to build a screen porch at 19620 Cottagewood Road, as presented. Motion carried 3/0.

E. Preliminary and Final Plat to Reconfigure the Lots at 18425 Northome Boulevard and 18445 Northome Boulevard, Lot Size Variance, and Conditional Use Permit to Exceed the Hardcover Limit for Two New Homes

Smith presented the staff report. The house at 18425 Northome Boulevard was constructed in 1912 according to Hennepin County property records. The house at 18445 Northome Boulevard was constructed in 1920 according to Hennepin County property records.

Parcel 1 (18445 Northome Boulevard) has a lot area of 15,027 square feet and a road frontage of 100.67 feet. Parcel 2 (18425 Northome Boulevard) is L-shaped, has a lot area of 17,585 square feet, and a road frontage of 50.34 feet. The backyard is essentially unusable, and the side yard setbacks (25 feet along Montgomerie Avenue and 10 feet from the interior lot line) result in a lot that is unbuildable without a variance.

The applicant is proposing to reconfigure the two lots to make both lots more functional and usable.

Councilmember Scherschligt asked what would happen if the plans changed. Smith stated that the house configuration could change without needed City Council approval, but if the hardcover increased any amount, the applicant would need to apply to amend the CUP. Mayor Carlson said the proposed location of the two rain gardens has been well designed.

Councilmember Jewett asked about the location of the two driveways. Currently, but houses have access to Northome Boulevard. Smith stated under the proposed plans the corner lot would access Montgomerie Avenue. Mayor Carlson asked if the corner lot would then need a Montgomerie address. Smith stated the property owners of corner lots have the choice for their address regardless which road they have access to.

Motion by Councilmember Jewett, seconded by Councilmember Scherschligt, to accept the recommendation and findings of staff and the Planning Commission and approve the preliminary and final plat, the minimum lot size variances, and the Conditional Use Permit to exceed the hardcover limit by 5% for the new house proposed for 18445 Northome Boulevard and 5.4% for the new house proposed for 18425 Northome Boulevard, as proposed. Motion carried 3/0.

6. UNFINISHED BUSINESS:

A. 2027- 2031 Marina Fees – Resolution

Council reviewed the proposed Marina rates for 2027 through 2031. The proposed rates continue the previous schedule of annual increases for docks, buoys, and shore spaces. Slide fees will remain the same until 2030, and canoe and paddleboard rack fees will remain unchanged. The additional revenue will help fund future marina repairs, replacement of infrastructure, and possible expansion of the St. Louis Bay Marina.

Motion was made by Scherschligt and seconded by Jewett to approve the resolution setting Marina rates applicable in 2027 through 2031. Motion carried, Voting in favor was Mayor Carlson and councilmembers Scherschligt and Jewett. 3/0 Vote.

7. NEW BUSINESS:

A. Ordinance Recodification of City Code

City Administrator Madsen reviewed the proposed amendment and recodification of the Deephaven City Code. The City last formally updated and recodified its Code in 2003, and staff have been working with American Legal to incorporate ordinance amendments and update outdated provisions to reflect current Minnesota statutes and applicable law.

The updated City Code will also be published online in a searchable format, making it easier for staff, Council, and the public to research and reference City ordinances. This item was presented as the first reading and review of the recodified City Code.

Motion was made by Scherschligt and seconded by Jewett to waive the second reading and approve recodification and publication of the Deephaven City Code as presented.

Motion carried, voting in favor was Mayor Carlson and Councilmembers Scherschligt and Jewett. 3/0 Vote.

B. Burton Park CPL Grant Application

City Engineer Hegland reviewed the request to resubmit the DNR Conservation Partners Legacy (CPL) Grant application for invasive buckthorn removal and habitat restoration at Burton Park. A similar application was submitted in 2025 but was not selected for funding. Staff revised the application based on feedback received, including emphasizing long-term invasive species management and development of a management plan for the park.

The proposed project includes initial buckthorn removal, follow-up treatments for buckthorn and other invasive species, and restoration with native grasses, plants, and seed. The proposed project budget totals \$217,250, with a \$188,450 grant request and \$28,800 City match, which would largely be provided through volunteer hours and some City-funded materials.

Motion was made by Scherschligt and seconded by Jewett to approve the submission of the grant application at the cost estimated to be less than \$750.

Motion carried, Voting in favor was Mayor Carlson and Councilmembers Scherschligt and Jewett. 3/0 Vote.

8. COUNCIL REPORTS:

A. Mayor Carlson: Public works and Public safety later this month on the 17th in the afternoon. Personnel committee will be meeting with City Administrator Dan Madsen later this month.

B. Scherschligt: Parks committee met in August and discussed ideas about updating the city website and getting more things out there about our parks in town. Went over the buckthorn and the grant application that was covered earlier tonight. Lastly, briefly touched on the Deephaven Day for June 2027, looking at Saturday June 5th.

C. Jewett: No fire board meeting but they get information for the capital and operating budget the ups will not be included in the capital budget that as 2 cities voted it down.

D. Studer: Absent

E. Erdmann: Absent

9. DEPARTMENT REPORTS:

A. Police Department: 3 hit and run incidents this month, two were able to be solved by using the flock cameras. E-bikes still remain to be an issue with in Deephaven. City Administrator Dan Madsen wanted to touch base on what a

fleeing an officer on an e-bike looks like in the eyes on the law. Chief Johnson confirmed that this is a felony, Fleeing an officer. Even though people think it is kids just being kids. This is a serious matter that can affect the rest of your life.

B. Excelsior Fire Department:

C. Public Works:

D. Administration: Road construction is stilling moving along and making deadlines and everything is looking to be done by the end of October. Also going to start working on Deephaven Day June 5th, is right around the corner and we will be working on that soon.

E. Engineering: Montgomery avenue project is underway and looking at paving it the week of the 21st. Last phase of the project is underway, utilities started and are ahead of the road construction which should right of target.

10. ADJOURNMENT:

Motion was made by Scherschligt and seconded by Jewett to adjourn the City Council Meeting at 8:17pm.

Motion carried, Voting in favor was Mayor Carlson and Councilmembers Jewett and Scherschligt. 3/0 Vote

Typed Respectfully on September 16th, 2026

By: Kimberly Lenarz-Greenwaldt

Deephaven City Clerk

These minutes are intended to provide a summary of the meeting and are not a verbatim transcript. A full video recording of the meeting is available online at:

<https://www.lmcc-tv.org/deephaven.html>

