

**CITY OF DEEPHAVEN
REGULAR COUNCIL MEETING
7:00 P.M., MONDAY, JUNE 1, 2020
NOTICE OF MEETING BY TELEPHONE OR OTHER ELECTRONIC MEANS**

NOTICE IS HEREBY GIVEN that the City Council of the City of Deephaven will hold its regular Council meeting on Monday, June 1, 2020 at 7:00 p.m. at Deephaven City Hall located at 20225 Cottagewood Road, Deephaven, MN.

In accordance with the requirements of Minnesota Statutes, Section 13D.021, the Mayor has determined that due to the outbreak of COVID-19 it is not practical or prudent to hold an in-person meeting. Some members of the City Council may be participating via telephone or other electronic means. Members of the public may monitor the meeting by joining the following link:

Topic: June 1, 2020 Council Meeting
Time: Jun 1, 2020 07:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83169137621?pwd=SmhLVTJMRklrRUlaT1NMR2trNmlqQT09>

Meeting ID: 831 6913 7621

Password: 337441

One tap mobile

+13126266799,,83169137621#,,1#,337441# US (Chicago)

+19292056099,,83169137621#,,1#,337441# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 831 6913 7621

Password: 337441

Find your local number: <https://us02web.zoom.us/j/83169137621?pwd=SmhLVTJMRklrRUlaT1NMR2trNmlqQT09>

**DEEPHAVEN CITY COUNCIL
DEEPHAVEN CITY COUNCIL CHAMBERS
20225 COTTAGEWOOD ROAD
MONDAY, JUNE 1, 2020
7:00 P.M.**

AGENDA

- 1. CALL MEETING TO ORDER**
- 2. APPROVE CONSENT AGENDA**
 - A. Approve May 18, 2020 Council Minutes**
 - B. Approve Verifieds**
- 3. MATTERS FROM THE FLOOR**
- 4. UNFINISHED BUSINESS**
 - A. Approve 2040 Comprehensive Plan / Adopt Resolution No. 19-20**
 - B. Review 2021 Budget Schedule**
 - C. Adopt Ordinance No. 09-28, Deleting the June 1st Deadline & 90-Day Rule**
 - D. Other**
- 5. NEW BUSINESS**
 - A. Discuss Street Escrow Accounts**
 - B. Other**
- 6. DEPARTMENT REPORTS**
 - A. Police Department**
 - B. Excelsior Fire District**
 - C. Public Works**
 - D. Administration**
- 7. ADJOURNMENT**

**DEEPHAVEN CITY COUNCIL MEETING
MONDAY, MAY 18, 2020
MINUTES
VIA ZOOM VIDEO CONFERENCING TECHNOLOGY**

- 1. **CALL MEETING TO ORDER:** Mayor Paul Skrede called the meeting to order at 7:00 p.m.

PRESENT: Mayor Paul Skrede, Councilmember’s Melissa McNeill, Tony Jewett, Steve Erickson, and Kent Carlson

STAFF: City Administrator Dana Young

- 2. **APPROVE MAY 4, 2018 COUNCIL MINUTES**

Motion by Councilmember Erickson to approve the May 4, 2020 City Council minutes. Seconded by Councilmember McNeill. Motion carried 5-0.

- 3. **MATTERS FROM THE FLOOR**

There were no Matters from the Floor this evening.

- 4. **UNFINISHED BUSINESS**

- A. **Adopt Ordinance No. 08-08, Establishing Uniform Park & Ice Rink Hours**

Administrator Young stated that Ordinance No. 08-08 was first reviewed by the City Council on May 4, 2020. He stated that the ordinance proposes to establish uniform hours for parks, beaches and ice rinks requiring them to be closed to the public from 10:00 p.m. to 6:00 a.m. The ordinance would also delete the sentence that reads “*except those who, without delay, are traveling on the established walks, paths and streets*” under Park Hours.

He stated that a copy of the proposed ordinance was posted for 10 days as required by law.

Administrator Young stated that Police Chief Johnson asked whether this ordinance would impact the use of the platform courts at Haralson Park, which are often in use beyond 10:00 p.m.

Mayor Skrede asked if the Council would like to make an exception for the use of the platform courts or revisit the issue later if complaints are received.

It was the consensus of the Council to adopt the ordinance now and deal with any issues at a later date.

Motion by Councilmember McNeill to adopt Ordinance No. 08-08, an Ordinance Establishing Uniform Park & Ice Rink Hours. Seconded by Councilmember Carlson. Motion carried 5-0.

B. Discuss the Issuance of Non-Resident Beach Permits

Mayor Skrede stated that we had a lengthy discussion on this issue at the last Council meeting with the decision to wait for further direction from the Governor regarding outdoor gatherings. He noted that we are still in the same situation now until the Governor gives the all clear on outdoor recreation.

It was the general consensus of the Council to not issue non-resident beach permits until the Governor gives the all clear.

C. Other

Mayor Skrede stated that he has two construction-related issues to discuss. He stated that first is a bid from Schneider Excavating to replace a failing storm water structure on Northome Blvd that needs to be replaced prior to the time that street resurfacing begins on Northome Blvd. He stated that Schneider provided a bid in the amount of \$32,112.00 to install a new catch basin, manhole and concrete pipe.

Councilmember Carlson asked if this price included restoration.

Mayor Skrede stated that the property owner would have their own lawn service install sod over the damaged area and send us the bill.

Motion by Councilmember Carlson to approve the bid submitted by Schneider Excavating in the amount of \$32,112.00 to do the necessary storm water repairs on Northome Blvd. Seconded by Councilmember Jewett. Motion carried 5-0.

Mayor Skrede stated that the 2020 Street Improvement Project was budgeted at \$509,000 and the actual bid for the work came in at \$351,781. He stated that due to this surplus, he asked the contractors for a bid on resurfacing the Chowen's Corner parking lot. He stated that the bid is for reclamation due to the poor condition of the surface and the need for concrete work on the sidewalk bordering Minnetonka Blvd. He stated that the bid was for \$75,857 but expects it to come in a little higher due to the concrete work that is needed.

Councilmember Carlson stated that it would make sense to have the contractor do the work since they are already doing work on Northome Blvd.

Mayor Skrede stated that he would like Council authorization to accept the bid not to exceed \$80,000 for the resurfacing of the Chowen's Corner parking lot.

Councilmember Carlson asked if 1.5 inches of base and wear course was enough for the parking lot. He stated that this may not be enough if a lot of heavy trucks use the lot. He recommended discussing this with the contractor.

Motion by Councilmember Erickson to spend up to \$80,000 to authorize Northwest Asphalt to resurfacing the Chowen's Corner parking lot. Seconded by Councilmember Carlson. Motion carried 5-0.

Motion by Councilmember Erickson to authorize Mayor Skrede to spend up to \$25,000 towards any other additional street reconstruction costs that may need to be incurred during the street improvement projects. Seconded by Councilmember Carlson. Motion carried 5-0.

5. NEW BUSINESS

A. Present Ordinance No. 09-28, Deleting the June 1st Deadline & 90-Day Rule

Administrator Young stated that the original regulations establishing dock usage were adopted on November 20, 1989. These regulations established what is now known as the June 1 Deadline requirement (originally June 15th) and the 90-Day Rule (originally 60-days). He stated that the June 1 Deadline requires permit holders to be at their assigned space by May 31st and the 90-Day Rule requires permit holders to use their assigned space for a minimum of 90 days. Both of these provisions are enforced by twice daily inspections by the Deephaven Police Department.

He stated that a recent meeting with Mayor Skrede, Chief Johnson & Lieutenant Whiteside, and staff lead to a discussion as to whether the City of Deephaven should eliminate the June 1 Deadline requirement and the 90-Day Rule. The reasoning behind this proposal is as follows:

1. Both of these requirements are trying to get at the issue of boat usage. In reality, it really doesn't do a very good job of determining how often a permit holder uses his or her watercraft; it just establishes requirements on how often the watercraft spaces are used.
2. The Boating Season extends from April 1 to November 1. Twice each day the Deephaven Police send one of their officers to St. Louis Bay, Carson's Bay and all of the Street Ends to record that a registered boat is in their assigned space. It is this daily log that is used to enforce the June 1 Deadline and the 90-Day Rule. Over the past several years, as our Marina Clerk continues to reassign permit holders from one space to another preferred space, the task of keeping the daily log straight is taking up more and more police staffing time.
3. With the advent of the 10-year limit on boat docks, it can be argued that usage requirements no longer matter.
4. The number of permit holders in violation of the June 1 Deadline requirements have averaged only 3 residents per year the past five years and the number in violation of the 90-Day Rule have averaged only 1 resident per year the past five years. An argument can be made that a significant amount of police staff time has been devoted to monitoring boats at their assigned spaces with very little benefit.

5. And finally, as long as the City receives its annual rental fee, does it really matter how the space is occupied?

Mayor Skrede stated that it has become increasingly convoluted as to what dock and slide spaces are open and which ones are not. He stated that he expects a lot of residents to miss the June 1st deadline this year. He stated that during this discussion, Administrator Young asked to look at the bigger picture of whether inspections are even necessary. He stated that we would get better policing if the Police weren't so heavily involved in the inspection process.

Councilmember Carlson stated that he thought that this was a good move and eliminating the inspections would be a more valuable use of police time.

Councilmember Erickson noted that these usage rules have changed with the establishment of the 10-year rule.

Mayor Skrede stated that does the City really care how the space is used as long as we receive the rental fee.

Councilmember Jewett asked whether there are still some grandfathered boats, as people still pay attention to these. He stated that keeping the June 1st Deadline would add some teeth to our regulations.

Councilmember Carlson stated that the other alternative is through pricing. He noted that the City of Minnetonka charges \$3,900 for their slips.

Mayor Skrede stated that he is mindful that the majority of people who don't comply with the June 1st Deadline are new residents.

Councilmember Jewett stated that once the payment is received, there would be nothing left to do under this ordinance change.

Councilmember Erickson reminded everyone that payments for boat spaces are made in November of the previous year.

Mayor Skrede stated that the intent of the grandfathered provision in the ten-year rule was to get the ten-year rule passed.

Councilmember Jewett asked if we are just collecting boat fees, would there be some interest in creating new rules.

Further discussion was held on current boat fees.

Councilmember McNeill stated that it is not worth it if the enforcement of these two rules is taking up too much of the Police's time.

Mayor Skrede agreed that it is a lot of paperwork for very little purpose. He noted that staff will still keep a log on who is in what space and we still have controls through the lease, insurance documents and title information.

Administrator Young stated that he will post the ordinance tomorrow for Council action on June 1st.

B. Discuss the Deephaven Beach Restroom Facility

Administrator Young stated that at their May 5th meeting, the Deephaven Park Committee had an extensive discussion regarding the Deephaven Beach Restroom Facility, much of the discussion evolved from the Committee's analysis of the attached General Plan and Program – Deephaven Beach Project, which had been developed by a Park Subcommittee. At the conclusion of their discussion, the Park Committee made the following motion for Council consideration:

Motion for the City Council to discuss 1) a potential structure that would include restrooms, including diaper changing stations and changing areas, outdoor showers, with the structure to include security provisions; 2) funding to allow for the necessary design of the structure; and 3) determining potential locations for the structure.

He stated that the recommendation was based on the Park Committee's prioritization of the restroom facility, their perception of the need for funding to design the proposed facility, and their continuing efforts to find the optimal location for the facility.

Councilmember McNeill stated that the Park Committee didn't want to include everything into the structure but wanted to keep it basic and add on to it later. She stated that the only hiccup was where the building should be located. She noted that it why the Council received a site map showing three different locations.

Mayor Skrede stated that he doesn't object to a phased-in approach. He noted that depending on what amenities you add, it may impact the size of the building.

Councilmember Carlson stated that we could add a concession area, rent paddleboards, a first aid station, restrooms and changing rooms. He stated that we could create a picnic area and a sand volleyball area by taking out some of the parking lot and creating green space. He recommended looking at other facilities in Minnetonka and Eden Prairie.

Mayor Skrede noted that it is hard to get into these facilities right now. He stated that we may need to contact the City of Minnetonka to see if we could get some design plans on their restroom facilities.

Councilmember McNeill stated that her first concern is taking out the sports court.

Mayor Skrede asked how many of the Park Committee members supported keeping the sports court.

Councilmember McNeill stated about half.

Councilmember Jewett noted that we could have tennis courts anywhere.

Councilmember McNeill stated that the restroom facility is a nice addition to the City and we could find room for another court elsewhere. She asked what the Council would like to take back to the Park Committee.

Mayor Skrede stated that the Council is in agreement that the sports court would be the location for the restroom facility and he would like a discussion on adding more amenities.

Councilmember McNeill stated that the second concern is with parking. She stated that losing parking is not ideal.

Mayor Skrede agreed that we wouldn't want to decrease parking. He stated that he would like to take back to the Park Committee that we appreciate their concerns but the consensus of the Council is to remove the sports court. He stated that he would also like to see it bigger than just two bathrooms at the end.

Councilmember Erickson noted that it is a good list of amenities that the Park Committee developed. He stated that his top three are restrooms, changing rooms and showers. The picnic areas and concessions would be outside of the structure. He stated that the focus should be on these top three items and focus on how the structure should be aligned.

Councilmember Jewett stated that a concession area is not worth the return. He stated that we would be better served with a food truck than with us providing concessions.

Councilmember Erickson stated that he agreed with Councilmember Jewett. He stated that we need to get the architectural team in and have the Park Committee focus on the building and not the accessory items.

C. Discuss 2021 Boat Fees / Park Dedicated Revenue Source Funding

Administrator Young stated that discussion was held at the April 6th Special Council Work Session about the possibility of supporting the ever-increasing costs of upgrading City parks & beaches by increasing boat rental fees and using these proceeds towards annual park & beach improvement projects. The City currently levies \$55,000 per year into the Capital Improvement Fund to support the replacement of existing facilities and equipment for all of the City parks and beaches. A relatively minor initial increase in boat fees could generate approximately \$16,000 per year in new revenues for park & beach projects as shown below.

He stated that implementing these rate changes for 2021 would require amending Chapter 405 on Watercraft Mooring Fees. However, prior to the ordinance amendment, he recommended that all permit holders be notified of the rate changes, the rationale for the rate changes, and provide them with the opportunity to voice their opinions at a public hearing. He added that the intent of the rate increases he proposed would be a good first step in gradually increasing rates.

Councilmember McNeill stated that our boat fees are well below market value and would love to bring our rates closer to market value. She also noted that some cities charge park dedication fees for new home construction and significant remodeling projects, and these fees could also be used for city purposes.

Mayor Skrede stated that our park dedication fee is charged only when there is a new subdivision. He noted that the City brought in \$90,000 for the park dedication fee charged to Deephaven Woods. He stated that he never thought of charging a park dedication fee on new construction or remodeling.

Councilmember Carlson stated that the park dedication fee would actually be paid by the homeowner and not the builder. He noted that all construction projects have an impact on roads and it is not uncommon for development projects to reimburse the community for damage to roads.

Mayor Skrede stated that he would like funds dedicated to parks, which help alleviate some of the angst from raising boat fees. He stated that he would be interested in establishing escrow accounts for damage to streets. He stated that he would be totally on board with looking at keeping park dedication fees for parks, such as one-half of one percent on the price of a new home.

Councilmember McNeill stated that you could take away park dedicated revenue from the boat fees and just increase boat fees. She stated that maybe this would help with turnover.

Further discussion was held on fees and the appropriate increase in boat fees over the next few years.

D. Approve Contribution to Cottagewood Children's Park Upgrade

Mayor Skrede stated that Stephen Streeter is leading a privately funded effort to upgrade the Cottagewood Children's Park fountain and the area immediately surrounding the fountain. He stated that one of his goals is to raise the brick work surrounding the fountain and Steven has asked the City of Deephaven to contribute to this maintenance effort by contributing from \$2,500-\$5,000. He stated that this amount would save public works from having to continually repair the fountain.

Councilmember McNeill stated that this is a perfect follow-up on why we need to increase park revenue.

Motion by Councilmember Jewett to approve funding in the amount of \$2,500 - \$5,000 from park maintenance funds to repair the brick work around the water fountain at Cottagewood Children's Park. Seconded by Councilmember Carlson. Motion carried 5-0.

E. Other

There was no other New Business this evening.

6. REPORTS FROM STANDING COMMITTEES

A. Park Committee

Administrator Young presented a review of the Park Committee meeting held on May 5, 2020 on the following items:

- Discussion was held on the Deephaven Beach Restroom Project
- Discussed 2020 Park & Beach Assignments
- Reviewed the proposed submittal of the Shuck Park Equipment Grant
- An update from the Bikeway Feasibility subcommittee was presented on their plan to develop a 5-Year Bike Plan.

Discussion was held on the possibility of installing asphalt on the hockey rink at Village Hall. Councilmember Jewett asked if public works prefers an asphalt surface or a nature surface for the hockey rink.

B. Public Works Committee

Administrator Young presented a review of the Public Works Committee meeting held on May 12, 2020 on the following items:

- Discussed was held on the installation of Plexiglas at the City Hall counters for COVID-19 prevention.
- Discussed was held on the process of opening of City Hall to the public
- Issued recommendations on the request for a crosswalk, speed limit reduction on Minnetonka Blvd, and a stop sign request at the Vine Hill & Minnetonka Blvd intersection.
- Issued recommendations on storm water improvement requests at 3520 Montgomerie Avenue.
- Issued recommendations on a request for reimbursement for reported storm water damages at 18725 Minnetonka Blvd owing to the resurfacing of Minnetonka Blvd in 2019.
- Discussed expanding the scope of the 2020 Street Improvement Project

- Recommended approval of funding to repair and maintain the bricks around the fountain at Cottagewood Children's Park.

Further discussion was held on the potential coordination of goose control efforts with the Minnetonka Yacht Club and on the eventual return of Council meetings at City Hall.

7. **ADJOURNMENT**

Motion to adjourn by Councilmember Erickson, seconded by Councilmember Jewett. Motion carried 5-0. The meeting adjourned at 9:40 p.m.

Respectfully submitted,
Dana H. Young
City Administrator

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Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
ALLSTREAM					
2405	ALLSTREAM	16799187	PHONE SERVICE	04/23/2020	551.15
Total ALLSTREAM					551.15
APPLIED CONCEPTS INC					
1615	APPLIED CONCEPTS INC	366137	SQUAD VIDEO-CLOUD STORAGE	05/01/2020	1,872.00
Total APPLIED CONCEPTS INC					1,872.00
BOLTON & MENK INC					
1199	BOLTON & MENK INC	0249927	2020 DEV REVIEW	04/30/2020	1,420.00
		0249928	2020 Misc Drainage	04/30/2020	430.00
		0249929	2020 MISC Engineering	04/30/2020	518.00
			2020 MISC Engineering		279.00
			2020 MISC Engineering		330.00
			2020 MISC Engineering		84.00
			SUMMERVILLE RD PROJECT		207.00
		0249930	2020 SWR IMPROVEMENTS	04/30/2020	272.00
		0249931	2020 STREET IMPROVEMENTS	04/30/2020	2,071.00
		0249932	SHUCK PARK IMPROVEMENTS	04/30/2020	38.00
		0249933	ST LOUIS BAY BOAT RAMP	04/30/2020	1,509.00
Total BOLTON & MENK INC					7,158.00
BOUND TREE MEDICAL, LLC					
1248	BOUND TREE MEDICAL, LLC	83622327	MEDICAL SUPPLIES	05/12/2020	245.98
Total BOUND TREE MEDICAL, LLC					245.98
CARDMEMBER SERVICES					
1385	CARDMEMBER SERVICES	APRIL 2020	VISTA PRINT	04/27/2020	77.29
			POLICE UNIFORMS		82.40
			POLICE -FACE SHLDS SANIT		188.51
			POLICE - BATTERIES MEDICAL		17.18
			Marina Repair & Maint		145.10
			INT CHG		75.47
			POLICE - HEADSET		37.62
			MISC SUPPLIES		102.40
			ZOOM		16.11
Total CARDMEMBER SERVICES					742.08
CENTURY LINK					
1966	CENTURY LINK	MAY 20	952-474-3419	05/04/2020	119.99
Total CENTURY LINK					119.99
CINTAS CORPORATION					
2436	CINTAS CORPORATION	4044272872	MATS	03/03/2020	27.12
			UNIFORMS		7.76
		4044917145	UNIFORMS	03/10/2020	7.76
		4045563673	UNIFORMS	03/17/2020	15.76
		4046209827	UNIFORMS	03/24/2020	7.76
		4046821908	MATS	03/31/2020	27.12
			UNIFORMS		7.76
		4047399258	UNIFORMS	04/07/2020	7.76
		4047984649	UNIFORMS	04/14/2020	15.76
		4048546992	UNIFORMS	04/21/2020	7.76

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
		4049111798	MATS UNIFORMS	04/28/2020	27.12 7.76
	Total CINTAS CORPORATION				167.20
CITY OF MINNETONKA					
1316	CITY OF MINNETONKA	APRIL 20	INSPECTION SERVICE	05/21/2020	8,431.50
	Total CITY OF MINNETONKA				8,431.50
DAN DISTEL					
40	DAN DISTEL	JUNE 2020	ASSESSING	06/01/2020	4,490.50
	Total DAN DISTEL				4,490.50
DAVID HARTIGAN					
2604	DAVID HARTIGAN	273595	REIMBURSE OF INVISIBLE FENCE	05/04/2020	114.19
	Total DAVID HARTIGAN				114.19
DEBRA J. KIND GRAPHIC DESIGNER					
2072	DEBRA J. KIND GRAPHIC DESIGNER	MAY 3 2020	Biz card layout for Pat Smith	05/03/2020	22.50
	Total DEBRA J. KIND GRAPHIC DESIGNER				22.50
DELTA DENTAL PLAN OF MINNESOTA					
1624	DELTA DENTAL PLAN OF MINNESOTA	30000467507	GROUP DENTAL INSURANCE RETIREE DENTAL	05/15/2020	877.95 162.10
	Total DELTA DENTAL PLAN OF MINNESOTA				1,040.05
DIVERSIFIED PLUMBING & HEATING					
2608	DIVERSIFIED PLUMBING & HEATING	27938	POLICE DEPT URINALS	04/10/2020	2,008.02
	Total DIVERSIFIED PLUMBING & HEATING				2,008.02
DORSEY & WHITNEY					
41	DORSEY & WHITNEY	3578169	LEGAL FEES	05/04/2020	268.50
	Total DORSEY & WHITNEY				268.50
DREAMHOST LLC					
1307	DREAMHOST LLC	JUNE 2020	MO HOST FEE - ACCT #30708	06/01/2020	9.95
	Total DREAMHOST LLC				9.95
EHLERS					
2609	EHLERS	83352	2020 CONTINUING DISCLOSURE	05/07/2020	750.00
	Total EHLERS				750.00
EXCELSIOR FIRE DISTRICT					
1121	EXCELSIOR FIRE DISTRICT	20-9	POLICE PHOTO ID'S	04/29/2020	14.00
	Total EXCELSIOR FIRE DISTRICT				14.00
GALLS, LLC					
504	GALLS, LLC	015501656	UNIFORM SUPPLIES	04/20/2020	91.17

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total GALLS, LLC					91.17
GAME TIME					
2606	GAME TIME	0134692	SHUCK PARK EQUIPMENT	03/16/2020	29,087.01
Total GAME TIME					29,087.01
GARELICK STEEL					
1999	GARELICK STEEL	461172	GOVT BLDG SUPPLIES	05/20/2020	138.00
Total GARELICK STEEL					138.00
GOLIATH HYDRO-VAC INC					
2507	GOLIATH HYDRO-VAC INC	28646	STORM DRAIN CLEANING	05/14/2020	1,260.00
Total GOLIATH HYDRO-VAC INC					1,260.00
GOPHER STATE ONE-CALL					
68	GOPHER STATE ONE-CALL	0040330	CALLS	04/30/2020	201.15
Total GOPHER STATE ONE-CALL					201.15
GRAINGER					
1308	GRAINGER	817359847	POLICE VEHICLE SUPPLIES	04/29/2020	141.37
Total GRAINGER					141.37
HENNEPIN COUNTY TREASURER *					
1303	HENNEPIN COUNTY TREASURER *	1000150183	RADIO ADMN FEE	05/05/2020	137.94
		1000150196	RADIO ADMN & MDC FEES	05/05/2020	586.23
		1000150250	BOOKING/JAIL FEES	04/30/2020	75.00
Total HENNEPIN COUNTY TREASURER *					799.17
HOLIDAY COMPANIES					
698	HOLIDAY COMPANIES	APRIL 2020	FUEL	05/15/2020	541.83
Total HOLIDAY COMPANIES					541.83
HOME DEPOT CREDIT SERVICES					
718	HOME DEPOT CREDIT SERVICES	04 29 20	POLICE DEPT SUPPLIES	04/29/2020	149.00
			SHOP SUPPLIES		142.33
		05 05 20	SHOP SUPPLIES	05/05/2020	223.02
		05 13 20	SHOP SUPPLIES	05/13/2020	22.94
			MULCH		49.95
		8022368	CONCRETE MIXER / MULCH	04/09/2020	377.60
Total HOME DEPOT CREDIT SERVICES					964.84
I-STATE TRUCK CENTER					
1455	I-STATE TRUCK CENTER	15903	VEHICLE REPAIR PARTS	04/29/2020	123.57
Total I-STATE TRUCK CENTER					123.57
JASON MENZEL					
2489	JASON MENZEL	EEN ORDER	WORK BOOTS	05/10/2020	185.00

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total JASON MENZEL					185.00
JOHN MENZEL					
985	JOHN MENZEL	05 28 20	CLEAN CITY HALL	05/28/2020	150.00
		5 13 2020	CLEAN CITY HALL	05/13/2020	150.00
		5 20 2020	CLEAN CITY HALL	05/20/2020	150.00
		MAY 6 20	CLEAN CITY HALL	05/06/2020	150.00
Total JOHN MENZEL					600.00
L.E.L.S. #45 POLICE UNION					
93	L.E.L.S. #45 POLICE UNION	05 11 2020	LELS #45 POLICE UNION	05/11/2020	310.00
Total L.E.L.S. #45 POLICE UNION					310.00
LAKE RESTORATION INC					
2393	LAKE RESTORATION INC	203087	WEED & ALGAE TREATMENT	05/04/2020	391.00
Total LAKE RESTORATION INC					391.00
LAUREL RAYMOND					
2272	LAUREL RAYMOND	MAY 2020	SNOW PLOW DAMAGE	05/14/2020	153.00
Total LAUREL RAYMOND					153.00
LAUREN SHEEHAN					
2607	LAUREN SHEEHAN	5 26 20	MAILBOX REPAIR REIMBURSE	05/26/2020	254.85
Total LAUREN SHEEHAN					254.85
LOFFLER					
2140	LOFFLER	3419101	COPIER CONTRACT PMT	05/05/2020	880.68
Total LOFFLER					880.68
MEDIACOM LLC					
1409	MEDIACOM LLC	MAY 2020	INTERNET FEE	05/16/2020	192.94
Total MEDIACOM LLC					192.94
MENARDS					
1407	MENARDS	14741	MISC BLDG SUPPLIES	04/24/2020	70.64
		15937	CLEANING SUPPLIES	05/13/2020	121.82
Total MENARDS					192.46
METRO COUNCIL ENVIRO SERVICES					
105	METRO COUNCIL ENVIRO SERVICES	0001109410	WASTEWATER BILL	05/11/2020	36,042.48
Total METRO COUNCIL ENVIRO SERVICES					36,042.48
METRO SALES INC					
2309	METRO SALES INC	1592391	POLICE XEROX MACHINE	05/13/2020	174.44
Total METRO SALES INC					174.44
MINNESOTA TEAMSTERS #320					
108	MINNESOTA TEAMSTERS #320	MAY 2020	UNION DUES	04/29/2020	76.00

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total MINNESOTA TEAMSTERS #320					76.00
MISSION COMMUNICATIONS, LLC					
1623	MISSION COMMUNICATIONS, LLC	1039693	ONE YEAR SERVICE PKG	05/05/2020	3,126.60
Total MISSION COMMUNICATIONS, LLC					3,126.60
MN DEPT OF LABOR AND INDUSTRY					
1854	MN DEPT OF LABOR AND INDUSTRY	AR 20 GRWD	GREENWOOD STATE SURCHARGE	05/15/2020	231.54
		AR 20 WDL D	WOODLAND STATE SURCHARGE	05/15/2020	1,743.95
		AR20 DPHVN	DEEPHAVEN STATE SURCHARGE	05/15/2020	1,972.16
Total MN DEPT OF LABOR AND INDUSTRY					3,947.65
MN PEIP					
2433	MN PEIP	967248	GROUP HEALTH INSURANCE	05/10/2020	11,202.00
			RETIREEES HEALTH INSURANCE		1,468.22
Total MN PEIP					12,670.22
MN POLLUTION CONTROL AGENCY					
124	MN POLLUTION CONTROL AGENCY	MAY 2020	LICENSE RENEWAL	05/01/2020	40.00
Total MN POLLUTION CONTROL AGENCY					40.00
ON SITE COMPANIES - OSSTC					
1963	ON SITE COMPANIES - OSSTC	0000920649	SL BAY-PARK AVE	05/07/2020	12.50
		0000922463	ROBINSON BAY BEACH	05/13/2020	12.50
		0000922464	NOCOMO (WALDEN) BEACH	05/13/2020	12.50
		0000922465	SANDY BEACH	05/13/2020	12.50
		0000925014	CITY HALL	05/16/2020	70.00
		0000925015	CARSON'S BAY - BOAT LAUNCH	05/16/2020	70.00
		0000925016	ROBINSON BAY BEACH	05/16/2020	70.00
		0000925017	NOCOMO (WALDEN) BEACH	05/16/2020	70.00
		0000925018	SANDY BEACH	05/16/2020	70.00
		0000925019	SL BAY-PARK AVE	05/16/2020	140.00
Total ON SITE COMPANIES - OSSTC					540.00
O'REILLY AUTOMOTIVE STORES INC					
1632	O'REILLY AUTOMOTIVE STORES INC	APRIL 2020	AUTO PARTS	04/28/2020	1,436.83
Total O'REILLY AUTOMOTIVE STORES INC					1,436.83
PREMIUM WATERS INC					
707	PREMIUM WATERS INC	330109-04-20	DRINKING WATER	04/30/2020	66.60
Total PREMIUM WATERS INC					66.60
SCHNEIDER EXCAVATING & GRADING					
1927	SCHNEIDER EXCAVATING & GRADING	SE2114	STORM SWR SUMMERVILLE RD	05/08/2020	36,350.00
		SE2115	MOUNT CURVE STORM DRAIN	05/08/2020	6,407.00
		SE2130	HYDRANT FLUSHING	05/18/2020	880.00
Total SCHNEIDER EXCAVATING & GRADING					43,637.00
SHRED-IT USA					
2397	SHRED-IT USA	8129733069	DOCUMENT SHREDDING	05/07/2020	256.07

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total SHRED-IT USA					256.07
STAPLES BUSINESS CREDIT					
2075	STAPLES BUSINESS CREDIT	1628844726	OFFICE SUPPLIES - ADMN	04/25/2020	389.98
Total STAPLES BUSINESS CREDIT					389.98
STREICHER'S					
171	STREICHER'S	11427626	UNIFORM - NEW HIRE	04/27/2020	249.97
		11429860	HOLSTER FOR DEPT	05/08/2020	134.99
		11430275	UNIFORMS	05/12/2020	179.98
Total STREICHER'S					564.94
SUN LIFE FINANCIAL					
2202	SUN LIFE FINANCIAL	MAY 2020	LIFE INSURANCE PREMIUM	05/13/2020	416.85
Total SUN LIFE FINANCIAL					416.85
SW NEWS MEDIA					
2170	SW NEWS MEDIA	APRIL 20	LEGAL NOTICES	04/30/2020	540.60
Total SW NEWS MEDIA					540.60
TALLEN AND BAERTSCHI					
977	TALLEN AND BAERTSCHI	MAY 2020	PROSECUTION BILL	05/18/2020	3,812.95
Total TALLEN AND BAERTSCHI					3,812.95
THN ENTERPRISES					
2605	THN ENTERPRISES	2116	LEVEL DOCKS	04/16/2020	3,640.00
Total THN ENTERPRISES					3,640.00
T-MOBILE					
1573	T-MOBILE	04 30 2020	WIRELESS PHONES - #422866339	04/30/2020	77.02
Total T-MOBILE					77.02
TOOLE DESIGN					
2538	TOOLE DESIGN	1098-APR03F	DPVN BIKEWAY STUDY-FINAL PYMT	05/12/2020	761.00
		10098-FEB02	DPVN BIKEWAY STUDY-PMT #2	03/31/2020	18,237.36
Total TOOLE DESIGN					18,998.36
TRUGREEN					
1238	TRUGREEN	118868120	CITY HALL BALL FIELD	04/23/2020	50.00
		118868182	CITY HALL, POLICE/FIRE STN	04/23/2020	125.00
		118868323	CHILDRENS PARK	04/23/2020	72.00
		118868381	SHUCK PARK	04/23/2020	72.00
		118868441	HARALSON PARK	04/23/2020	48.00
		119732633	HARALSON PARK	05/06/2020	50.00
Total TRUGREEN					417.00
TWIN CITY GARAGE DOOR CO.					
375	TWIN CITY GARAGE DOOR CO.	Z134621	GARAGE DOOR REPAIR	04/28/2020	717.50

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total TWIN CITY GARAGE DOOR CO.					717.50
TWIN CITY STRIPING					
2303	TWIN CITY STRIPING	MAY 16 2020	ROAD STRIPING	05/16/2020	8,108.74
Total TWIN CITY STRIPING					8,108.74
US BANK EQUIPMENT FINANCE					
2311	US BANK EQUIPMENT FINANCE	414167742	POLICE COPIER PAYMENT	05/08/2020	99.98
Total US BANK EQUIPMENT FINANCE					99.98
VANTAGEPOINT TRANSFER - 457					
321	VANTAGEPOINT TRANSFER - 457	05 27 20	PLAN #304294 - D H YOUNG	05/27/2020	422.84
		5 13 20	PLAN #304294 - D H YOUNG	05/13/2020	422.84
Total VANTAGEPOINT TRANSFER - 457					845.68
VERIZON WIRELESS					
2077	VERIZON WIRELESS	98545256722	CELL PHONES/HOT SPOTS/EQUIP	05/12/2020	310.16
Total VERIZON WIRELESS					310.16
VIKING LAND TREE CARE INC					
2563	VIKING LAND TREE CARE INC	4134	STUMP GRINDING	05/19/2020	161.29
Total VIKING LAND TREE CARE INC					161.29
XCEL ENERGY					
144	XCEL ENERGY	681983624	CIVIL DEFENSE SIREN	04/23/2020	3.32
		681986100	19425 LAKE AVE	04/23/2020	42.42
		681988975	LIFT STATION 9	04/23/2020	28.35
		681989873	LIFT STATION 7	04/23/2020	53.34
		681998861	SEWER LIFT STATION	04/23/2020	40.61
		682001737	DOCKS	04/23/2020	44.67
		682008047	LIFT STATION 3	04/23/2020	126.97
		682013384	PUMP FOR WATER FNTN	04/23/2020	15.97
		682016936	LIFT STATION 4	04/23/2020	34.75
		682019103	20200 MTKA BLVD GARAGE	04/23/2020	43.21
		682023900	PARK BUILDING	04/23/2020	14.04
		682024000	3725 HAMILTON AVE	04/23/2020	215.70
		682186046	FIRE SIREN	04/24/2020	8.28
		682206436	CITY HALL	04/24/2020	933.77
		682207652	LIFT STATION 6	04/24/2020	120.54
145	XCEL ENERGY	683256263	STREET LIGHTS	05/04/2020	2,259.51
Total XCEL ENERGY					3,985.45
YOUNGSTEDTS BAY CAR WASH					
2423	YOUNGSTEDTS BAY CAR WASH	APRIL 20	CAR WASHES	04/30/2020	83.16
Total YOUNGSTEDTS BAY CAR WASH					83.16
ZOLL MEDICAL					
2585	ZOLL MEDICAL	3059276	NEW AED BATTERY	04/21/2020	338.84

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
	Total ZOLL MEDICAL				338.84

Total Paid: 210,036.04
Total Unpaid: -
Grand Total: 210,036.04



Agenda Date: 06-01-20

Agenda Item: 2040 Comprehensive Plan Update—review the final draft incorporating Metropolitan Council comments and updated projections.

Background: The community, Planning Commission, City Council and staff have been working on the draft 2040 over the past two years. On December 2, 2019, the City Council submitted the final draft of the 2040 Comprehensive Plan to the Metropolitan Council. On April 22, 2020, the Metropolitan Council approved Deephaven's 2040 Comprehensive Plan with the following recommendations:

1. Authorize the City of Deephaven to place its 2040 Comprehensive Plan into effect.
2. Revise the City's forecasts for population, households, and employment as shown in Table 1 of the attached Review Record 9 (this has already been completed).
3. Revise the City's affordable housing need allocation for 2021-2030 to 5 units.
4. Strongly encourage the City to guide property at densities sufficient to support the development of housing to meets its affordable housing need allocation.
5. Advise the City:
 - a. Prior to final Plan adoption, the Plan must be revised to acknowledge the City's affordable housing allocation need.
 - b. To be consistent with Council housing policy, the Plan should consider all widely available housing tools including CDBG and HOME funds through Hennepin County and Hennepin County AHIF funds.
 - c. To implement the advisory comments in the Review Record for land use.

City Council Action: Approve Resolution No. ___-20 adopting the 2040 Comprehensive Plan.

**CITY OF DEEPHAVEN
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION ___-2020

Motion by Member: _____

Seconded by Member: _____

**A RESOLUTION ADOPTING THE 2040 DEEPHAVEN COMPREHENSIVE PLAN UPDATE,
AND THE COMPREHENSIVE SEWER PLAN,
A COMPILATION OF POLICY STATEMENTS, GOALS, STANDARDS, AND MAPS FOR
GUIDING THE OVERALL DEVELOPMENT AND REDEVELOPMENT OF THE LOCAL
GOVERNMENTAL UNIT**

WHEREAS, Minnesota Statutes section 473.864 requires each local governmental unit to review and, if necessary, amend its entire comprehensive plan and its fiscal devices and official controls at least once every ten years to ensure its comprehensive plan conforms to metropolitan system plans and ensure its fiscal devices and official controls do not conflict with the comprehensive plan or permit activities that conflict with metropolitan system plans; and

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their "decennial" reviews by December 31, 2018; and

WHEREAS, the Deephaven City Council authorized the review and update of its Comprehensive Plan, including the Comprehensive Sewer Plan; and

WHEREAS, the proposed City of Deephaven's 2040 Comprehensive Plan is a planning tool intended to guide the future growth and development of the City of Deephaven in a manner that conforms with metropolitan system plans and complies with the Metropolitan Land Planning Act and other applicable planning statutes; and

WHEREAS, the proposed City of Deephaven's 2040 Comprehensive Plan reflects a community planning process conducted in the years 2016 through 2018 involving elected officials, appointed officials, city staff, community organizations, the public at large, developers, and other stakeholders; and

WHEREAS, pursuant to Minnesota Statutes section 473.858, the proposed 2040 Comprehensive Plan was submitted to adjacent governmental units and affected special districts and school districts for review and comment on June 21, 2018, and the statutory six-month review and comment period has elapsed; and

WHEREAS, the Planning Commission has considered the proposed 2040 Comprehensive Plan and all public comments, and thereafter submitted its recommendations to the City Council; and

WHEREAS, a public hearing has been held to review and comment on the proposed 2040 Comprehensive Plan; and

WHEREAS, the City Council approved Resolution 03-19 authorizing the proposed 2040 Comprehensive Plan, including the Comprehensive Sewer Plan, to be submitted to the Metropolitan Council for review; and

WHEREAS, at its regular meeting on April 22, 2020, the Metropolitan Council completed its review of the proposed 2040 Comprehensive Plan and the Comprehensive Sewer Plan and found that the Plan meets the requirements of the Metropolitan Land Planning Act; conforms to the metropolitan system plans for transportation (including aviation), water resources, and parks; is consistent with *Thrive MSP 2040*; and is compatible with the plans of adjacent jurisdictions and affected special districts and school districts;

WHEREAS, the 2040 proposed Comprehensive Plan includes all revisions made during the review process and responds to additional advisory comments that are part of the Metropolitan Council’s actions authorizing the City of Deephaven to place its proposed 2040 Comprehensive Plan into effect; and

WHEREAS, the Metropolitan Council approves the City of Deephaven’s Comprehensive Sewer Plan.

NOW THERE, BE IT RESOLVED BY THE CITY COUNCIL OF DEEPHAVEN, MINNESOTA, that the Deephaven’s 2040 Comprehensive Plan, including the Comprehensive Sewer Plan, is adopted and is effective as of the date of this resolution.

BE IT FURTHER RESOLVED that, pursuant to sections 473.864 and 473.865 of the Metropolitan Land Planning Act, the City of Deephaven will:

- (1) review its fiscal devices and official controls;
- (2) if necessary, amend its fiscal devices and official controls to ensure they do not conflict with the 2040 Comprehensive Plan or permit activity in conflict with metropolitan system plans; and
- (3) submit amendments to fiscal devices or official controls to the Metropolitan Council for “information purposes.”

ADOPTED THIS 4th DAY OF MAY, 2020 BY THE CITY COUNCIL OF DEEPHAVEN, MINNESOTA.

Councilmember	Aye	Nay	Abstain	Absent
Paul Skrede				
Steven Erickson				
Melissa McNeill				
Tony Jewett				
Kent Carlson				

CITY OF DEEPHAVEN

Paul A. Skrede, Mayor

Attest:

Dana H. Young, City Administrator

**Deephaven City Council Agenda Item
June 1, 2020**

**Agenda Item: Adopt Ordinance No. 09-28, Amending Section 900.07 (2) of the
Watercraft Space Ordinance on Use Required**

Summary

The Council first discussed the possibility of eliminating the June 1 Deadline requirement and the 90-Day Rule at their May 18th Council meeting. The rationale for eliminating these two requirements is as follows:

1. Both requirements were originally adopted to address the issue of boat usage. In reality, the requirements do not do a very good job of determining how often a permit holder uses his or her watercraft, they simply record how often a watercraft space is used
2. The task of conducting daily inspections twice per day and maintaining a log of which boat is occupying a watercraft space from April 1 to November 1 takes up a significant amount of police staffing time.
3. With the advent of the 10-year limit on boat docks, it can be argued that usage requirements no longer matter.
4. The number of permit holders in violation of the June 1 Deadline requirements have averaged only 3 residents per year the past five years and the number in violation of the 90-Day Rule have averaged only 1 resident per year the past five years. An argument can be made that a significant amount of police time has been spent on monitoring boats at their assigned spaces with very little benefit.
5. And finally, it can be argued that as long as the City receives its annual rental fee, there is very little need or purpose in knowing whether a space is occupied.

Recommendation

Adopt Ordinance No. 09-28, an Ordinance Amending Section 900.07 (2) of the Watercraft Space Ordinance on Use Required.

ORDINANCE NO. 09-28

AN ORDINANCE AMENDING SECTION 900.07 (2) ON USE REQUIRED ON WATERCRAFT SPACES

The Council of the City of Deephaven does hereby ordain:

Section 1. Section 900.07 (2) on Use Required is hereby deleted and Section 900.07 (3) is hereby amended as follows:

Subd. 2. Use Required.

~~(a) A watercraft space for which a permit has been issued must be used a minimum of 90 days for the keeping or mooring of a watercraft. The City may refuse to renew the permit for failure to use a watercraft space for this length of time. If the permit is not renewed, the permit holder may appeal to the Council for reconsideration of that decision.~~

~~(b) A watercraft space for which a permit has been issued must be used for the keeping of a watercraft prior to June 1st of the boating season for which the permit was issued. The City may revoke the permit for failure to use a watercraft space prior to June 1st. If the permit is revoked, the permit holder may appeal to the Council for reconsideration of the revocation.~~

~~(c) As set forth in paragraphs (a) and (b) of this subdivision, a permit holder may appeal to the City Council for reconsideration of City staff's decision to not renew the permit in subsection (a) or to revoke the permit in subsection (b). any such appeal must be filed in writing with the Clerk within 10 days of the date of mailing the notice. The appeal must specify all reasons for objecting to the decision and any mitigating circumstances or facts relating to the failure to use the space for at least 90 days or for failure to use the space prior to June 1st. The Council will hear the appeal at a regular meeting and will consider any written or oral information presented by the permittee and the City staff. After consideration of such information, the Council will affirm or reverse the City staff's decision to not renew the permit or to revoke the permit. If the Council decides to reinstate the permit, the condition of reinstatement shall be a penalty payable to the City of Deephaven in an amount equal to fifty percent (50%) of the normal permit fee.~~

Subd. 3 2. Use During Boating Season Only. A space may be used only during the boating season, as defined in Section 900.01, Subd. 5.

Section 2. Effective Date. This ordinance shall be in effect on date of its publication.

Adopted by the Council of the City of Deephaven this 1st day of June, 2020.

Paul A. Skrede, Mayor

Attest: _____
Dana H. Young, City Administrator



Agenda Date: 06-01-20

Agenda Item: Requiring a road escrow for large construction projects.

Background: Currently, the City of Deephaven does not have a formal mechanism for requiring developers to repair damage to public property, specifically local streets. Below are examples of what other cities require.

The City of Woodland requires the City Engineer to document the condition of local roads prior to the start of any large construction projects. In addition, the City requires the developer to submit an escrow based on the cost of the project that would cover repair of the local roads if any damage occurred without the developer fixing the damage (see attached Section 900.24).

28	900.24 Subd. 1 (b)	<p>Road Damage Deposit</p> <p>Escrow Fee Based on Project Valuation: \$ 20,000 - \$200,000 = \$ 2,500 \$200,001 - \$500,000 = \$ 3,500 > \$500,001 = \$ 4,500</p> <p>Projects less than \$20,000 are not subject to a road damage escrow fee</p>	<p>Escrow Fee in conjunction with all construction activity per Ordinance 900.24 (b). (refund of unexpended balance not to include earned interest)</p> <p>(effective 5-24-2013)</p>	<p>\$2,500.00 to \$4,500.00</p> <p>based on project value</p>
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The City of Excelsior requires all developers sign the attached Construction Management Agreement, which requires a \$2,000 escrow and states that the developer is responsible for any damage to public property.

The City of Edina also requires all developers sign the attached Construction Management Agreement, which requires a \$10,000 escrow for all new houses and states the escrow could be used to reimburse the City for the repair of damage to public property or to remedy permit violations.

City Council Action: Discuss the benefits and costs of requiring a road escrow for new construction project and direct the Planning Commission to research options and forward a recommendation to the City Council.

900.24 Construction Site Management - Woodland

Subd 1. General Regulations. All residential and commercial construction sites shall comply with the following:

- (a) Prior to issuance of a building permit, the applicant will be required to provide proof that they have contacted all adjacent property owners within five hundred (500) feet of the applicant's property to make them familiar with the proposed construction and to provide them with contact information for the applicant.
- (b) All construction activity which includes the physical alteration or repair of the structure envelope, i.e., the alteration of the footprint or height of an existing structure, or the construction of a new structure shall require the submittal of a road damage escrow as required by Section 305 of the City Code. In addition, the City Engineer will document the condition of the road surface in the vicinity of the access to the proposed project: 1) prior to the commencement of construction and, 2) before the refund of the escrow. The City will incur expenses related to the City Engineer's road condition inspection. A road condition inspection fee for this service shall be submitted to the City by the applicant as required by Section 305 of the City Code. Chapter 9 - Zoning 36 All damage to the road that can be attributed to the project shall be repaired and restored to the previously existing condition by the owner of the construction site and to the satisfaction of the City Engineer by a duly licensed and approved contractor. In the alternative, the cost of repair to the road surface by the City's appointed contractor shall be deducted from the road damage escrow. All costs in excess of the submitted escrow amount will be charged to the property owner of record and must be paid in full. The City shall have the right to certify all unpaid costs made for road and right-of-way repairs. In the event that weather or other conditions prevent the completion of necessary road repairs, the City will retain the full escrow amount until such time road repairs can be made, not to exceed a period of 6 months. The remaining balance of the road damage escrow will be refunded with no accrued interest.
- (c) Construction activity, as defined in Section 415.01, Subd. 2, and 900.02, Subd. 10 and commercial property maintenance activity as defined in Section 415.01, Subd. 3, and 900.02, Subd. 11, at any time other than the hours of 7:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 6:00 p.m. on Saturdays and no such activity is permitted on Sundays or on the following public holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Noise from equipment used during the removal of snow and generators and equipment used during power outages or other emergencies shall be exempt from the restrictions under this subsection.
- (d) The applicant shall submit a Construction Site Management Plan as outlined in Subdivision 2 of this Section.

- (e) Onsite parking of construction vehicles and equipment will be provided to the extent feasible. If street parking is necessary, it must be done in coordination with the city. Parking will be limited to only those zones designated by city resolution.
- (f) All equipment shall be stored within the confines of the construction site. If necessary, a property line fence will be required to ensure that no construction vehicles, materials or other debris encroaches onto adjacent properties.
- (g) A functioning toilet and a minimum of one dumpster are required on the site prior to commencement of construction activity. These are to be considerably placed in relation to adjacent properties.
- (h) Daily site clean up of debris and garbage is required. Chapter 9 – Zoning 37
- (i) Weekly street cleaning is required to remove all dirt, mud and debris from public streets. City staff will monitor the condition of public streets and may require more frequent street cleaning.



This agreement applies to all un-occupied construction projects of new build or major remodeling of one and two unit dwelling structures. This agreement must be signed prior to issuance of a building permit and must be attached to approved site plans and be present on-site at all times during active construction.

Project Address:		
Permit #	Proposed Start Date:	Proposed Completion Date:
Applicant Name:		Applicant Address:
Applicant Phone:		Applicant email:

- The permit holder shall coordinate all infrastructure improvements with the Public Works Superintendent (952) 653-3676.
- All improvements shall comply with the attached memorandum from City Engineer Morgan Dawley dated _____.
- Upon completion all disturbed areas shall be seeded or covered with sod.

Chapter 16, Article III, Sec. 16-102.

Construction activities. No person shall engage in or permit construction activities on private property except between the hours of 7:00 a.m. and 7:00 p.m. on any weekday or between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays. For purposes of this section, "construction activities" shall mean any deliveries of equipment and material to site and the operation of equipment, construction vehicles, or construction crew vehicles.

Sec. 10-6. Construction Management Plan

Escrow. The applicant must furnish the City a cash escrow of \$2000 prior to issuance of a building permit. The City may draw on the cash escrow to reimburse the City for the repair of damage to public property or to remedy permit violations. If the City draws on the cash escrow, upon the City's demand the permit holder must deposit in escrow additional funds to restore the escrowed amount to \$2000. The cash escrow must remain in place until the work under the permit for which the escrow was made has been completed.

Neighbor Notification and Contact Information. Prior to issuance of a building permit, the permit holder must provide mailing labels of all property owners within 200 feet of the project site. You may obtain the mailing labels at <https://gis.hennepin.us/locatenotify/default.aspx>. City staff will send a letter notifying the property owners of the proposed project and building plans. A sign must also be posted on the project site at least 5 days prior to issuance of a building permit identifying the permit holder, a contact name and phone number, construction hours and the site address. The dimension of the sign must be between 5 and 6 square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until the completion of the project.

Stormwater and Erosion Control. The applicant must submit stormwater and erosion control plans prepared and signed by a professional engineer licensed by the State of Minnesota. The plans must be approved by the City Engineer and the permit holder must adhere to the approved plans. The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system. The erosion control

plan must document how proper erosion and sediment control will be maintained on a continual basis to contain on-site erosion and protect on and off-site vegetation. Permit holder must protect all storm drain inlets with sediment capture devices, and have properly installed and maintained perimeter sediment protection devices encompassing construction areas at all times during the project when soil disturbing activities may result in sediment laden storm water runoff entering the inlet or otherwise leaving the site. Erosion control devices shall be installed prior to issuance of any building permits.

Damage to Public Property. The permit holder must repair any damage to public streets, sidewalks, boulevards (including trees), curbs, water shutoff valves, utility services, gutters, catch basins, manholes or sewers to the satisfaction of the Department of Public Works. If damage occurs to the foregoing, it must be repaired within 3 working days after the damage occurs, unless the permit holder has received written permission from the zoning administrator to delay repairs to a later specified date.

Parking. The permit holder must maintain a 5-foot parking setback from driveways and a 30-foot parking setback from intersections. When parking on a street, a vehicle must be completely located on a street surface. On street parking of equipment other than licensed motor vehicles is prohibited.

Tracking Dirt. The permit holder must install and maintain a rock entrance conforming to City standards at locations approved by the zoning administrator. Tracking of dirt onto public roads during hauling and general day-to-day construction operations will require periodic sweeping of these roadways by the permit holder. Soil and sediment deposited onto public and/or private pavement areas shall be removed at the end of each work day. Sweeping maybe ordered at any time if conditions warrant.

Site Maintenance. The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove all litter that is not needed for construction from the site or deposit them in a dumpster. The permit holder must keep streets, sidewalks, boulevard areas and adjacent properties clean from waste, materials or refuse resulting from operations on the site.

Restrooms and Building Materials. No building material, temporary sanitary facilities or equipment may be placed within 10 feet from the edge of the street. Public sidewalks must be left open and unobstructed at all times. Long-term (over 5 days) stockpiles of building supplies are prohibited.

Tree Protection. When reasonable, protective fencing shall be installed around all boulevard trees and/or trees along lot line that are to be saved prior to issuance of any construction or building permits. Fencing shall be placed around the drip line to protect the soils over the root zone from compaction, when reasonable. Significant tree and/or vegetation removal shall be coordinated through the City Forester (952) 653-3674 and conform to the requirements set forth in Article 22 of the City Code.

Dumpsters. Dumpsters shall be located on site. If not possible, dumpsters on street must be approved by Public Works and pay the established fee. Street use permits will be issued in 30 day increments only and be may be renewed up to a total of 120 days. Dumpsters shall be removed only during approved hours of operation.

Dust Control. Permit holder must eliminate dust problems immediately upon receiving notice from City that there is a dust problem.

The undersigned hereby acknowledges that they are responsible for complying with the State Building Code, State Statutes, the City of Excelsior Code of Ordinances and the conditions listed in this Construction Management Agreement.

Signature of Contractor

Date

CONSTRUCTION MANAGEMENT PLAN FOR

<hr/> Project Name & Site Address Number

QR Code

(For Office Use Only)
<hr/> Permit Number

The construction on this site will follow normal industry and City accepted construction methods for a project of this type. Specific items of concern will be addressed as noted below. Any references to start date or duration of specific items are estimated and included only for reference. Construction management plans can also be found at: www.EdinaMN.gov

Sec. 10-110. Permit Requirements. Unless otherwise specifically provided the following are required for both demolition permits and building permits. Demolition and Building Permit are defined as follows:

Demolition: The removal or destruction of more than fifty percent (50%) of the area of the exterior walls of a single or two family dwelling units.

Building Permit: A permit to construct a new single or two family dwelling unit.

(1) The applicant must furnish the City with a certificate of insurance evidencing the following required coverage:

Commercial general liability, including XCU coverage:

Bodily Injury:	\$1,000,000 each occurrence
	\$1,000,000 aggregate products and completed operations
Property Damage:	\$1,000,000 each occurrence
	\$1,000,000 aggregate

Comprehensive Automobile Liability (owned, non-owned, hired):

Bodily Injury:	\$1,000,000 each occurrence
	\$1,000,000 each accident
Property Damage:	\$1,000,000 each occurrence

The minimum insurance coverage must be maintained until six (6) months after the demolition has been completed or, if a new dwelling is being constructed, a certificate of occupancy has been issued. The City must be named as an additional insured.

(2) The applicant must furnish the City a cash escrow of Two Thousand Five Hundred (\$2,500) Dollars for a demo permit and Ten Thousand (\$10,000) Dollars for a new single-family-dwelling / two-family-dwelling. An escrow is required for both a demolition permit and building permit. The City may draw on the cash escrow to reimburse the City for the repair of damage to public property or to remedy permit violations. If the City draws on the cash escrow, upon the City's demand the permit holder must deposit in escrow additional funds to restore the escrowed amount to Two Thousand Five Hundred (\$2,500) Dollars & (\$10,000) Ten Thousand Dollars. The cash escrow must remain in place until the work under the permit for which the escrow was made has been completed.

(3) *Soils investigation report and shoring plan.* Based upon soil types, topography, the location of adjacent structures and other pertinent information, the Building Official shall determine if a soils investigation report and/or shoring plan is necessary. If the Building Official determines that a soils report is necessary, the applicant shall have a soil report prepared and signed by a licensed professional soil scientist or licensed professional engineer. If the building official determines a shoring plan is necessary, the applicant must provide detailed plans to ensure that adjacent property will not be damaged by reducing lateral support for driveways,

foundations, fences or lawns caused by excavation, demolition or construction activity. The report must be approved by the Building Official. The permit holder must adhere to the approved plan(s).

- (4) *Existing condition of property.* Before a permit is issued, the Building Official must photograph the existing condition of the property, curbs, sidewalks, streets, boulevard and trees adjacent to the property.
- (5) *Written notification of demolition.* For a demolition permit, at least fifteen (15) calendar days before demolition commences, the permit holder must provide written notification to all property owners within three hundred (300) feet of the demolition site notifying the property owners of the proposed demolition and building plans, if applicable, and invite them to a neighborhood meeting. The neighborhood meeting must be held at least five (5) days before demolition commences. A sign must also be posted on the demolition site at least five (5) days before demolition commences identifying the nature of the demolition, the permit holder, a contact name and phone number, and the site address. The sign must also provide a City phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five (5) and six (6) square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until the completion of demolition.
- (6) *Signage of construction.* For a building permit, a sign must be posted on the permit site at least five (5) days before construction commences identifying the nature of the construction, the permit holder, a contact name and phone number, and the site address. The sign must also provide a City phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five (5) and six (6) square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until a certificate of occupancy has been issued.
- (7) *Stormwater and erosion control plans.* For a building permit, the applicant must submit stormwater and erosion control plans prepared and signed by a licensed professional engineer. The plans must be approved by the City Engineer and the permit holder must adhere to the approved plans. The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system. The erosion control plan must document how proper erosion and sediment control will be maintained on a continual basis to contain on-site erosion and protect on and off-site vegetation. Permit holder must protect all storm drain inlets with sediment capture devices at all time during the project when soil disturbing activities may result in sediment laden storm water runoff entering the inlet. The permit holder is responsible for preventing or minimizing the potential for unsafe conditions, flooding, or siltation problems. Devices must be regularly cleaned out and emergency overflow must be an integral part of the device to reduce the flooding potential. Devices must be placed to prevent the creation of driving hazards or obstructions.

Sec. 10-111. Permit Standards for Both Demolition Permits and Building Permits

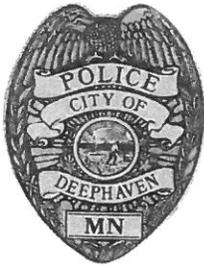
- (a) The permit holder must comply with the State Building Code, State Statutes and the City Code, including articles III, VI, VII and XVII of this Chapter.
- (b) Deliveries of equipment and material to the site, work crews on site and construction and demolition activity are prohibited except between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. and 6:00 p.m. on Saturday. Work is prohibited on Sundays and Holidays.
- (c) The permit holder must repair any damage to public property, streets, and sidewalks. If damage occurs to the foregoing, it must be repaired within three (3) working days after the damage occurs, unless the permit holder has received written permission from the Building Official to delay repairs to a later specified date.

- (d) The permit holder must maintain a five-foot (5') parking setback from driveways and a thirty-foot (30') parking setback from intersections. When parking on a street, a vehicle must be completely located on the street surface, parallel to and within twelve (12) inches of the curb. Vehicles in violation of these requirements may be towed in accordance with Minnesota Statutes § 168B.035. On street parking of equipment other than licensed motor vehicles is prohibited. Stopping, standing or parking a vehicle is prohibited, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:
1. On a boulevard between the sidewalk and roadway;
 2. Within five (5) feet of the intersection of any public or private driveway or alley with any street or highway;
 3. Where the vehicle will block a fire escape or the exit from any building;
 4. Where temporary signs prohibit parking.

Parking is allowed on local streets if a twelve-foot (12') wide area is open for the traveled portion of the road. On collector and arterial roadways, a minimum of twenty-two feet (22') must be open for the traveled portion of the road. Off-street and off-site parking for onsite workers is required to the extent practicable.

Police officers, community service officers, parking monitors and the Residential Redevelopment Coordinator of the City shall be responsible for enforcing the parking requirements and parking regulations of this Section.

- (e) The permit holder must install and maintain a rock entrance pad or its equivalent at each location where vehicles enter or exit the construction site, at locations approved by the Building Official.
- (f) The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove empty cans, paper, plastic and other material that is not needed for construction from the site or deposit them in a dumpster. The permit holder must keep streets, sidewalks, boulevard areas and adjacent properties clean from waste, materials or refuse resulting from operations on the site. Inoperable equipment and equipment not being used on the site must be removed within twenty four (24) hours after it becomes inoperable or is no longer in use. Where work on any project lies within areas of pedestrian traffic or vehicular traffic, the project area must be cleaned and swept and all materials related to the project must be stockpiled in appropriate areas. Debris must be contained on the project site. No material may be deposited or stockpiled on the public streets, boulevards, sidewalks or adjacent property. At the end of each working day, the permit holder must remove any soil, trash or debris that washed or was deposited on any public sidewalk or street and must remove any trash or debris that washed or was deposited on any adjacent property.
- (g) Dust control is the responsibility of the permit holder. As weather permits, materials subject to demolition shall be thoroughly dampened with water so as to prevent dust. The permit holder must eliminate dust problems immediately upon receiving notice from the Building Official that there is a dust problem.
- (h) No building material, temporary sanitary facilities, dumpster or equipment may be placed within street right-of-way, or on a sidewalk. Motor vehicles may not be parked or stopped on a sidewalk. Public sidewalks must be left open and unobstructed at all times.
- (i) Prior to commencing demolition, protective fencing approved by the Building Official must be installed around boulevard trees and trees that will not be removed.



Deephaven Police Department

20225 Cottagewood Road
Deephaven, MN 55331

CORY JOHNSON
Chief of Police

(952)474-7555 Office
(952)474-4564 Fax

6A

June 1, 2020

To: Honorable Mayor Skrede
Deephaven City Council

Cc: Dana Young, City Administrator

From: Cory Johnson, Chief of Police

Re: Monthly activity report for May 2020

May 2020:

85 Traffic Stops
78 Radio Calls

-35 Speeding
-2 Driving after Suspension
-2 Driving after Revocation
-86 Citations
-81 Verbal Warnings
-2 Written Warnings
-1 DWI
-16 Medical Calls
-9 Assists to other Agencies
 (-5 SLMPD)
 (-3 MTKA)
 (-1 WAYZATA)

-2 Assist to Deephaven
 (-2 SLMPD)

-2 Accidents

-0 Permits to acquire handgun

April 2020:

45 Traffic Stops
75 Radio Calls

-17 Speeding
-1 Driving after Suspension
-0 Driving after Revocation
-16 Citations
-35 Verbal Warnings
-2 Written Warnings
-1 DWI
-17 Medical Calls
-10 Assists to other Agencies
 (-1 MTKA)
 (-6 SLMPD)
 (-1 HCSO)
 (-2 WAYZATA)

-3 Assists to Deephaven
 (-3 SLMPD)

-0 Accidents

-3 Permits to acquire handgun

The following statistics are Part 1 and Part 2 crimes reported for the month of May 2020:

INCIDENT	INCIDENT DATE	INCIDENT DETAILS:
FTC Fraud	2020-05-06	RP called to report fraudulent activity on a bank card. Officer collected information for a report.
Underage Consumption - Citation	2020-05-09	Officer was dispatched to a report of three juveniles throwing eggs at passing vehicles on Hwy. 7. Officer located one of the adult males and further investigation led to the male being cited for underage consumption of alcohol. The male was then transported home and released to his mother.
Traffic Stop - Citation - Drugs	2020-05-17	Officers were sitting stationary and observed a vehicle with no license plate lights. Officers stopped the vehicle and spoke to the driver. Officers smelt a strong odor of marijuana emanating from the vehicle. The driver stated he had a small amount in his center console. Officers searched the vehicle and found a bag with marijuana and a pipe. Officers cited the driver with possession of marijuana and possession of paraphernalia.
Suspicious Activity - Underage Consumption	2020-05-20	Officers on routine patrol observed two vehicles parked at a beach after hours. Officers approached the beach and observed numerous adults sitting on table. A male and female ran as the officers approached. One officer chased them while the other began getting information from the group. Officers observed a strong smell of marijuana and the group admitted to be drinking. Officers were able to catch one adult and the other came back willingly. Officers cited three adults with underage consumption and one juvenile with minor consumption. Officers also cited one adult for a parking permit violation.

MAY 2020 VEHICLE ACCIDENTS

INCIDENT	INCIDENT DATE	INCIDENT DETAILS:
PI Accident	2020-05-06	Highway 7 and Vine Hill Road, Vehicle 2 stopped suddenly for a changing traffic signal and Vehicle 1 was unable to stop in time and rear ended Vehicle 2. Officer arrived, gathered information, and completed a state accident report.
PD Accident-Citation	2020-05-14	Dispatched to a accident in the 3400 block of Northome Road. The single vehicle involved, Driver was cited for careless driving after leaving the roadway and striking a concrete and brick pillar demolishing the pillar. The vehicle was towed from the scene by Matt's Towing, Officer completed an accident exchange and explained the form to the property representative and the driver of the vehicle. Officer explained the citation to the driver and her parents.

**Public Works Department
Report of Activities
May, 2020**

May Project List	Comments
Trimming along Street Blvds	As needed
Clean Catch Basins & Storm Sewers	Typically after a rainfall
Roadside Pickup	Weekly trash & garbage pickup
Park Maintenance	Mowing, weed whipping, trash pickup
Park Inspections	Monthly inspection completed May 28th
Thorpe Park – Weed & Fertilizer	Contractor applies 1st application in May
Garbage Can Pickup	Weekly on Mondays
Children’s Park Fountain Maintenance	Private effort lead by Steven Streeter
Diseased & Hazardous Tree Program	Identify diseased & hazardous trees on public property
Weed Whipping	Weekly cleanup around guard rails in Deephaven
Roadside Trimming & Mowing	Deephaven & Greenwood – as needed
Garden Club Planting Day	Scheduled on May 10th
Park Mowing	Began in May
Lift Station Inspections	Inspections in Deephaven & Greenwood
Fill Mutt Mitt Dispensers	Filled every Monday
Gopher One Locates	Daily as needed
Storm Water Repair Projects	Northome Blvd & Summerville Projects completed
Traffic Signs	Repair & replacement of signs continues

**Public Works Department
Report of Activities
June, 2020**

June Project List	Comments
Clean Catch Basins	Deephaven & Greenwood after each rainfall
Roadside Trash Pickup	Weekly trash pickup
Playground Equipment Inspections	Monthly inspections
Mowing	Parks, beaches, City Hall
Park Maintenance	Repairs, grooming ballfields, wood chips
Beach Maintenance	Daily – lake weed & trash pickup
Patching	Deephaven & Greenwood
Watering	Daily watering of flower beds, trees, boxes
Tree Inspection & Removal	Removal of diseased trees in City right-of-way
Fire Extinguisher Inspections	Scheduled for June
Mutt Mitts	Fill as needed on Mondays
Work Orders	Completed work orders from public daily
Storm Drains	Cleaned after every rainfall
Sewer Manhole Inspections	Completed in June
Tree Trimming	Weekly
Gopher State One-Calls	Daily
Lifeguard Service	Lifeguard service begins June 6th
Mandatory Truck Inspections	Scheduled for June
Vehicle Hoist Inspection	Scheduled for June
Storm Sewer Inspections	Underway
Sign Retroreflectivity Program	Replacing street name signs this year

**ADMINISTRATOR'S REPORT
JUNE 1, 2020**

Population & Household Estimates

The Metropolitan Council has estimated that the City of Deephaven had 3,790 residents and 1,416 households as of April 1, 2019. Population & household estimates for the City of Deephaven over the last five years are as follows:

Item	2015	2016	2017	2018	2019
Population	3,727	3,921	3,948	3,878	3,790
Households	1,337	1,439	1,438	1,416	1,416

2021 City Budget

The preliminary draft of the 2021 City Budget is completed and will be distributed to the City Council prior to the June 15th Council meeting.

July Newsletter

The quarterly City Newsletter will be sent out on July 1st and the following articles will be included:

- 2021 City Council Budget Review
- Street Improvement Plan
- AIS Awareness
- City Beach Information
- Neighborhood Relations
- Swimming Pool Discharge Recommendations
- Illicit Discharges
- 2020 Election Information
- Summer Hours at City Hall
- Help Keep our Water Clean
- Dogs at Beach Notice
- Emergency Gas Leak Recommendations
- Campaign Sign Regulations
- Pedestrian Safety

If you notice a number of articles on clean water, illicit discharges, and recycling, it is important to note that our Storm Water Pollution Prevention Plan and the terms of our annual recycling grant from Hennepin County require educational articles to be included in our quarterly newsletter.

A rough draft of the Newsletter will be sent via email for your review. Please let me know if there are any other items you would like to have included in the July Newsletter.

2021 Woodland Contract Negotiations

The preliminary 2021 Woodland Service Contract will be reviewed on June 8th by the Woodland City Council. The Deephaven City Council will approve the contract on June 15th.

2021 Greenwood Contract Negotiations

Mayor Kind was informed shortly after our Special Council Work Session on April 6th that the City of Deephaven was no longer interested in providing public works services and planning services and was only interested in considering a one-year contract for providing clerical services and building permit administration. Greenwood is considering their options and will respond to our proposal by mid-August.

Eagle Ridge Academy Bond Issue

The \$6,415,000 conduit bond that the City of Deephaven issued on behalf of Eagle Ridge Academy was issued on May 13th. The City received payment of \$32,075.00 on May 20th as our bond admin fee.