



CITY COUNCIL MEETING AGENDA
TUESDAY APRIL 7, 2020

****PLEASE NOTE****

6:00 PM - LOCAL BOARD OF APPEALS AND EQUALIZATION MEETING

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. ****Consent Agenda****

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council Minutes from the March 17, 2020 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 19550-19566.
- c. Approval of Twin Cities Polo Club Large Assembly and Gambling Permits for Annual Charity Event to be Held on August 2, 2020.

5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.

6. Reports of Boards and Committees by Council and Staff.

7. **PUBLIC HEARING:** Consideration of an Amendment to City Code Section 915 - Regulation of Lake Independence Surface Use:

- a. **ORDINANCE NO. 2020-01:** A proposed amendment to City Code Section 915 – Regulation of Lake Independence Surface Use. The amendment would increase the trigger elevation (from 957.8 to 958.2) at which point the slow no-wake regulations would become effective.

8. COVID -19 Update.

9. Open/Misc.

10. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, MARCH 17, 2020 –6:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 6:30 p.m.

2. Pledge of Allegiance

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Betts (via remote location), Grotting, McCoy and Spencer

ABSENT: City Attorney Vose

STAFF: City Administrator Kaltsas, Assistant to Administrator Horner

VISITORS: WHPS Director Kroells

4. ****Consent Agenda****

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council Minutes from the March 2, 2020 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 19504-19549.
- c. Agriculture Preserve Enrollment Application: **RESOLUTION No. 20-0317-01** Approving a Request to Enroll the Property Located at 2750 County Line Road in the Metropolitan Agriculture Preserve Program.
- d. Large Assembly Permit Approval: To Permit a Farm Auction on the Property Located at 7949 County Road 11 on May 30, 2020.
- e. Request for a One Year Subdivision Approval Extension for the Property Located at 2365 County Road 92 N.

Motion by Grotting, second by McCoy to approve the Consent Agenda. Ayes: Johnson, Betts, McCoy, Spencer and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

5. SET AGENDA – ANYONE NOT ON THE AGENDA CAN BE PLACED UNDER OPEN/MISC.

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- None

Grotting attended the following meetings:

- Highway 12 Safety Corridor Coalition Meeting

McCoy attended the following meetings:

- None

Betts attended the following meetings:

- West Hennepin Chamber of Commerce Meeting
- Highway 12 Safety Corridor Coalition Meeting

Johnson attended the following meetings:

- Highway 12 Safety Corridor Coalition Meeting
- League of Minnesota Cities Webinar
- Northwest League Municipalities Meeting
- Orono Healthy Youth Meeting

Horner attended the following meetings:

- Presidential Primary Election

Kaltsas attended the following meetings:

7. West Hennepin Public Safety Director, Gary Kroells, February 2020 Monthly Report.

Kroells stated there have been a total of 892 incident complaints as of February 29, 2020. In the month of February there were 292 were in the City of Independence and 167 in the City of Maple Plain.

for a full report see the packet

Johnson asked about the arrest on the 29th and Kroells said that it is part of the effort working the Highway 12 Corridor towards the zero-death initiative. Betts said she really appreciated the Code Red notifications. Kroells said they are working daily with Covid-19 alerts and information and taking all the necessary precautions to care of the officers and residents. He noted burn permits and gun licenses will all be done online. There is a table in the lobby for people to leave burn permit information or pick up a permit in order to avoid contact.

8. **PUBLIC HEARING:** A Public Hearing to Consider the Following:

- a. **RESOLUTION No. 20-0317-02** - 2020-2024 Capital Improvement Plan and Preliminary Approval to Issue Bonds to Finance the Costs of the Street Reconstruction.
- b. **RESOLUTION No. 20-0317-03** - 2020-2024 Street Reconstruction Plan and Preliminary Approval to Issue Bonds to Finance the Costs of the Capital Improvement Plan.

Kaltsas said the City has determined that certain streets in the City need reconstruction, repair and improvements. The City based its findings on the long-range street improvement plans which assess all streets in the City based on their age, condition, number of users and current condition. The City's engineer has prepared detailed plans and specifications for the 2020 Street Overlay Project. The overlay project will provide for an approximately one and half inch bituminous overlay on top of the existing roads included in the project. The project will also include the installation of a gravel shoulder, specific crack repair and the installation of a bituminous apron at certain road intersections. Approximately 6 miles of existing bituminous roads will be included in the project and are identified below:

- Stephanie Way
- Brei Kessel Road

- Merz Way
- Waldemar Way
- Providence Place
- Providence Court, Warren Way
- Providence Curve
- Providence Path
- Turner Road
- Polo Club Road
- Copeland Road
- Lindgren Lane
- Independence Road
- Budd Street
- Fieldstone Place
- Stone Court
- Hillstrom Road
- Drake Court
- Drake Drive
- Painter Creek Green
- Timber Island Trail

The City has prepared a 5-year street plan which corresponds with the bituminous overlay of the aforementioned streets.

Public Hearing Open

Johnson asked Betts if she had any comments on the Resolutions and she said she was in favor of them and anxious to get them approved as rates are good right now.

Motion by Grotting, second by Spencer to close the Public Hearing.

Public Hearing Closed

Motion by Spencer, second by McCoy to approve RESOLUTION No. 20-0317-02 - 2020-2024 Capital Improvement Plan and Preliminary Approval to Issue Bonds to Finance the Costs of the Street Reconstruction. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Motion by Grotting, second by Betts to approve RESOLUTION No. 20-0317-03 - 2020-2024 Street Reconstruction Plan and Preliminary Approval to Issue Bonds to Finance the Costs of the Capital Improvement Plan. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

9. Appointment of Members to the Accessory Building Height Review Committee.

a. **RESOLUTION NO. 20-0317-04 - Committee Member Appointment Resolution.**

Motion by McCoy, second by Grotting to approve RESOLUTION NO. 20-0317-04 - Committee Member Appointment Resolution. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

10. Open/Misc.

11. Adjourn.

Motion by Spencer, second by McCoy to adjourn at 7:05 p.m. Ayes: Johnson, Betts, Grotting, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Trish Gronstal/ Recording Secretary

DRAFT



NON-CITY ASSEMBLY PERMIT APPLICATION

Fees & Definitions:

200+ Attendees (Large Assembly) = \$100
100+ Attendees (Medium Assembly) = \$25
50+ Attendees (Small Assembly) = \$25

(Double fee for application received less than 10 business days prior to event).

Event Location: Twin City Polo Ground, Independence, MN

Type of event: Charity fundraiser **Number of people** 700 **Date** 8/2/2020

☐ Residential ☒ Corporate ☐ Partnership ☒ Group or Association ☐ Other

Event Holder's Name: THIS OLD HORSE, INC **Address:** 19025 Coates Blvd, Hastings, MN 55033
Contact Person: NANCY TURNER **Phone:** 612 839 9868
2nd Contact Person: TOM RHODE **Phone:** 651 324 2400

Security Plans: Volunteer security personnel on site
Date West Hennepin Public Safety was notified of the event: _____

Severe Weather Plans (in the event of): cancel

Sound Plans - amplification and sound control: PA event announcements
Outdoor Music ☐ Yes ☒ No - Starting Time _____ AM/PM, Ending
Time _____ AM/PM

Food and Concessions Plans: Food trucks, will provide when confirmed
Vendor's name, address, and license number (copies of vendor license, insurance and permits
must be provided) _____
Vendor Work #: _____ Vendor Cell #: _____

Serving Alcohol: Yes: ☒ No: _____

763-479-0527 (Phone)

1920 County Road 90
Independence, MN 55359
www.ci.independence.mn.us

763-479-0528 (Fax)

Selling Alcohol: Yes: x No: _____ (If selling alcohol contact the City for a Permit)

Restroom Provisions: How many?

8 Location: both sides of street

Lighting - Type: none, daytime event How many? _____

Location of lights: _____

\$1,000,000 Certificate of Liability Insurance-provide a copy: yes

Parking Plan: *Please provide a site plan showing 1 parking space for each vehicle per 4 guests. If using adjacent property, written permission from property owners must be obtained.*

3/16/2020
Date

[Signature]
Signature of applicant

Date

Signature of applicant

Office Use Only

Application Received: 3/18/20 Application Fee: 100. Date Fee Paid: 3/18/20

Date \$1,000,000 certificate of liability insurance received: 3/18/20

Signature of City Official

Date

Signature of West Hennepin Public Safety

Date

PERMIT # _____



TEMPORARY GAMBLING PERMIT APPLICATION

NON-PROFIT ORGANIZATION: \$50.00
MUST HAVE PROOF OF NONPROFIT STATUS

Event Location: Twin City Polo Ground, Independence, MN
Type of event: Charity fundraiser Number of People Attending: 700 Date: August 2, 2020
☐ Residential ☐ Corporate ☐ Partnership ☒ Group or Association ☐ Other

Event Holder Organization Name: This Old Horse, Inc.
Address: 19025 Coates Blvd., Hastings, MN 55033
Contact Person: Nancy Turner Home Phone: _____ Cell Phone: 6128399868
2nd Contact Person: Tom Rhode Home Phone: _____ Cell Phone: 6513242400
MN Tax ID Number: 091914370 Federal Tax ID Number: 45-4234611
Purpose of Organization: provide Sanctuary for rescued, retired and recovering horses.
No. of Active Members: _____
Length of Time Organization Has Been In Existence: since 2012

Type of Gambling Activity: Bingo _____
Raffle x _____
Paddlewheels _____
Pull-Tabs _____
Tipboards _____

Estimated Value of Prizes to be Awarded: \$500

Purpose of Event and How Proceeds Will Be Used:

To support rescued horses

Office Use Only

Application Received: 3/18/20 Application Fee: _____ Date Fee Paid: 3/18/20

Signature of City Official

Date

Guidance relating to Lawful Gambling is contained in the Independence City Code, Chapter 14. All permit holders are required to be familiar with the provisions of this Chapter and with applicable Minnesota Statutes and federal regulations.

In submitting a permit application, the applicant and their business associates declare that they meet the requirements for issue of said permit and that such business will be operated in compliance with the regulations, statutes and ordinances. Knowingly submitting an incomplete or inaccurate application constitutes fraudulent application; failure to comply with the aforesaid regulations, statutes and ordinances; or conviction for related felony or misdemeanor violations constitutes grounds for denial, suspension, or revocation of permits.

I declare that the information I have provided on this application is truthful and I understand that falsification of answers on this application will result in denial of the application. I authorize the City of Independence to investigate and make whatever inquiries necessary to verify the information provided.

3/5/2020

Date

Nancy Turner

Signature of applicant

Date

Signature of applicant



APPLICATION FOR LIQUOR, BEER, SET-UP OR CLUB LICENSING

SUBMIT APPLICATION & FEES BY: _____

On Council Agenda: 4/7/2020

**Please fill out the following information:

I, Turner Nancy _____ for and on behalf of This Old Horse, Inc.
(Last) (First) MI (Individual owner, office, partner)

Q537158898315 hereby submit this application for a temporary
(Myself, partners, corporation)

liquor license for (Name and address of business): This Old Horse, Inc.

19025 Coates Blvd., Hastings, MN 55033

in accordance with the provisions of Minnesota Statutes and City Of Independence Ordinances, commencing April 1, 2008 and ending March 31, 2009.

DL# Q537158898315

Signature of Applicant Nancy Turner
For: This Old Horse, Inc.
(Myself, Partners or Corporation, Association)

D.O.B. 12/31/1955

SUBMIT: (1) Liability Insurance (2) License Fees (3) Receipt showing payment of taxes

FEES: (the following are highlighted for easy reference)

On-Sale 3.2 Beer	\$ 600	Cigarette	\$ 100
Off-Sale 3.2 Beer	50	Dance	75
Set-up	500		
Club	200	On-Sale Intoxicating	5,500
Sunday Liquor	200	On-sale Wine	600
Temporary Liquor (1 - 4 days)	100 per day	Off-Sale Intoxicating	100

TOTAL Due: 100

763-479-0527 (Phone)

1920 County Road 90
Independence, MN 55359
www.ci.independence.mn.us

763-479-0528 (Fax)

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: This Old Horse, Inc. Previous Gambling Permit Number: x94001-17-001
 Minnesota Tax ID Number, if any: 09194370 Federal Employer ID Number (FEIN), if any: 45-4234611
 Mailing Address: 19025 Coates Blvd.
 City: Hastings State: MN Zip: 55033 County: Dakota
 Name of Chief Executive Officer (CEO): Nancy Turner
 CEO Daytime Phone: 6513571104 CEO Email: nturner@thisoldhorse.org
 (permit will be emailed to this email address unless otherwise indicated below)
 Email permit to (if other than the CEO): _____

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- ☐ **A current calendar year Certificate of Good Standing**
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division
 60 Empire Drive, Suite 100
 St. Paul, MN 55103
 Secretary of State website, phone numbers:
www.sos.state.mn.us
 651-296-2803, or toll free 1-877-551-6767
- ☒ **IRS income tax exemption (501(c)) letter in your organization's name**
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- ☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted
 (for raffles, list the site where the drawing will take place): _____

Physical Address (do not use P.O. box): _____

Check one:

☒ City: Independence Zip: 55359 County: Hennepin
☐ Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): August 2, 2020

Check each type of gambling activity that your organization will conduct:

☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

11/17
Page 2 of 2

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits

- ☒ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- ☐ The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

**The city or county must sign before
submitting application to the
Gambling Control Board.**

COUNTY APPROVAL for a gambling premises located in a township

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- ☐ The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Nancy Turner Date: 3/18/2020
(Signature must be CEO's signature; designee may not sign)

Print Name: Nancy Turner

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer

Players, ponies trailer parking

Parking

Restrooms

Parking

Corp tent
entrance

Clubhouse

Polo
Field

General
Admission Tent

Restrooms

Parking

Parking

Check In

Turner Road



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/11/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER NPIA, INC. - NONPROFITS' INSURANCE AGENCY 21034 HERON WAY STE 107 LAKEVILLE, MN 55044-8093	CONTACT NAME: MIKE STEVENS		
	PHONE (A/C, No, Ext): (952) 469-5963	FAX (A/C, No):	
	E-MAIL ADDRESS: MSTEVEN@NPIAINC.COM		
INSURED THIS OLD HORSE, INC. 19025 COATES BLVD HASTINGS, MN 55033-9385	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: NONPROFIT INSURANCE TRUST		
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	☒ COMMERCIAL GENERAL LIABILITY			PL0243-19	06/01/2019	06/01/2020	EACH OCCURRENCE	\$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR		DAMAGE TO RENTED PREMISES (Ea occurrence)				\$ 1,000,000	
	☒ PROFESSIONAL		MED EXP (Any one person)				\$ 5,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY	\$ 1,000,000
	☒ POLICY ☐ PRO-JECT ☐ LOC						GENERAL AGGREGATE	\$ 3,000,000
	OTHER:						PRODUCTS - COMP/OP AGG	\$ 3,000,000
							TENANT PROPERTY DAMAGE	\$ 10,000
A	AUTOMOBILE LIABILITY			PL0243-19	06/01/2019	06/01/2020	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	☒ ANY AUTO		SCHEDULED AUTOS					
	☐ ALL OWNED AUTOS		NON-OWNED AUTOS					
	☐ HIRED AUTOS							
	UMBRELLA LIAB						BODILY INJURY (Per person)	\$
	EXCESS LIAB						BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC0243-20	01/01/2020	01/01/2021	☒ PER STATUTE ☐ OTH-ER	
A	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT	\$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
A	FIDELITY/EMPLOYEE DISHONESTY			PL0243-19	06/01/2019	06/01/2020	\$25,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

THIS OLD HORSE, INC.
19025 COATES BLVD
HASTINGS, MN 55033-9385

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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City of Independence
Consideration of an Amendment to City Code
Section 915 - Regulation of Lake Independence Surface Use

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: April 7, 2020

Discussion:

The Lake Independence Citizens Association (LICA) has requested that the City consider amending the Lake Independence Surface Use Ordinance. The amendment would increase the trigger elevation (from 957.8 to 958.2; 4.8 inches) at which point the slow no-wake regulations would become effective. In 2019, surface use of Lake Independence was limited to no-wake for the entirety of the boating season as a result of water levels that exceeded the ordinance established elevations. The City last reviewed the surface use ordinance for Lake Independence in 2014. The previous ordinance had a 250-foot no-wake zone along the shoreline.

Slow no wake levels are set by local governments and can be modified if it's determined that a higher threshold level is needed to trigger slow no wake rules. Both Medina and Independence would have to amend their ordinances for the change to be approved. If approved by both municipalities, an application for an amendment would be made to the DNR for their review and approval.

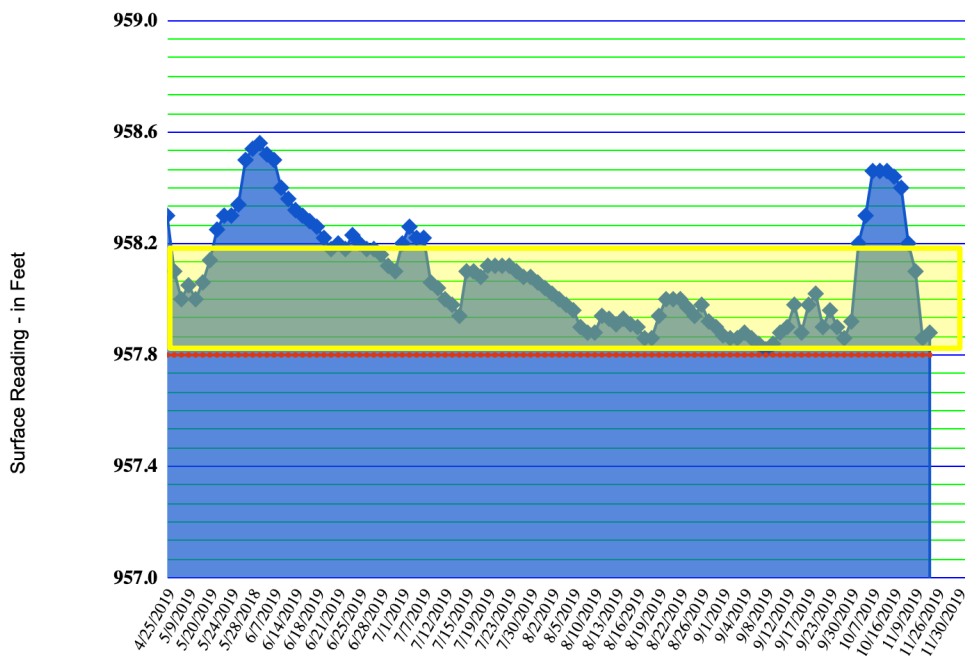
Historical information relating to the elevations is attached to this report for reference. The information provided in the attached table highlights those readings above the proposed 958.2 elevation. The proposed increase to the trigger elevation would have historically decreased the number of days in which the slow-no wake restriction would be in place. For reference and consideration by the City, Lake Independence water readings for 2019 are shown in the graph below (highlighted area in yellow represents range between existing trigger level and proposed trigger level). There are several additional considerations that should be noted:

- The Ordinary High-Water Level (OHWL) for Lake Independence is 956.8.
- The 100-year flood elevation of Lake Independence is 959.5.
- The City has prepared an aerial graphic of the lake and surrounding properties which identifies those areas that fall between the OHWL level of 956.8 and the proposed trigger level of 958.2 (see attached graphic).
- The City of Medina is holding a public hearing in April to consider the requested ordinance amendment.

- Groundwater is high across much of MN and this is being shown by the water level of many lakes.
- Minnesota is experiencing the wettest 5-year period in recorded history for the metro area.
- Lake Independence does have an outlet which does regulate water levels. The City has been working with our water resource consultants to evaluate the outlet and identify any issues and or solutions that could increase the outlets function. The results of this evaluation will likely be available within the next two months.

Lake Independence Water Surface Reading 2019

Red line indicates Slow No Wake level of 957.8



Source: LICA Website

The Cities of Medina and Independence have the ability to amend the slow no-wake trigger elevation of Lake Independence. LICA is requesting an amendment to the ordinance which they believe represents a balance between reasonable recreational surface use of the lake and responsible management and mitigation of potential erosion, flooding and similar impacts to the lake shore. The City will need to determine if the proposed increase in trigger elevation provides a reasonable balance.

Council Recommendation:

City Council is asked to consider approval of **ORDINANCE No. 2020-01** amending City Code Section 915 - Regulation of Lake Independence Surface Use.

Attachments: **ORDINANCE No. 2020-01**

Water Level Table

Comparison of Elevations Graphic

Letter from LICA

Draft Medina Ordinance Amendment

Information from Resident

**ORDINANCE NO. 2020-01
CITY OF INDEPENDENCE**

**AN ORDINANCE AMENDING CHAPTER IX, SECTION 915,
OF THE CITY CODE (REGULATION OF LAKE INDEPENDENCE SURFACE USE)**

**THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, HENNEPIN COUNTY,
MINNESOTA, ORDAINS:**

SECTION 1. The Independence City Code, Chapter IX, Section 915 is hereby amended by adding the following underlined language and deleting the ~~striketrough~~ language:

915.15. - Authority to regulate water surface use.

Pursuant to Minn. Stats. §§ 459.20, 471.59 and 86B.205, Independence has entered into a joint powers agreement with the city of Medina for the purpose of regulating the surface use of the body of water known as Lake Independence. This section shall be effective after adoption and publication and after adoption of a similar ordinance by Medina. This section shall remain in effect until repealed or until the joint powers agreement is terminated.

915.17. - Definitions.

Subd. 1. The terms used in this section related to boating, including "slow no-wake," shall have the meanings given to them in Minn. Stats. § 86B.005.

Subd. 2. "Lake Independence" means that body of water located in section 24, township 118, range 24, Hennepin County, Minnesota and designated by the Minnesota Department of Natural Resources as lake #27-176.

915.19. - Slow no-wake zone on Lake Independence.

Subd. 1. *Slow no-wake at high water level.* Whenever the waters of Lake Independence reach or exceed ~~957.8~~ 958.2 feet above sea level for a period of three consecutive days or more, as measured by the water level gauge set by the Minnesota department of natural resources on Lake Independence, the city administrator-clerk or designee, upon notifying the Hennepin county sheriff, shall establish a slow no-wake zone on those portions of the lake within Independence. No person shall operate a watercraft, including aircraft except during landings and take-offs, in excess of slow no-wake speed on the entire lake when the high water slow no-wake restrictions are in effect. Both the implementation and removal of these restrictions must be done in coordination with action by the city of Medina.

Subd. 2. *Effective date of no-wake regulation.* A slow no-wake restriction shall become effective upon the date specified by the city administrator-clerk and shall remain in effect until the water level for the lake has receded below ~~957.8~~ 958.2 feet above sea level for at least three consecutive days.

915.21. - Notification.

The city administrator-clerk shall notify the public of both the implementation and removal of the no-wake restriction by publishing a notice in the city's official newspaper, posting the restriction at all public lake access points within the city prior to and during the time the restriction is in place, posting the restriction at city hall, and by such other means as the city administrator-clerk determines to be reasonable.

915.23. - Exemption.

Enforcement, resource management and emergency personnel, while in the performance of their official duties, are exempt from the provisions of this section.

915.25. - Penalties.

Any person convicted of violating this section shall be guilty of a misdemeanor and shall be subject to a maximum fine or a maximum period of imprisonment, or both, as specified by Minn. Stats. § 609.03.

915.27. - Enforcement.

The Hennepin County sheriff's department and special deputies appointed and sworn by the sheriff have primary responsibility for enforcing the provisions of this section, but nothing herein shall preclude other licensed peace officers from enforcing this section.

SECTION 2. This ordinance shall be in force and effect after enactment and publication as required by law.

Adopted this 7th day of April 2020, by the Independence City Council.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

CHR_ID	ELEVATION	READ_DATE	DATUM_ADJ	Days Above 958.2
27017600	951.1	6/13/35	NGVD 29	
27017600	955.07	2/17/48	NGVD 29	
27017600	955.53	6/14/49	NGVD 29	
27017600	957.4	4/17/50	NGVD 29	
27017600	957.34	5/2/50	NGVD 29	
27017600	957.27	4/24/51	NGVD 29	
27017600	957.27	4/26/51	NGVD 29	
27017600	957.27	4/28/51	NGVD 29	
27017600	957.27	4/30/51	NGVD 29	
27017600	957.33	5/2/51	NGVD 29	
27017600	957.31	5/4/51	NGVD 29	
27017600	957.27	5/6/51	NGVD 29	
27017600	957.23	5/8/51	NGVD 29	
27017600	957.15	5/10/51	NGVD 29	
27017600	957.13	5/12/51	NGVD 29	
27017600	957.05	5/14/51	NGVD 29	
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27017600	957.15	5/18/51	NGVD 29	
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27017600	957.05	5/22/51	NGVD 29	
27017600	956.97	5/24/51	NGVD 29	
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27017600	956.85	5/28/51	NGVD 29	
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27017600	956.71	6/30/51	NGVD 29	
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27017600	956.95	11/16/51	NGVD 29	
27017600	956.94	11/18/51	NGVD 29	
27017600	956.9	11/20/51	NGVD 29	
27017600	956.85	11/23/51	NGVD 29	

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27017600	956.48	5/11/57	NGVD 29	
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27017600	956.5	5/17/57	NGVD 29	
27017600	956.52	5/21/57	NGVD 29	
27017600	956.54	5/25/57	NGVD 29	
27017600	956.64	5/28/57	NGVD 29	
27017600	956.62	5/31/57	NGVD 29	
27017600	956.58	6/4/57	NGVD 29	
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27017600	956.52	6/11/57	NGVD 29	
27017600	956.54	6/14/57	NGVD 29	
27017600	956.72	6/18/57	NGVD 29	
27017600	957.86	6/19/57	NGVD 29	
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27017600	957.56	6/22/57	NGVD 29	
27017600	958.04	6/25/57	NGVD 29	
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27017600	958.24	7/5/57	NGVD 29	
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27017600	957.8	7/23/57	NGVD 29	
27017600	957.74	7/26/57	NGVD 29	
27017600	957.58	7/30/57	NGVD 29	
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27017600	957.56	8/6/57	NGVD 29	
27017600	957.54	8/9/57	NGVD 29	
27017600	957.66	8/13/57	NGVD 29	
27017600	957.64	8/16/57	NGVD 29	
27017600	957.56	8/20/57	NGVD 29	
27017600	957.54	8/23/57	NGVD 29	
27017600	957.5	8/27/57	NGVD 29	
27017600	957.46	8/30/57	NGVD 29	
27017600	957.76	9/3/57	NGVD 29	
27017600	957.88	9/6/57	NGVD 29	
27017600	957.86	9/10/57	NGVD 29	
27017600	957.78	9/13/57	NGVD 29	
27017600	957.76	9/17/57	NGVD 29	
27017600	957.64	9/20/57	NGVD 29	
27017600	957.5	9/24/57	NGVD 29	
27017600	957.36	9/27/57	NGVD 29	
27017600	957.32	10/1/57	NGVD 29	
27017600	957.18	10/4/57	NGVD 29	
27017600	957.14	10/8/57	NGVD 29	
27017600	957.04	10/11/57	NGVD 29	
27017600	956.98	10/15/57	NGVD 29	
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27017600	956.92	10/22/57	NGVD 29	
27017600	956.88	10/25/57	NGVD 29	
27017600	956.84	10/29/57	NGVD 29	
27017600	956.81	11/1/57	NGVD 29	
27017600	956.76	11/5/57	NGVD 29	
27017600	956.68	11/8/57	NGVD 29	
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27017600	956.64	11/15/57	NGVD 29	
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27017600	956.62	11/22/57	NGVD 29	
27017600	956.62	11/26/57	NGVD 29	
27017600	956.6	11/29/57	NGVD 29	
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27017600	956.16	3/28/58	NGVD 29	
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27017600	956.44	4/25/58	NGVD 29	
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27017600	956.16	6/6/58	NGVD 29	
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27017600	956.16	6/13/58	NGVD 29	
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27017600	955.96	7/15/58	NGVD 29	
27017600	955.92	7/18/58	NGVD 29	
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27017600	955.9	8/12/58	NGVD 29	
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27017600	955.81	8/19/58	NGVD 29	
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27017600	955.7	8/29/58	NGVD 29	
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27017600	955.72	9/9/58	NGVD 29	
27017600	955.7	9/12/58	NGVD 29	
27017600	955.66	9/16/58	NGVD 29	
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27017600	955.46	9/29/58	NGVD 29	
27017600	955.42	10/3/58	NGVD 29	
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27017600	955.24	11/18/58	NGVD 29	
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27017600	955.28	8/21/59	NGVD 29	
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27017600	955.44	8/28/59	NGVD 29	
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27017600	955.24	9/25/59	NGVD 29	
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27017600	956.52	6/28/60	NGVD 29	
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27017600	956.16	7/26/60	NGVD 29	
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27017600	956	8/5/60	NGVD 29	
27017600	955.96	8/9/60	NGVD 29	
27017600	955.92	8/12/60	NGVD 29	
27017600	955.82	8/16/60	NGVD 29	
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27017600	955.8	8/23/60	NGVD 29	
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27017600	956.78	10/8/62	NGVD 29	
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27017600	956.72	4/8/63	NGVD 29	
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27017600	956.7	4/19/63	NGVD 29	
27017600	956.7	4/22/63	NGVD 29	
27017600	956.72	4/26/63	NGVD 29	
27017600	956.72	4/29/63	NGVD 29	
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27017600	956.82	5/6/63	NGVD 29	
27017600	956.94	5/10/63	NGVD 29	
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27017600	957.3	5/17/63	NGVD 29	
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27017600	957.26	5/24/63	NGVD 29	
27017600	957.24	5/27/63	NGVD 29	
27017600	957.26	5/31/63	NGVD 29	
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27017600	957.42	6/6/63	NGVD 29	
27017600	957.36	6/7/63	NGVD 29	
27017600	957.54	6/10/63	NGVD 29	
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27017600	955.9	7/20/73	NGVD 29	
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27017600	955.49	5/23/89	NGVD 29	
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27017600	957.52	5/1/91	NGVD 29	
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27017600	958.15	7/9/91	NGVD 29	
27017600	957.78	7/14/91	NGVD 29	
27017600	957.58	7/20/91	NGVD 29	
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27017600	957.94	5/9/92	NGVD 29	
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27017600	957.69	5/23/92	NGVD 29	
27017600	957.56	5/30/92	NGVD 29	
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27017600	957.15	6/27/92	NGVD 29	
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27017600	956.72	10/9/94	NGVD 29	
27017600	956.64	11/16/94	NGVD 29	
27017600	956.71	12/1/94	NGVD 29	
27017600	956.69	12/20/94	NGVD 29	
27017600	956.67	3/7/95	NGVD 29	
27017600	957.49	4/17/95	NGVD 29	
27017600	957.24	5/25/95	NGVD 29	
27017600	957.26	6/4/95	NGVD 29	
27017600	957.34	6/11/95	NGVD 29	
27017600	957.16	6/20/95	NGVD 29	
27017600	957.04	6/25/95	NGVD 29	
27017600	956.91	7/8/95	NGVD 29	
27017600	956.88	7/16/95	NGVD 29	

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27017600	956.66	8/6/95	NGVD 29	
27017600	957.09	8/13/95	NGVD 29	
27017600	957.16	8/19/95	NGVD 29	
27017600	956.94	9/10/95	NGVD 29	
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27017600	956.68	9/26/95	NGVD 29	
27017600	956.71	10/1/95	NGVD 29	
27017600	957.34	5/1/96	NGVD 29	
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27017600	956.99	8/17/97	NGVD 29	
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27017600	957.19	8/30/97	NGVD 29	
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27017600	957.16	4/30/98	NGVD 29	
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27017600	957.02	5/13/98	NGVD 29	
27017600	957.02	5/19/98	NGVD 29	
27017600	956.91	5/26/98	NGVD 29	
27017600	956.88	5/27/98	NGVD 29	
27017600	956.69	6/9/98	NGVD 29	
27017600	956.66	6/15/98	NGVD 29	
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27017600	956.84	6/27/98	NGVD 29	
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27017600	956.48	7/30/98	NGVD 29	
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27017600	956.48	4/15/99	NGVD 29	
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27017600	956.71	6/8/09	NGVD 29	
27017600	956.62	6/16/09	NGVD 29	
27017600	956.66	6/17/09	NGVD 29	
27017600	956.62	6/24/09	NGVD 29	
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27017600	956.46	7/8/09	NGVD 29	
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27017600	957.37	5/9/10	NGVD 29	
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27017600	957.41	6/26/10	NGVD 29	
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27017600	958.75	5/21/11	NGVD 29	
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27017600	957.45	8/25/12	NGVD 29	
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27017600	956.85	9/26/12	NGVD 29	
27017600	956.6	10/11/12	NGVD 29	
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27017600	956.55	11/9/12	NGVD 29	
27017600	956.5	12/6/12	NGVD 29	
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27017600	958.94	6/24/13	NGVD 29	
27017600	959.04	6/26/13	NGVD 29	
27017600	958.96	7/2/13	NGVD 29	
27017600	958.04	8/3/13	NGVD 29	

27017600	958.14	8/5/13	NGVD 29	
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27017600	957.94	8/14/13	NGVD 29	
27017600	957.84	8/19/13	NGVD 29	
27017600	957.79	8/21/13	NGVD 29	
27017600	957.74	8/23/13	NGVD 29	
27017600	957.64	8/27/13	NGVD 29	
27017600	957.54	8/30/13	NGVD 29	
27017600	957.49	9/5/13	NGVD 29	
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27017600	957.36	9/14/13	NGVD 29	
27017600	957.44	9/15/13	NGVD 29	
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27017600	957.24	10/2/13	NGVD 29	
27017600	957.32	10/4/13	NGVD 29	
27017600	957.34	10/7/13	NGVD 29	
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27017600	957.4	10/16/13	NGVD 29	
27017600	957.42	10/18/13	NGVD 29	
27017600	957.44	10/20/13	NGVD 29	
27017600	957.34	11/19/13	NGVD 29	
27017600	958.31	4/30/14	NGVD 29	
27017600	958.31	4/30/14	NGVD 29	
27017600	958.47	5/3/14	NGVD 29	
27017600	958.53	5/5/14	NGVD 29	
27017600	958.47	5/8/14	NGVD 29	
27017600	958.49	5/10/14	NGVD 29	
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27017600	958.42	5/22/14	NGVD 29	
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27017600	958.33	5/28/14	NGVD 29	
27017600	958.22	5/30/14	NGVD 29	
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27017600	958.62	6/2/14	NGVD 29	
27017600	958.67	6/3/14	NGVD 29	
27017600	958.72	6/7/14	NGVD 29	
27017600	958.67	6/10/14	NGVD 29	
27017600	958.57	6/14/14	NGVD 29	
27017600	958.57	6/16/14	NGVD 29	
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27017600	958.67	6/27/14	NGVD 29	
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27017600	958.07	7/15/14	NGVD 29	
27017600	957.97	7/17/14	NGVD 29	
27017600	957.87	7/20/14	NGVD 29	
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27017600	957.31	8/12/14	NGVD 29	
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27017600	956.85	7/6/15	NGVD 29	
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27017600	956.98	4/11/16	NGVD 29	
27017600	956.91	4/18/16	NGVD 29	
27017600	956.98	4/19/16	NGVD 29	
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27017600	957.44	6/14/16	NGVD 29	
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27017600	957.88	8/18/16	NGVD 29	
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27017600	958.78	8/30/16	NGVD 29	
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27017600	957.72	4/15/17	NGVD 29	
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27017600	957.72	7/3/17	NGVD 29	
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27017600	957.48	7/14/17	NGVD 29	
27017600	957.45	7/15/17	NGVD 29	
27017600	957.45	7/15/17	NGVD 29	
27017600	957.44	7/19/17	NGVD 29	
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27017600	957.77	8/5/17	NGVD 29	
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27017600	958.05	5/9/19	NGVD 29	
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27017600	958.22	7/4/19	NGVD 29	
27017600	958.22	7/7/19	NGVD 29	
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27017600	958.04	7/11/19	NGVD 29	

27017600	958	7/12/19	NGVD 29	
27017600	957.98	7/13/19	NGVD 29	
27017600	957.94	7/14/19	NGVD 29	
27017600	958.1	7/15/19	NGVD 29	
27017600	958.1	7/16/19	NGVD 29	
27017600	958.08	7/18/19	NGVD 29	
27017600	958.12	7/19/19	NGVD 29	
27017600	958.12	7/20/19	NGVD 29	
27017600	958.12	7/22/19	NGVD 29	
27017600	958.12	7/23/19	NGVD 29	
27017600	958.1	7/26/19	NGVD 29	
27017600	958.08	7/27/19	NGVD 29	
27017600	958.08	7/30/19	NGVD 29	
27017600	958.06	7/31/19	NGVD 29	
27017600	958.04	8/1/19	NGVD 29	
27017600	958.02	8/2/19	NGVD 29	
27017600	958	8/3/19	NGVD 29	
27017600	957.98	8/4/19	NGVD 29	
27017600	957.96	8/5/19	NGVD 29	
27017600	957.9	8/9/19	NGVD 29	
27017600	957.88	8/9/19	NGVD 29	
27017600	957.88	8/10/19	NGVD 29	
27017600	957.94	8/11/19	NGVD 29	
27017600	957.93	8/12/19	NGVD 29	
27017600	957.91	8/13/19	NGVD 29	
27017600	957.93	8/14/19	NGVD 29	
27017600	957.91	8/14/19	NGVD 29	
27017600	957.9	8/16/19	NGVD 29	

Lake Independence Water Level Comparison

-  Shoreline Area Between
Elevation 956.8 OHWL and 958.2
-  Independence Boundary

Lake
Independence

Note: Contour Data is approximate and was obtained from LiDAR

Mark Kaltsas, City Administrator
City of Independence
1920 County Rd. 90
Independence, MN 55359

February 12, 2020

Dear Mark,

The purpose of this letter is to request a change in the “slow no-wake” ordinance water level on Lake Independence. The current high-water trigger level is set at 957.8 feet above sea level. The requested change is to raise the trigger to 958.2 feet above sea level.

This request is championed by Lake Independence Citizen’s Association (LICA). LICA is a group of volunteers representing Lake Independence lakeshore owners and other interested parties. The LICA board of directors has engaged in numerous discussions with key stakeholders including personnel from Three Rivers Park District and MNDNR, officials from the cities of Medina and Independence as well as survey results from LICA members. Through these discussions, it has been determined that the new level of 958.2 offers an appropriate balance between water quality and responsible recreational use on Lake Independence.

Note that a similar letter has been sent to the City of Medina. It is understood that both cities need to agree to this ordinance amendment.

Reference: Section 915 – Regulation of Lake Sarah and Lake Independence Surface Use

- 915.19 Slow no-wake zone on Lake Independence

On behalf of LICA and Respectfully Submitted,

Tom Blanck
LICA President

CITY OF MEDINA

ORDINANCE NO.

**An Ordinance Amending Section 512 of the Code of Ordinances
Regarding Surface Use of Lake Independence**

The city council of the city of Medina ordains as follows:

SECTION I: Section 512 of the code of ordinances is amended by adding the underlined material and deleting the ~~stricken~~ material as follows:

Section 512.01. Authority to regulate water surface use. Pursuant to Minnesota Statutes, sections 459.20, 471.59 and 86B.205, Medina has entered into a joint powers agreement with the city of Independence for the purpose of regulating the surface use of the body of water known as Lake Independence. This ordinance shall be effective after adoption and publication of this ordinance and after adoption of a similar ordinance by Independence. This ordinance shall remain in effect until repealed or until the joint powers agreement is terminated.

Section 512.03. Definitions.

Subd. 1. The terms used in this ordinance related to boating, including “slow no-wake,” shall have the meanings given to them in Minnesota Statutes, section 86B.005.

Subd. 2. “Lake Independence” means that body of water located in section 24, township 118, range 24, Hennepin County, Minnesota and designated by the Minnesota department of natural resources as lake #27-176.

Section 512.05. Slow no-wake zone on Lake Independence.

Subd. 1. Slow no-wake at high water level. Whenever the waters of Lake Independence reach or exceed ~~958.2~~ feet above sea level for a period of three consecutive days, as measured by the water level gauge set by the Minnesota department of natural resources on Lake Independence, the city administrator or designee, upon notifying the Hennepin county sheriff, shall establish a slow no-wake zone on those portions of the lake within Medina. No person shall operate a water craft, including aircraft except during landings and take-offs, in excess of slow no-wake speed on the entire lake when the high water slow no-wake restrictions are in effect. Both the implementation and removal of these restrictions must be done in coordination with action by the city of Independence.

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Subd. 2. Effective date of no-wake regulation. A slow no-wake restriction shall become effective upon the date specified by the city administrator and shall remain in effect until the water level for the lake has receded below ~~958.2~~ feet above sea level for at least three consecutive days.

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Section 512.07. Notification. The city administrator shall notify the public of both the implementation and removal of the no-wake restriction by publishing a notice in the city’s official newspaper, posting the restriction at all public lake access points within the city prior to

and during the time the restriction is in place, posting the restriction at city hall, and by such other means as the city administrator determines to be reasonable.

Section 512.09. Exemption. Enforcement, resource management and emergency personnel, while in the performance of their official duties, are exempt from the provisions of this ordinance.

Section 512.11. Penalties. Any person convicted of violating this ordinance shall be guilty of a misdemeanor and shall be subject to a maximum fine or a maximum period of imprisonment, or both, as specified by Minnesota Statutes, section 609.03.

Section 512.13. Enforcement. The Hennepin county sheriff's department and special deputies appointed and sworn by the sheriff have primary responsibility for enforcing the provisions of this ordinance, but nothing herein shall preclude other licensed peace officers from enforcing this ordinance.

SECTION II. This ordinance shall become effective upon its adoption and publication.

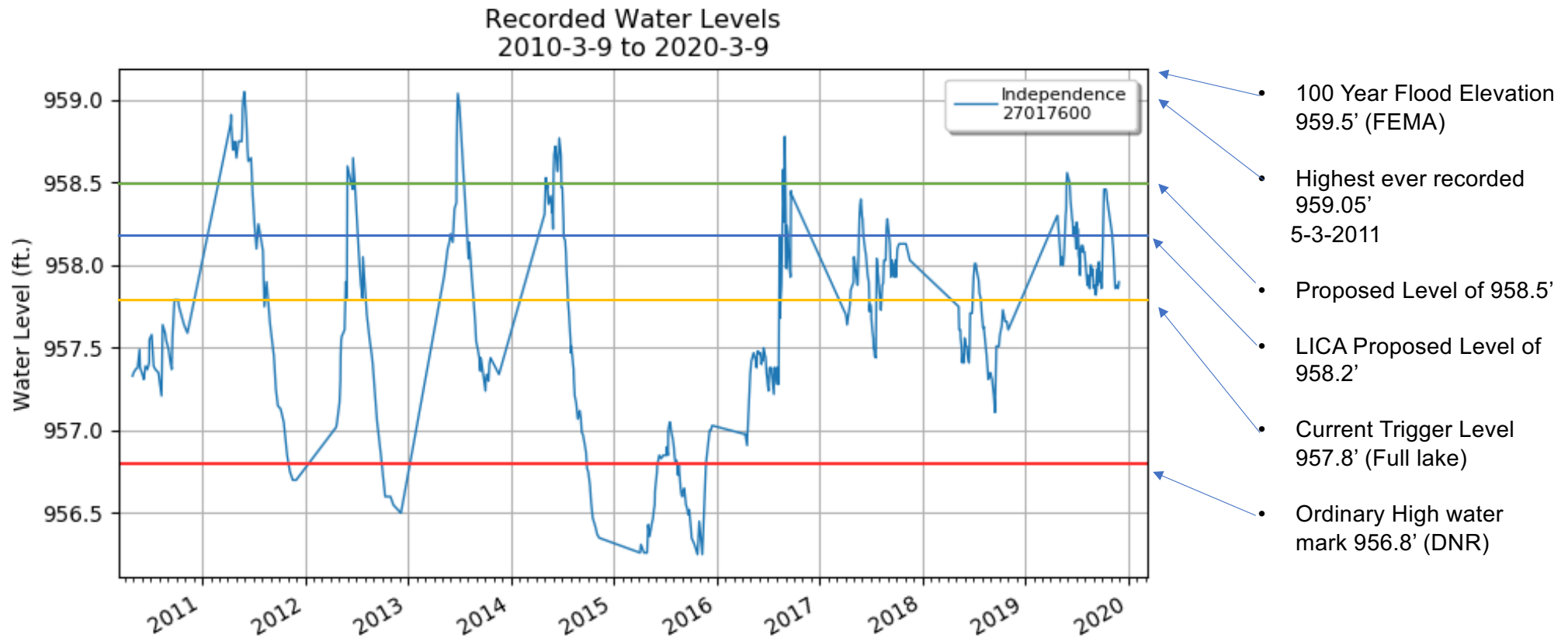
Adopted by the city council of the city of Medina this ____ day of ____, 2020.

Kathy Martin, Mayor

ATTEST:

Jodi M. Gallup, City Clerk

Published in the South Crow River News this ____ day of ____, 2020.



FROM MN DNR

<https://www.dnr.state.mn.us/lakefind/lake.html?id=27017600>

Recorded Water Levels
2010-3-9 to 2020-3-9

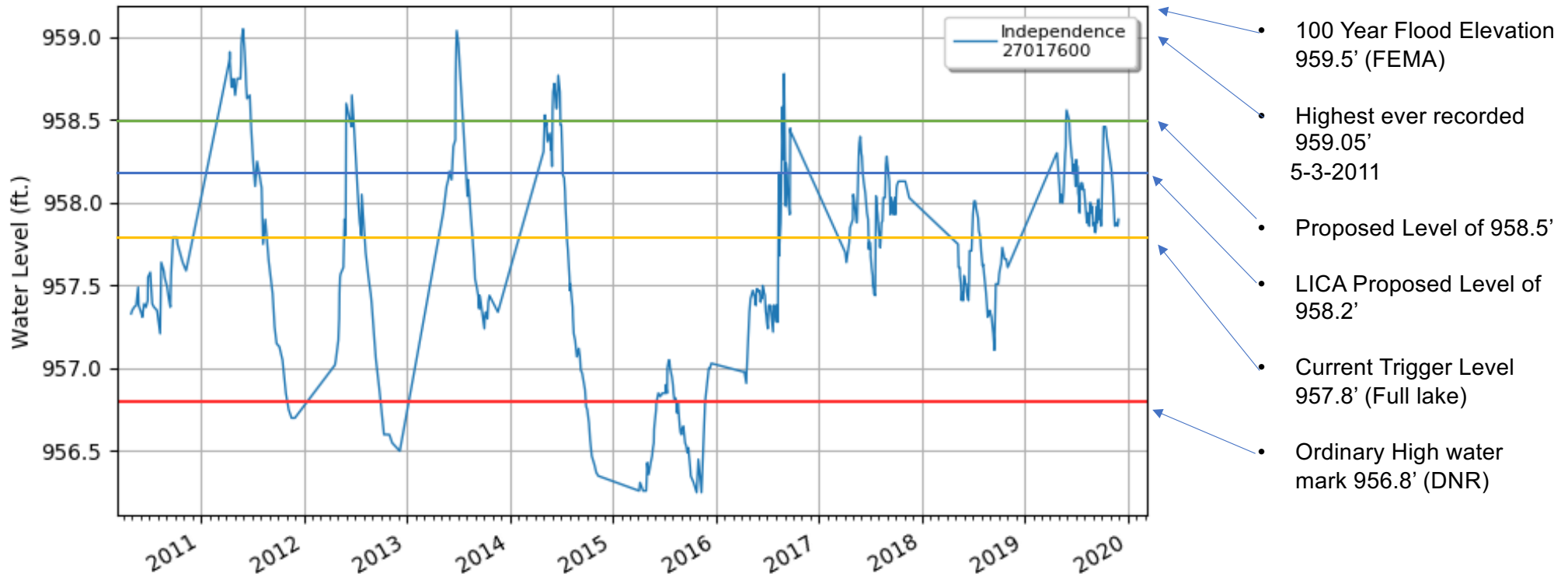


Table 7 – Summary of Stillwater Elevations (continued)

Flooding Source	Water Surface Elevations (Feet NGVD ¹)			
	10-Percent- Annual-Chance	2-Percent- Annual-Chance	1-Percent- Annual-Chance	0.2-Percent- Annual-Chance
LAKE INDEPENDENCE	958.3	959.2	959.5	960.1

Key Facts and Topics of Discussion

- Amendment Document for Lake Independence was changed in July of 2014. The original ordinance was a 250' setback and the new amendment changed to full lake without adjusting trigger level
- LICA conducted a survey with only members addressing the lake level in 2019 and the results were very divided in regards to the amended ordinance. What are the demographics of the survey, and does this represent the entire community who has been enjoying Lake Independence for the past 40+ years
- Why is the suggested level nearly 2' from the 100 year high water mark and all other surrounding lakes are within a few inches
- Where is the erosion currently happening on the lake in the past several years and why isn't that a focus rather than shutting down recreation?
- We would like to propose the new trigger level for full lake no wake to be set at 958.5' which is one foot below the 100 year high water mark and at a level which Lake Independence can support.