

**Southern Hills Community Improvement District**  
**May 15, 2019 at 7:00 pm**  
**The Pitch Pizza & Pub,**  
**2924 E. Sunshine Street, Springfield, MO 65804**

The Special Meeting was called to order at 7:02 p.m. by Carl Price at The Pitch Pizza & Pub, 2924 E. Sunshine Street, and a quorum was declared present.

Present: Carl Price, Justin Foss, Bob Lowe, Jane Earnhart, Denise Heintz, John Heitz,

Absent: None

Excused: Jeffrey Fenwick

Guests: Refer to attached sign in sheet

The various documents discussed were provided to the CID Board Members via email prior to the meeting for their review.

**New Business**

The Special Meeting on May 7, 2019 was held to allow for public comment on the proposed rock wall along the northern Southern Hills Lake. This Special Meeting is held to allow the CID Board to discuss and, if a motion is made, vote on the issue.

**Proposal for Rock Wall** – Carl used slides to review the sketches of the proposed wall section, photo of rock material, and plan view length of proposed wall location (east end stops at existing drainage pipe). He asked if vegetation can co-exist with the wall. Jane said yes, on the land side of the wall.

Bob Lowe clarified that board approval was needed to construct the wall. Carl said yes, on CID property, CID board approval is needed.

Carl asked if this will set a precedent.

John Heitz said yes, it likely would. He suggested we should have a survey of the CID property, and be provided a drawing that included the survey and detail of wall to be constructed. He proposed uniformity, and noted the bigger issue is how to maintain the wall. To allow on public (CID) property, where CID has to maintain, is a concern.

Carl noted the wall can provide some value related to water quality. CID won't have enough annual funding to construct bank stabilization.

John asked how much shoreline has deteriorated over the past 50 years.

Carl said it was unknown.

Justin Foss mentioned he had reviewed GIS mapping and Aerials (10-year time periods) from 1954 to current, and there is evidence of a couple to a few feet (more in some areas) or shoreline eroding. He asked if walls by private owner could be considered an in-kind donation. The wall can provide water quality if it stabilizes the eroding bank.

Carl noted by locating the wall on the CID property, we can control the aesthetic. If it's on private property, then it can be anything the private property owner chooses.

Denise Heintz noted the existing walls (lower lake) would be considered grandfathered-in (possibly even adverse possession of the lakeshore by adjacent homeowners), and that most homeowners have maintained what had formerly been JQH shoreline out of a sense of pride. Telling people what they can and can't do may be a fine line for public relations with CID community.

Jane Earnhart explained the current City of Springfield guidelines for water quality including stream buffers, and that we could look to their guidelines for the lake buffer. She also noted that due to the limited CID budget we are reliant on neighbors for larger projects such as bank stabilization. Since the lakes were manmade, the City has indicated the walls are at the discretion of the CID, they don't require a permit. Adjacent homeowners have a right to protect their property (at their boundary), however the protection would be ultimately better at the edge of the water. She also clarified that a no-mow zone is for natives with deep roots, it's not as effective with turf grass that has shallow roots.

Denise said we should consider the cost of wall maintenance, versus the cost of lake dredging.

John asked who maintains the wall when the adjoining property is sold.

Justin mentioned shot rock could be placed as armor to maintain the wall, if needed.

Denise said that legally the maintenance is up to the CID although there is some culpability of the next homeowner to want to prevent erosion. And she noted the existing tree is now half in the lake (it was formerly all on land).

Justin indicated the area within our watershed has developed over the years, and we are now receiving more water and faster. The banks will erode faster in the next 50 years than they have in the past 50 years. The shoreline has a steep angle with loose soil.

John and Carl noted you can't make people install their protection on the CID shoreline.

Justin noted if people construct walls on private property for soil protections it won't be uniform since not everyone owner has the same funds to work with.

Carl posed the question – is this project a benefit to the CID? Is the maintenance concern outweighed by the benefit?

John noted it will be difficult to use the same rock that Bob Smith plans to use.

Bob Lowe asked John, from his real estate experience, can the homeowner include maintenance of the wall in the property sale?

Jane mentioned there is a means to have a License of Encroachment to allow a private property owner to build a wall on CID property, but we would need to check with the City legal department on how to do this.

Denise believes a License would transfer with title, but it could open up the CID for requests other than walls.

John said Bob Smith could build the proposed wall on his own property line.

Denise said the overall intent of the wall was to help minimize future dredging.

Justin questioned if the city ordinance would limit what could be constructed.

Denise asked if we want to approve or not. She would not enter into a license agreement, it sets too much precedence.

Carl asked if our guest had questions regarding the wall.

Rhett Smillie (guest) noted people along the lake should have more say, what do on-lake board members think?

John noted it's not a question of Bob Smith maintaining the wall, it's what the next homeowner will do. The wall should have a uniform look. Should we set a precedent on CID property?

Carl mentioned the lake owners are ambivalent, they see both sides of the issue.

Rhett asked if the existing lake frontage owners knew John Q had previously owned the majority of the frontage areas?

Carl noted that not all were aware, but they now have a better understanding.

Rhett asked if the CID can "give" the land from the homeowner property down to the water's edge to the adjacent property owners?

Denise said no, we can't change what people currently own.

John noted if homeowners have the funds to construct, the materials and labor may amount to \$15,000 along an individual's frontage.

John asked each board member to voice their pro's and con's to the wall.

Denise said pro's are natural rock, professionally installed to protect the shoreline. The con is it sets a precedent.

Bob Lowe indicated pro's are preservation and aesthetic; con's are how to make everyone do the same type of armor.

Carl said the pro's are aesthetic and protection; con's are maintenance and precedent.

Justin said the pro's are water quality (especially with limited CID funds) and aesthetic (we need a checks and balance); con's are maintenance issue, but benefit outweighs the risk, multiple products could be fine, and could use shot rock in front of wall if it fails.

Denise said the intent is to protect the bank only.

Jane said the pro's are water quality to armor the bank with private dollars; the con's are public relations, and concern for the quality of installation (longevity).

Denise noted we aren't telling people what to do, and there is always a potential for public relations concerns.

John Heitz made a motion to approve the wall per the provided sketches, seconded by Justin. Those in favor: John Heitz, Jane Earnhart, Justin Foss, and Bob Lowe. Those opposed: Carl Price. Those abstained: Denise Heintz.

Carl noted we will discuss fishing (status of signs) at our July meeting.

Denise reminded everyone to call the police if parking is an issue (in no parking zones). The police don't have authority regarding the actual fishing.

John will ask the City if they can install no parking signs along Southern Hills Blvd (near the upper lake dam) for safety reasons (sight distance).

Meeting adjourned at 8:09 p.m.

Minutes prepared by: Jane Earnhart, Secretary, Southern Hills CID

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SIGN IN SHEET

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