

RESOLUTION 22-150

A RESOLUTION TO APPROVE TO CALL A PORTION OF THE PERFORMANCE BOND FOR SUMMER MEADOWS SUBDIVISION

WHEREAS, the City of Spring Hill currently holds a performance bond for Summer Meadows subdivision in the amount of \$106,613; and

WHEREAS, the subdivision is over 80% built out and walk throughs for punch list items in need of repair were completed on August 5, 2021 and November 30, 2021 with notification sent to the developer each time; and

WHEREAS, the developer was notified by the City Attorney on November 18, 2021 that all punch list items needed to be repaired prior to December 31, 2021; and

WHEREAS, to date a significant portion of the punch list has not been completed and City staff and City Aldermen have received multiple complaints from residents of Summer Meadows regarding the repairs needed; and

WHEREAS, the developer was notified by City staff that the City intends to move forward with calling a portion of the bond to cover expenses in a not-to-exceed amount of \$85,195, as shown in Exhibit A attached hereto, for the City to make repairs as noted.

NOW, THEREFORE BE IT RESOLVED, the City of Spring Hill Board of Mayor and Aldermen approve to call a portion of the performance bond for Summer Meadows in a not-to-exceed amount of \$85,195, as approved by the City's Planning Commission on July 11, 2022 by PC Resolution 22-67, should the Summer Meadows Developer fail to file a complete and accurate application for final plat modification by August 1, 2022.

Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 18th day of July, 2022.


Jim Hagaman, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick Carter, City Attorney



REQUEST: Approval of Resolution 22-150

SUBMITTED BY: Missy Stahl, CIP Manager

DATE: July 18th, 2022

RE: To approve to call a portion of the performance bond for Summer Meadows

ATTACHMENTS: PC Resolution 22-67

PURPOSE:

To approve to call a portion of the performance bond for Summer Meadows

BACKGROUND:

Summer Meadows has been 80% built out and final topped. City staff has walked the development twice and provided the developer with a punch list of items that are in need of repair each time. Additionally, the City attorney notified the developer of outstanding items and set a date of December 31, 2021 for all repairs to be done or the City would begin the process of calling the bonds to make repairs in-house. The developer contacted City staff and said they were working on the list. To date, all repairs have not been addressed. City staff and City aldermen have received several complaints from the citizens as well regarding the state of incomplete infrastructure within Summer Meadows.

City staff has notified the developer of the intent to being calling a portion of the bonds to cover outstanding punch list items in a not-to-exceed amount of \$85,195. The developer will be allowed until July 19, 2022 (day after BOMA approval on July 18, 2022). If at that time a portion of items are completed, the called bond amount will reflect only items outstanding. Planning Commission approved Resolution 22-67 on July 11, 2022 to recommend to BOMA to call funding needed to make any remaining repairs.

FINANCIAL IMPACT:

No financial impact to City funds as this will be a full reimbursement of expenses with bond proceeds.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 22-150 to approve to call a portion of the performance bond for Summer Meadows subdivision.

Exhibit A



June 1, 2022

Mr. Harold Crye
5111 Maryland Way
Brentwood, TN 37027

In November 2021, the City of Spring Hill's City Attorney, Patrick Carter, sent you a letter detailing items pertaining to Summer Meadows subdivision that needed to be addressed: the amenities area shown on the final plat not yet installed, the second entrance to Beechcroft Road shown on the final plat not yet installed and inspection punch list items not corrected. A deadline of December 31, 2021 was given or the process to call the bonds to make the repairs in-house would begin. Your project manager, Jason Murphy, contacted City staff and stated all items were to be taken care of.

To date, the items listed above have not been completed. Therefore, the City will be initiating the process to call the bonds in place for Summer Meadows. Enclosed is a summary of items that will be completed in-house and associated costs. The total amount of \$85,195 will be presented to the City's Planning Commission and Board of Mayor and Aldermen for approval.

In the event you were to chose to make all corrections, the deadline for full completion is July 15, 2022 as the final approval by the Board of Mayor and Aldermen will be on July 18, 2022 meeting agenda.

If you have any questions, you can contact me at mstahl@springhilltn.org or the City Administrator, Pamela S. Caskie, at pcaskie@springhilltn.org.

Sincerely,

A handwritten signature in blue ink that reads "Missy Stahl".

Missy Stahl, CMFO
CIP Manager

Cc: Patrick Carter, City of Spring Hill Attorney
Pamela S. Caskie, City of Spring Hill City Administrator
Tyler Scroggins, City of Spring Hill Public Works Director
Calvin Abrams, City of Spring Hill Planning Director
File



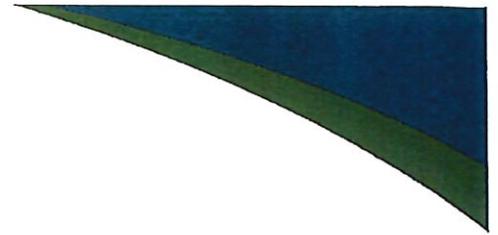
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Punch list items:

- Completion of roadway and sidewalks on Split Rail Lane to Beechcroft Road as indicated on the final plat
- Install speed limit signs throughout the subdivision
- Install sidewalks from Split Rail Lane and Star Pointer Way to Dogwood as shown on the final plat
- Install amenities as shown on the final plat

- Open Space “A” Detention Basin
 - Remove sediment – inlets x 2
 - Repair outfall to property line and headwall (Town Center Parkway)
 - Remove check dam
 - Grade and stabilize area of swale with erosion mat – seed
 - Install 1.00 riprap x 15’ each with geowoven
 - Straw mat disturbed areas and seed

- Open Space “B” Detention Basin
 - Regrade basin removing sediment, dirt piles, check dams, etc.
 - Install 10’ minimum riprap x 2 inlet and outfall
 - TRM install on spillway as described in construction drawings – PP5 X onhand

- Open Space “B” Swale (Star Pointer)
 - Regrade swale
 - Channel line swale with erosion matting for vegetation
 - Seed

- Open Space “B” (Beechcroft Road)
 - Install swale along Beechcroft Road
 - Move existing landscape
 - Install erosion control blankets
 - Seed

- Open Space “B” (Lots 2-8)
 - Remove check dams
 - Repair erosion
 - Line swale with erosion matting
 - Seed



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- Open Space "B" (Lots 12-13)
 - Grade amenity area
 - Stabilize with erosion matting and vegetate

Cost to correct all punch list items: \$36,850

Cost to amend the final plat and recording fee: \$5,250

30% of performance bond for 1-year maintenance period on final asphalt topping installed in April 2022 - \$31,983

15% administrative fee - \$11,112

TOTAL AMOUNT OF BOND TO BE REQUESTED: \$85,195



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