



DATE: February 2, 2016

TO: Michael G. Herring, ICMA-CM
City Administrator

FROM: James A. Eckrich, P.E. 
Public Works Director / City Engineer

RE: Ladue Road Islands




2/2/16

As you know, the City of Chesterfield accepted maintenance responsibility for the Ladue Road pavement on November 30, 2012. The Ladue Road pavement was previously maintained by the St. Louis County Department of Highways and Traffic. This exchange was accomplished through a Road Exchange and Project Transfer Agreement (Agreement) between the City of Chesterfield and St. Louis County. A provision of that Agreement allowed the City of Chesterfield to utilize grant money obtained by St. Louis County to reconstruct Ladue Road from Olive Boulevard to Woods Mill Road. That project was completed in 2014, and resulted in a new concrete pavement. The project was awarded an Excellence in Paving Award from the Missouri Kansas Chapter of the American Concrete Pavement Association.

There are four islands located in the middle of Ladue Road, just east of Greentrails Drive. Prior to the Agreement and the construction project, these islands were maintained (and had been maintained for decades) by the adjacent subdivisions. The two western islands (located closest to Greentrails Drive) are maintained by the Trails West Subdivision. The two eastern islands were previously maintained by the Ladue Trails subdivision. However, since the construction project, the President of the Ladue Trails Homeowners Association (Mike Horton) has notified the City of Chesterfield that the Ladue Trails subdivision will no longer maintain the two islands within the Ladue Road. City Staff has explained that these islands are within a section of Ladue Road which was created as part of the Ladue Trails subdivision, and are in no way different from any of the other islands within the Ladue Trails subdivision which are maintained, and continue to be maintained by, the Ladue Trails subdivision. The City has further advised Mr. Horton that the City of Chesterfield will NOT maintain these islands. This has resulted in a stalemate between the two parties and two unsightly islands full of weeds and long grass throughout the summer.

In an effort to find a solution to this problem, City Staff met with the Mayor and the two Ward I Councilmembers. As a result of that meeting, all parties agreed the best course of action would be to send a letter to each residence within the Ladue Trails subdivision. Hopefully, that letter will result in the subdivision taking action and resuming maintenance of the two islands. If not, the grass and weeds within the islands will grow in excess of ten inches again this spring, and the matter will be referred to the City's Code Enforcement Division of the Police Department, and ultimately Municipal Court.

Action Recommended

The attached letter should be forwarded to Planning and Public Works Committee for consideration. Should PPW concur with Staff's recommendation, it should vote to authorize Staff to send the letter in an effort to resolve this matter.

Cc: Michael O. Geisel, Director of Public Services

February 2, 2016

Resident
Address
Chesterfield, MO 63017

Re: Grass Islands on Ladue Road
Ladue Trails Subdivision

Dear Resident:

As you may know, the City of Chesterfield accepted maintenance responsibility for the Ladue Road pavement on November 30, 2012. The Ladue Road pavement was previously maintained by the St. Louis County Department of Highways and Traffic. This exchange was accomplished through a Road Exchange and Project Transfer Agreement (Agreement) between the City of Chesterfield and St. Louis County. Prior to the execution of this Agreement, the City of Chesterfield verified from St. Louis County, in writing, that St. Louis County DID NOT maintain the islands on Ladue Road. Those islands were maintained by the Trails West Subdivision (western two islands) and Ladue Trails Subdivision (eastern two islands).

In 2014 the City of Chesterfield completely reconstructed Ladue Road from Olive Boulevard to Woods Mill Road. Prior to the completion of that project, the islands were re-graded and grass was re-established in each of the four islands, which can be verified through photographs taken by the City of Chesterfield. Since the end of the project the Trails West subdivision has continued to mow and maintain the two western islands closest to Greentrails Drive. The two eastern islands, which were previously maintained by the Ladue Trails Subdivision, have not been maintained since Ladue Road was reconstructed, which has resulted in weeds and, at times, long grass. It is noteworthy that the Ladue Trails subdivision continues to maintain similar landscape islands located throughout the Ladue Trails subdivision within City right of way.

The President of the Ladue Trails Homeowners Association, Mr. Mike Horton, has notified the City of Chesterfield that Ladue Trails will no longer maintain the two eastern islands in Ladue Road. In response, the City of Chesterfield has advised Mr. Horton that the City of Chesterfield will not mow these islands, in the same manner that we do not mow other landscaped islands throughout the subdivision. We have explained to Mr. Horton that Ladue Road was created via plat, in 1965, as part of the Ladue Trails subdivision. Many subdivisions created throughout St. Louis County around the time that Ladue Trails was platted contain landscape islands which are maintained by the subdivisions. This is true within Ladue Trails, Trails West, other subdivisions in the Village of Greentrails, and other subdivisions throughout the City of Chesterfield. In each case those subdivisions maintain the grass islands which were created through the plat that established the subdivision.

Through the Agreement with St. Louis County, the City of Chesterfield only maintains the Ladue Road roadway. While we maintain easement rights (right of way) over the entire Ladue Road, we do not maintain mailboxes, drive approaches, tree lawns, streetlights, and other items within

the right of way. Those items are maintained by the “underlying property owner” as determined by the platting of Ladue Road. In this case, it is clear to the City that the “underlying property owner” is the Ladue Trails Subdivision. It is important to understand that the City of Chesterfield does not “own” the property on which Ladue Road is constructed. The City owns the right to operate and maintain a roadway, but does not “own” each of that amenities within that right of way.

The appearance of the Ladue Road islands in 2015 was frustrating to many people throughout the Ladue Trails Subdivision, the Village of Greentrails, and the City of Chesterfield. I am sending this letter in the hope that this issue can be resolved prior to the commencement of the growing season in 2016. However, if the Ladue Trails Subdivision does not mow the islands in 2016 the matter will be referred to the City of Chesterfield Municipal Court. If that occurs, it is the City Staff’s opinion that the islands will remain un-mowed for extended periods of time again, and that the Ladue Trails Subdivision will ultimately be found to be the property owner responsible for the mowing of these islands.

If the Ladue Trails Subdivision agrees to resume the maintenance of these islands, the City of Chesterfield is willing to assist in any efforts to re-establish a healthy strand of grass and eradicate the weeds. However, the City will only do so if the Ladue Trails Subdivision re-commits to current and future maintenance of the islands, as they have done for decades prior to the 2014 construction project.

I hope the Ladue Trails Subdivision will consider this matter and resume maintenance of the two islands in Ladue Road. If you have questions or need additional information, please contact me at jeckrich@chesterfield.mo.us or (636) 537-4764.

Sincerely,

James A. Eckrich, P.E.
Public Works Director / City Engineer

Cc: Bob Nation, Mayor
Barry Flachsbart, Ward I Councilmember
Barbara McGuinness, Ward I Councilmember
Michael O. Geisel, Director of Public Services