



MEMORANDUM

To: Douglas Downtown Development Authority

From: Rich LaBombard
City Manager

Date: February 22, 2023

RE: Holiday Lighting Agreement Amendment

The DDA received numerous positive remarks about the improved holiday lighting display in the downtown this year. City Hall received one concern about the added electric cost incurred by the duration of operational holiday lighting display on City facilities and trees. New this year was the lighting of municipal structures in the downtown. A few residents even suggested that the structure lighting on City Hall, Police Department, Beery Field bathrooms, and the gateway sign stay lit all year because they felt it added charm to the downtown. City staff contacted Chips Groundcover to provide a quote to keep the structure lighting in place and Chips responded with a quote of \$470 for two years of service. The agreement with Chips expires in 2024. Chips is able to offer this reduced price because they will not need to rent equipment to install and remove the roofline lights. With this quote, the DDA could realize a cost savings of \$4,290 over the two-year period. However, if the lights need to be replaced for some reason, additional costs will need to be incurred for labor and equipment rental.

Should the DDA agree to amend Chips Groundcover's Agreement, a request for financial support to pay the cost of electric consumption must be approved by City Council. The municipality owns the facilities and therefore pays the added electric costs associated with the holiday lighting. A potential electric cost reducing measure may be to purchase and install timers on any long term installed structure lighting.

There are no ordinances that restrict holiday lighting displays other than on trees located in the right-of-way. Municipal ordinance 98.08 "Limited Lighting of Trees on Public Rights-of-Way" requires "trees located in the public street rights-of-way or otherwise on public property shall not be decorated with strings of lights placed or maintained on or within them, nor shall such trees otherwise be lighted by other types of lighting placed on or within the trees; provided, however, that during the annual holiday season lights in observance of the season may be placed on such trees, in a manner that will not harm or damage the trees, but they shall not be placed on the trees earlier than November 1 and they shall be removed from the trees not later than the following March 31; but provided further, that such lights placed on trees in the public street rights-of-way in observance of the annual holiday season may remain on the trees after March 31 if approved by the Tree Board, subject to terms and conditions imposed by the Tree Board, and if the lights are placed only on

or around the tree trunk, not the crown of the tree, and if the tree will not be harmed or damaged thereby.”
Therefore, tree lighting in the right of way is not viable without permission from the Planning Commission (acting Tree Board).

Sample Motion: I recommend the Downtown Development Authority consider amending the Chips Groundcover Agreement and recommend City Council support decorative structure lighting at City Hall, the Police Department, Beery Field bathrooms, and the gateway sign.