



# MEMORANDUM

## REGULAR CITY COUNCIL MEETING

March 20, 2023, at 7:00 PM

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**TO: City Council**

**FROM: Rich LaBombard, City Manager**

**SUBJECT: DDA Structure Lighting Request**

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Regarding the past holiday season lighting in the downtown, the DDA received numerous positive remarks about the improved lighting display this year. However, City Hall did receive one concern about the added electric cost incurred by the long 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 working with the lighting vendor found a savings opportunity for the DDA by keeping the structure lighting in place rather than remove and replace it next year. Chips Groundcover is able to offer this reduced price because they will not need to rent skylift equipment to install and remove the roofline lights. The DDA could realize a cost savings of over \$4,000 over the remaining two-year period of the Chips Groundcover contract. However, if the lights need to be replaced for some reason, additional costs will need to be incurred for labor and equipment rental.

The municipality owns the facilities and therefore pays the electric costs associated with the holiday lighting. In a recommendation to City Council, the DDA is requesting permission from City Council to keep holiday lighting on City owned structures, but not keep the display lit at City Hall, Police Department, and Beery Field Restrooms until the beginning of the holiday lighting season in 2023. However, the DDA is requesting permission from City Council to continue to light the gazebo at Wades Bayou year-round with the installation of a timer to reduce energy costs; and is requesting permission to keep the gateway sign located at Blue Star Highway and Center lit with the installation of a timer.

There was significant discussion in the DDA about lighting trees throughout the year; however, City ordinances restrict the ability to keep lighting displays in the crown of public trees. Per the Ordinance (below), one cannot leave lights in the crown of the tree. The Tree Board (now Planning Commission) is the appeal entity that can allow lights to be left on the trunk of the tree.

Moving lights from the crown of the tree to the trunk of the tree may not have the desired effect the DDA is seeking for the downtown. While the ordinance isn't specific about the reasons to restrict lighting in the crown of public trees, one can only assume lighting left in trees damages the tree, inhibits pruning, inhibits growth, could be detrimental health of the tree, and may cause damage to the 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 City Council allow holiday lighting to remain in place on municipal structures pursuant to the DDA's proposal and request City Council consider paying the added cost of electric incurred by the timed lighting display at the gazebo and gateway sign.**