GREENWOOD CEMETERY
RECOMMENDATIONS CHECKLIST

	DATE COMPLETED	SECTION	RECOMMENDATIONS FROM FINAL REPORT
1	10/13/14 APPROVED BY CITY COMMISSION	4.1	Establish a Perpetual Care Fund to begin to develop the necessary funds derived from the sale of City-owned burial plots and donations to provide for the ongoing maintenance and improvements to Greenwood Cemetery.
2	10/13/14 APPROVED BY CITY COMMISSION	5.1	Establish a standing advisory board to provide recommendations to the City on rules and regulations governing the cemetery, capital improvements and on future demands for cemetery services.
			ITEMS TO BE CONSIDERED IN THE FIRST SIX MONTHS
3		1.2	The Committee recommends that the City of Birmingham shall promptly commence reclamation proceedings under Public Act 46 of 1931 to acquire title to burial spaces believed to be abandoned for at least 50 years. The City of Birmingham shall complete those reclamation proceedings at the earliest practical time. Thereafter, the City of Birmingham shall review the cemetery records at least every 10 years to determine whether to undertake additional reclamation proceedings.
4		1.4	The Committee recommends that for any future plot sales by the City a restriction be placed upon such sales requiring that the owners wishing to sell these plots may only return the unused plots to the City for resale and that no private sales of those plots may occur. This recommendation does not apply to burial sites privately owned prior to the date the City adopts this recommendation, unless the City subsequently acquires any such burial site.
5		1.8	The Committee recommends that letters be sent by first class mail to those on the Interest List to purchase burial rights to confirm that they wish to remain on the List and with the consequence that by not responding within 30 days they will be removed from the Interest List. The Committee further recommends that the sale of City owned plots be sold pursuant to this List in accordance with the following procedure: a. Letters are sent to those on the Interest List pursuant to the above recommendation. b. Anyone from the List who did not respond when the time period expires will be allowed to be added back on the List on a first-come, first-serve basis. c. This recommendation does not apply to burial sites privately owned prior to the date the city adopts this recommendation, unless the city subsequently acquires any such sites.
6		2.1	The Committee recommends that the roadway between Sections K and L be developed to accommodate an estimated 70 traditional casketed spaces and with the possibility of installing a dignified pathway to provide access.

7		8.2	The Committee recommends that the City Commission review the Greenwood Cemetery Operational Procedures, Conditions and Regulations to ensure they are fully inclusive.
			ITEMS TO BE CONSIDERED WITHIN THE FIRST TWELVE MONTHS
8		1.1	The Committee recommends the City identifies the unsold/unused burial spaces at the cemetery and offer them for sale.
9		2.2	The Committee recommends that the City of Birmingham investigate the feasibility of installing columbaria for the inurnment of cremated remains, including but not limited to, the north boundary of Greenwood Cemetery.
10		4.3	The Committee recommends the City develop a donor program for improvements specific to and appropriate to the cemetery.
			ITEMS TO BE CONSIDERED AFTER THE FIRST YEAR
11		1.3	The Committee recommends that any sales occurring as the result of the reclamation process initially be offered to those currently on the Interest List according to the date their name was added to the List and thereafter offered to the general public.
12		1.6	The Committee recommends the City utilize both existing burial records and Ground Penetrating Radar (GPR) to develop a map of all known burial sites.
13		8.1	The Committee recommends that the City of Birmingham review the Greenwood Cemetery Management Agreement dated June 24, 2013 in light of the Committee's other recommendations to determine whether to modify the Agreement to be consistent with those recommendations the City Commission adopts or to terminate the Agreement.
			OTHER RECOMMENDATIONS FROM THE FINAL REPORT
14	In process by Elmwood.	1.5	The Committee recommends that the City digitize its burial records.
15		1.7	The Committee recommends that the City notify owners whose records reflect no burials (single spaces and within family lots) within the last 50 years to determine if they wish to sell back to the City.
16	N/A	3.1	The Committee recommends <u>against</u> expanding Greenwood Cemetery's boundaries at this time.
17	Completed, 2014	4.3	The Committee recommends the City seek a legal opinion whether the cemetery is or could be classified as a park within the meaning of MCL 129.97a(1) of Public Act 20 of 1943, such that the trust could earn market rate of return.

City of Birmingham
A Walkable Community

MEMORANDUM

Office of the City Manager

DATE: **October 3, 2014**

TO: **City Commission**

FROM: **Joseph A. Valentine, City Manager**

SUBJECT: **Greenwood Cemetery**

Background

The ad hoc Greenwood Cemetery Advisory Committee was established in October of 2013 to examine various aspects of the cemetery's operations and provide recommendations to the City Commission for the ongoing care of Greenwood Cemetery. The committee completed its task in the form of a final report containing multiple recommendations for the ongoing care of the cemetery. This final report was presented to the City Commission in May of 2014 and was accepted with direction for the administration to begin the process to complete the necessary preparations and advance the recommendations in the report.

Next Steps

In review of the 17 recommendations contained in the final report, priorities have been established for the successful implementation of the committee's recommendations. The initial few priorities will provide the necessary structure to begin to advance the remaining recommendations.

Step 1 – Establish a Perpetual Care Fund to begin to develop the necessary funds derived from the sale of City-owned burial plots and donations to provide for the ongoing maintenance and improvements to Greenwood Cemetery. This step is the result of section 4.1 of the ad hoc Greenwood Cemetery Advisory Committee's Final Report. Section 4.3 recommends the creation of a donor program for the cemetery. This task will be undertaken by a standing Greenwood Cemetery Advisory Board which is also being recommended for creation.

In preparations for the development of the Perpetual Care Fund, section 4.2 was also considered and reviewed with legal counsel in regard to reclassifying the cemetery as a park to better investment options. This review has concluded that despite the title of the property investment responsible remains unchanged from the City's obligations to manage funds in accordance with

An ordinance to establish the Perpetual Care Fund (attached) has been prepared for adoption by the City Commission.

Step 2- Establish a standing advisory board to provide recommendations to the City on rules and regulations governing the cemetery, capital improvements and on future demands for

cemetery services. This step is the result of section 5.1 of the Greenwood Cemetery Advisory Committee's Final Report. An ordinance to establish the Greenwood Cemetery Advisory Board (attached) has been prepared for adoption by the City Commission. The structure is consistent with other City standing boards.

Step 3 – Work with the Greenwood Cemetery Advisory Board in reviewing the remaining recommendations contained in the ad hoc Greenwood Cemetery Advisory Committee's Final Report and prepare recommendations to the City Commission for the ongoing care and operation of the cemetery.

To help facilitate a prioritized approach for this newly created board, we have prepared some suggested priorities for the board to consider during first year in existence.

Items to consider in the first six months:

- Section 1.2 – The Committee recommends that the City of Birmingham shall promptly commence reclamation proceedings under Public Act 46 of 1931 to acquire title to burial spaces believed to be abandoned for at least 50 years. The City of Birmingham shall complete those reclamation proceedings at the earliest practical time. Thereafter, the City of Birmingham shall review the cemetery records at least every 10 years to determine whether to undertake additional reclamation proceedings.

- Section 1.4 – The Committee recommends that for any future plot sales by the City a restriction be placed upon such sales requiring that the owners wishing to sell these plots may only return the unused plots to the City for resale and that no private sales of those plots may occur. This recommendation does not apply to burial sites privately owned prior to the date the City adopts this recommendation, unless the City subsequently acquires any such burial site.

- Section 1.8 – The Committee recommends that letters be sent by first class mail to those on the Interest List to purchase burial rights to confirm that they wish to remain on the List and with the consequence that by not responding within 30 days they will be removed from the Interest List. The Committee further recommends that the sale of City owned plots be sold pursuant to this List in accordance with the following procedure:

    a. Letters are sent to those on the Interest List pursuant to the above recommendation.
    b. Anyone from the List who did not respond when the time period expires will be allowed to be added back on the List on a first-come, first-serve basis.
    c. This recommendation does not apply to burial sites privately owned prior to the date the city adopts this recommendation, unless the city subsequently acquires any such sites.
- Section 2.1 – The Committee recommends that the roadway between Sections K and L be developed to accommodate an estimated 70 traditional casketed spaces and with the possibility of installing a dignified pathway to provide access.

- Section 8.2 – The Committee recommends that the City Commission review the Greenwood Cemetery Operational Procedures, Conditions and Regulations to ensure they are fully inclusive.

In coordination with the above, the board may also need to review and recommend ordinance changes that may be necessary to implement some of these actions.

Items to consider in the first 12 months:

- Section 1.1 – The Committee recommends the City identifies the unsold/unused burial spaces at the cemetery and offer them for sale.

- Section 2.2 – The Committee recommends that the City of Birmingham investigate the feasibility of installing columbaria for the inurnment of cremated remains, including but not limited to, the north boundary of Greenwood Cemetery.

- Section 4.3 – The Committee recommends the City develop a donor program for improvements specific to and appropriate to the cemetery.

Items to consider after first year:

- Section 1.3 – The Committee recommends that any sales occurring as the result of the reclamation process initially be offered to those currently on the Interest List according to the date their name was added to the List and thereafter offered to the general public.

- Section 1.6 – The Committee recommends the City utilize both existing burial records and Ground Penetrating Radar (GPR) to develop a map of all known burial sites.

- Section 8.1 – The Committee recommends that the City of Birmingham review the Greenwood Cemetery Management Agreement dated June 24, 2013 in light of the Committee's other recommendations to determine whether to modify the Agreement to be consistent with those recommendations the City Commission adopts or to terminate the Agreement.

At this time, staff recommends adoption of two ordinance amendments necessary to facilitate the implementation of the ad hoc Greenwood Cemetery Advisory Committee's recommendations.

Suggested Action:

To amend Part II of the City Code Chapter 34 Cemeteries, Article II., Greenwood Cemetery to add section 34-39 Perpetual Care Fund.
And
To amend Part II of the City Code Chapter 34 Cemeteries, Article II., Greenwood Cemetery to add section 34-39 Perpetual Care Fund.