

**GREENWOOD CEMETERY ADVISORY BOARD
MEETING AGENDA
FRIDAY, DECEMBER 9, 2016 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

Darlene Gehringer, Chairperson

II. ROLL CALL

Cheryl Arft, Acting City Clerk

III. APPROVAL OF MINUTES

A. Approval of meeting minutes of October 14, 2016

IV. NEW BUSINESS

- A. Update on Pontem and BS&A
- B. Review of the Cemetery Rules and Regulations re: Monumark/QR Codes
- C. Approval of the 2017 Meeting schedule

V. UNFINISHED BUSINESS

Items under Pending will be presented as a verbal status update to the Board and may not require action at this time.

- A. July 11, 2016 City Commission meeting comments
- B. National Historic Designation of Cemetery
- C. Digitization of Cemetery Records
- D. Donor Recognition Program-Final
- E. Request for RFP for GPR Services in the Cemetery
- F. Request for RFP for Master Plan of the Cemetery
- G. Amendment to the Cemetery Contract with Elmwood

VI. CONTRACTOR REPORT

A. Third Quarter Report

VII. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

VIII. BOARD COMMENTS

IX. ADJOURN

NEXT MEETING: January 6, 2017

Greenwood Cemetery Advisory Board:

The powers and duties of the Greenwood Cemetery Advisory Board is to provide the following recommendations to the City Commission:

1. Modifications: As to modifications of the rules and regulations governing Greenwood Cemetery.
2. Capital Improvements: As to what capital improvements should be made to the cemetery.
3. Future Demands: As to how to respond to future demands for cemetery services.

Section 34-30 (g) of the Birmingham City Code

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

**GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, OCTOBER 14, 2016 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

Darlene Gehringer, Chairperson, called the meeting to order at 8:30 AM.

II. ROLL CALL

Present: Linda Peterson
Margaret Suter
Darlene Gehringer
Linda Buchanan
George Stern
Absent: Kevin Desmond
Laura Schreiner

III. APPROVAL OF MINUTES

A. Approval of meeting minutes of September 30, 2016

Mr. Stern requested changes to the minutes on page 1, page 2, page 3, and page 4.

Ms. Gehringer asked that the word "Board" be capitalized throughout the minutes.

MOTION: Motion by Suter, seconded by Peterson:
To approve the minutes of the September 30, 2016 meeting, as amended.

VOTE: Yeas, 5
Nays, None
Absent, 2 (Desmond, Schreiner)

IV. NEW BUSINESS

A. Final Review of the GCAB Action List

Mr. Stern discussed the lack of Unfinished Business on the agenda. Clerk Pierce noted that Unfinished Business is categorized as Pending Items on this agenda. Ms. Gehringer suggested it be called Unfinished Business.

Mr. Stern said that a report from the Commission, or for that matter, from staff should be discussed as a Board. He referenced the comments directed to him, Ms. Gehringer and Ms. DeWeese during the report presented to the Commission. He said the Board should not ignore the comments.

MOTION: Motion by Stern, seconded by Peterson:
To amend the agenda to include the material sent to us from the Commission meeting on July 11, 2016.

VOTE: Yeas, 5
None, None
Absent, 2 (Desmond, Schreiner)

Ms. Pierce explained that at the September 2, 2016 meeting, the Board discussed and adopted the Action List. It has been included for a final review by the Board before submitting it to the City Commission.

Chairman Gehringer commented that under Item 3, the Board has to recommend an RFP for a Master Plan for Greenwood Cemetery. She would like to add a map for the cemetery to that item.

Mr. Stern commented that columbaria or above-ground burials in historic cemeteries are often included in low walls that are inclusive. He would not want to encumber someone doing a master plan from thinking about this way of accommodating those people who desire above-ground burial while maintaining the historic appearance and nature of our cemetery.

Ms. Buchanan asked what is being put in the master plan. Ms. Pierce said the recommendation was to request that the City Commission allow for an RFP Master Plan to be issued, so once it is approved, the funding through the budget is approved, and the Board will decide what the RFP will include. Ms. Buchanan confirmed that landscaping could be included.

Ms. Gehringer asked when the east entrance gate would be fixed. Ms. Pierce will contact the Department of Public Service to advise them of the needed repair.

Discussion continued about adding landscaping along the boundary next to the vacant lot. Ms. Gehringer suggested that the Department of Public Service look into the kind of plantings for that area. Ms. Pierce suggested that might be included in the Master Plan RFP. Ms. Pierce explained the City Commission may re-prioritize the Action List items that the Board discusses. Ms. Pierce said the Board will be notified when the City Commission is discussing this.

MOTION: Motion by Buchanan, seconded by Suter:

To ask the Department of Public Services to recommend foliage to be planted on the west side of the cemetery.

VOTE: Yeas, 5
Nays, None
Absent, 2 (Desmond, Schreiner)

Mr. Stern explained that one of the reasons the Board suggested a Master Plan is due to the concerns about the river. He suggested that any Master Plan incorporate the river into the plan.

MOTION: Motion by Suter, seconded by Buchanan:

To adopt the Greenwood Cemetery Advisory Board Action List as presented, and with the addition to Item 3 of a map for the cemetery, and request that the Action List be submitted to the City Commission for review.

VOTE: Yeas, 5
Nays, None
Absent, 2 (Desmond, Schreiner)

Mr. Stern requested that the Board discuss the Monumark QR code information included in the agenda packet today.

V. PENDING ITEMS

Items under Pending will be presented as a verbal status update to the Board and may not require action at this time.

A. National Historic Designation of Cemetery

Chairman Gehringer noted the article about the cemetery which was published by Birmingham Living.

Ms. Buchanan has spoken with Mr. Christiansen to request information about the National Designation that can be provided to the City Commission. He indicated that he would provide that information to Ms. Buchanan. He added he would be coming to see the cemetery as well.

Ms. Pierce commented that we will present the request to the City Commission upon receipt of the information requested from Mr. Christiansen.

Ms. Buchanan explained that there are no additional limitations on the cemetery due to the national recognition than what is in place for the state recognition and to which the cemetery is currently adhering. The advantage to the national designation is the recognition itself. The state historic designation was given in 1991. It was agreed that the national historical designation will attract more attention to the cemetery and the city.

Ms. Buchanan hopes to be ready for May 2017 submission.

B. Discussion of Monumark Information

Ms. Pierce explained that the information was included as information only. Ms. Buchanan noted that she saw the small designation on relatively new markers. It is paid for by the family of the deceased.

Mr. Stern provided some background information about Monumark and QR codes. It is an archival tool. He suggested having a joint dialogue with the Museum Board and our Board. He thinks there is a desire of people in the community for archiving, and we should ask the Museum Board what their thoughts are about joint cooperation and meet what seems to be a need.

Ms. Suter said we are not notified when these codes are affixed to headstones, and asked if we should be notified.

Mr. Stern said the Board should discuss the fact that the city should be in the monument business. Discussion followed.

MOTION: Motion by Buchanan, seconded by Suter:

To review the cemetery rules and regulations in regards to the Monumark QR codes designation.

VOTE: Yeas, 5
Nays, None
Absent, 2 (Desmond, Schreiner)

Ms. Pierce cautioned the Board that any Board that wish to work together on an item of interest must speak with the City Manager first. She suggested that the Board may want to recommend that the Board work with the Museum Board on this topic, if that is decided.

Mr. Stern said he will approach the Museum Board as a private citizen about this topic.

C. Digitization of Cemetery Records (attachment)

Ms. Pierce explained that Pontem and BS&A have been contacted by city staff and they were unable to attend this meeting. It is hoped to secure some kind of presentation for the November 18th meeting or a webinar.

D. Donor Recognition Program

Ms. Pierce said the City Manager has reviewed the program that the Board developed, and the City Attorney is currently reviewing it. The Board would like to review the program after the reviews have been completed, and before it is submitted to the City Commission for approval.

E. Request for RFP for GPR and Master Plan Services in the Cemetery

Ms. Pierce said she has spoken with the City Manager about the GPR and the Master Plan. The requests will be added to the budget for his review. The City Manager will make the determination whether to proceed. Ms. Pierce said the budget is approved in May of each year. The City Commission discusses it in April. The staff submits their requests to the City Manager and meets with him usually in February.

Mr. Stern noted that last year the cemetery was not included the long-range planning session or in the budget meeting of the Commission, and he asked if the cemetery will be included this year. Ms. Pierce did not have that information at this time. She noted that any presentation is prepared by staff. The Board is invited to attend, as both are open meetings.

F. Amendment to the Cemetery Regulations regarding Payment Plan

Ms. Gehringer suggested changing this to "Amendment to the Cemetery contract with Elmwood". She said the contract as a whole is something that the City Commission wanted us to get started on as soon as we could.

Ms. Pierce said that the Commission did not technically ask that the contract be reviewed by the Board. She said it is on the Action List, and the Board may want to wait until the Commission reviews on the Action List and prioritizes the list.

Ms. Suter said she thinks it should be kept on the Unfinished Business since it has been on the table for some time.

Mr. Stern considers what the contractor is doing is illegal. He said it is very clear in the regulations that nothing may be done that is not specified in the regulations, and that the contractor is responsible to the city. He said he is not opposed to the practice, but thinks that it must be in the regulations in order to be able to charge for something.

Ms. Gehringer recalls that City Attorney Currier said at the Commission meeting, that the contract does not say that the contractor cannot offer the service. Ms. Gehringer said she spoke with an attorney regarding the contract, who said if it is not in the contract, it is not permitted.

VI. CONTRACTOR REPORT

A. Revised Contractor Reports with new format (to be distributed at the next meeting)
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Ms. Pierce distributed the sample report format and explained that it has been formatted differently for more clarity. She noted that 131 total graves have been sold to date. There are 435 remaining graves.

Mr. Stern pointed out the last statement on the second page has not been updated. Ms. Pierce noted that the contractor will be asked to update that statement on the 3rd Quarter Report.

Mr. Stern would like to the report to show how much money the contractor is making from burials.

Ms. Suter said that is part of the contract. The contract would have to be changed.

Ms. Gehringer said other cities have hired a part-time cemetery manager who is qualified as such. She said the salary certainly would not be what Elmwood is being paid.

Mr. Stern said in many cemeteries, much of this work is done by the backhoe operator, who is normally doing general work in the cemetery and is paid \$12-15 per hour.

Ms. Pierce suggested this should be discussed during the management agreement discussion on the Action List.

VII. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

VIII. BOARD COMMENTS

Mr. Stern asked to clarify if Ms. Gehringer wanted to add the Commissioners' comments from the meeting. Ms. Pierce said she could provide the date of the agenda so the Board can reference it.

MOTION: Motion by Stern, seconded by Peterson:

To add at the next meeting the commissioner comments from the July 11, 2016 City Commission meeting under New Business.

VOTE: Yeas, 5
 Nays, None
 Absent, 2 (Desmond, Schreiner)

IX. ADJOURN

The meeting adjourned at 9:36 AM.

/ca



O O U A

What is onumark

Monumark is more than just a gravestone QR code. Broadly stated, Monumark combines physical markers and GPS data with a sustainable online service, connecting memorial and historical sites with stories and other information, and providing a powerful and purposeful means of remembering, preserving, and sharing. Said more simply, each Monumark marks a location and allows visitors to access more information related to that location. It also works the other way around, allowing online visitors to locate and experience the physical location that has been marked. Said even more simply, Monumark marks a spot, and shares a story!

Our Simple & Sustainable Business Model

Monumark has been setup with a business model that is quite different from other similar solutions out there, and it's important for resellers and customers to understand the reasons why. Monumark is priced very low, and this cost includes all features of a Monumark for the initial year of service. After that, for a Monumark to remain active, it is a yearly cost of \$2.99 per year. Monumark is founded on this approach for a number of important reasons:

1. **It is authentic.** This model is built for the long term, while being open and direct with the fact that nothing, not even a granite monument, lasts forever. *(In contrast, it would be misleading to accept a one-time payment and present service as infinite and/or indefinite.)*
2. **It is responsible.** This model accounts for the reality of ongoing costs. *(In contrast, it would be irresponsible to provide a perpetual service using a business model that failed to account for perpetual costs.)*
3. **It is sustainable.** By accepting payment only a year at a time, this model ensures ongoing service to existing customers, regardless of new sales. *(In contrast, accepting a one-time payment for indefinite and/or perpetual service would inherently leverage the service of existing customers on the prospect of ever-growing future sales.)*
4. **It promotes innovation and service.** We're in a position of ongoing accountability to our current customers, seeking to continually improve and develop new features and maintain great service. *(In contrast, accepting a one-time payment for indefinite/perpetual service would, out of necessity, value new sales over steady innovation and ongoing service for current customers.)*
5. **It affirms the multifaceted value of Monumark.** When added to a monument, Monumark notifies customers of monument completion and updates, preserves the monument's location, and gives the customer the opportunity to share the story (and the monument itself) with many more people. For resellers, Monumark provides the lowest-cost way to engage customers beyond the first week or two after delivery, to increase brand awareness, to market their brand beyond the immediate customer, and to support the value of cemeteries, monuments, and a designated 'final resting place.' Every Monumark – including those active for a single year – delivers on this front-end value.

RUTLAND

CHRISTINE H.

1946 — 2014



WESTCOTT RULER

RUTLEDGE

CHRISTINE H.

1946 — 2014



THOMAS

1940



CHRISTINE

1946 - 20

Patten
MONUMENT COMPANY



mnmrk.com/17737

BY MONUMARK™

MADE IN U.S.A.

1

2

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WESTCOTT



RU



LIZABETH VAN HORNE
MILLER

JULY 4, 1930

APRIL 5, 2014

Pallen
RESEARCH COMPANY



mimik.com/16549

BY MICHELENA



**CITY OF BIRMINGHAM
GREENWOOD CEMETERY OPERATIONAL PROCEDURES,
CONDITIONS AND REGULATIONS**

I. DEFINITIONS:

The following words and phrases, for the purposes of these sections, have the meanings respectively ascribed to them, except in those instances where the context clearly indicates a different meaning.

- a. "Cemetery" shall mean Greenwood Cemetery.
- b. "Superintendent" shall mean the City Manager or his/her designee.
- c. "Marker" shall mean a stone or object denoting the location of a grave and which does not exceed eighteen (18) inches in height, sixteen (16) inches in width, and twenty-four (24) inches in length.
- d. "Monument" shall denote a memorial stone or object of a size in excess of that of a marker.
- e. "Permanent outside container" shall be a container which encloses a casket. The following are considered permanent outside containers: concrete boxes, concrete, copper or steel burial vaults.
- f. "Department" shall mean the Department of Public Services.
- g. "Memorial" shall mean monuments or markers.

II. CONDUCT OF PERSONS

Every person entering the cemetery shall be responsible for any damage caused by such person while within the cemetery. No person under eighteen years of age shall enter the cemetery grounds unless accompanied by an adult responsible for his/her conduct, or unless permission has been granted by the Superintendent.

No person shall:

- a. Enter the cemetery except through an established gate, and only during the hours from 8:00 A.M. to sundown.
- b. Deposit or leave rubbish and debris on any part of the cemetery grounds.
- c. Pick, mutilate, remove, or destroy any living plants or parts thereof, whether wild or domestic, on the cemetery grounds, except in the work of maintenance by City employees or its designated contractor.

- d. Break, injure, remove, or deface any monument or marker on the cemetery grounds.
- e. Bring any dog or animal into the cemetery grounds, unless in compliance with applicable leash law.
- f. Bring or discharge any firearm on the cemetery grounds, except in the conduct of military funerals.
- g. Carry intoxicants into the cemetery grounds, or consume such while in the cemetery.
- h. Advertise on cemetery grounds unless permitted by the City.
- i. Conduct her/himself in any other than a quiet and respectful manner while on the cemetery grounds.

III. TRAFFIC REGULATIONS

All traffic laws of the City of Birmingham that are applicable to the operation of vehicles in cemeteries shall be strictly observed. Every person driving a vehicle into the cemetery shall be responsible for any damage caused by such vehicle.

No person shall:

- a. Drive a vehicle within the cemetery at a speed in excess of ten (10) miles per hour.
- b. Drive or park a vehicle on other than established driveways except for the purpose of maintenance or construction.
- c. Turn a vehicle around within the cemetery except by following established driveways.
- d. Use a cemetery driveway as a public thoroughfare.

IV. MAINTENANCE AND PERPETUAL CARE

The City and/or its designated Contractor shall be responsible for the maintenance and repair of the driveways, buildings, water system, drainage and fences. The City and/or its designated Contractor shall also cut and maintain the grass areas, remove the leaves, trim and remove trees and shrubs, apply fertilizer as necessary, and in general maintain the cemetery as a place of natural beauty devoted to the burial of the dead.

The City and/or its designated Contractor shall not be responsible for any special care of any particular section, lot or burial space or for the maintenance or repair of any monument, marker or planting placed by the owner. Further, the City and/or its

designated Contractor shall not contract or agree to give special care to any section, lot or burial space except as above provided. The City shall maintain the integrity of damaged historical markers, prior to January 1, 1875, through the perpetual care fund.

V. OPERATIONAL REGULATIONS

The following operational regulations shall apply to all areas within the cemetery:

- a. Corners of all lots will be marked by the City, or its designated contractor, with permanent markers set flush with the ground surface, and these shall not be disturbed.
- b. The erection of any fence, railing, wall, coping, curbing, trellis, or embankment, or the planting of any hedge, on any lot or grave is prohibited. No cutting of paths shall be permitted.
- c. The City, or its designated contractor, shall have the right to remove from any lot any objects, including trees and shrubs and flower pots that are not in keeping with the appearance of the cemetery.
- d. Ironwork, seats, vases, and planters shall be allowed on lots, providing that the same shall be kept in good repair and well painted. If not kept in good repair and painted, the Superintendent shall have power and authority to remove same from cemetery, and shall not be liable for any such removal.
- e. Planters of iron or granite for the planting of flowers will be removed from lots and put in storage if not filled by July 1st. Planters so removed will be sold for cartage and storage charges, or destroyed, if not claimed within a period of one year.
- f. No person shall plant, cut down, remove, or trim any tree, shrub, or plant within the cemetery except by permission of the Superintendent, or a person authorized by him/her to act in his/her stead in matters pertaining to the cemetery.
- g. The planting of flowers on any lot, or otherwise disturbing the sod, shall release the City or its designated contractor from all obligation to resod without extra charge therefore. The planting of spirea, rose bushes, peonies, or shrubs that grow over three feet in height, will not be permitted.
- h. As soon as flowers, floral pieces, potted plants, flags, emblems, etc., used at funerals or placed on grave at other times, become unsightly or faded, they will be removed, and no responsibility for their protection will be assumed, except for special groups upon notification to the City or its designated contractor.
- i. The Superintendent reserves the right to remove from beds, graves, vases, planters, or other containers, all flowers, potted plants, or other decorations, that are set out and then not kept properly watered, trimmed and free from weeds, and to do so as soon as they become objectionable.

VI. MONUMENTS, GRAVE MARKERS AND FOUNDATIONS

MONUMENTS

Monuments will be permitted only on two adjoining side by side graves under one ownership. No more than one monument shall be erected on any lot.

The erection of all monuments shall be subject to the following conditions:

- a. Each monument shall be supported on a concrete foundation not smaller than the base of the monument it supports. Such foundation shall be constructed only by the City or its designated contractor after payment therefore has been made. Foundations will be installed April to November, weather dependent, as determined by the Superintendent. Requests received after November 1st will be held until conditions allow for installation.
- b. Designs for monuments must be submitted to the Superintendent or to a person designated by him/her to act in his/her stead, when application is made for construction of foundations. A form with the size, material and design must be submitted to the City or its designated contractor for approval and all installation fees must be paid in full prior to delivery of the memorial.
- c. No monument of artificial stone, sandstone, limestone, or soapstone will be permitted.
- d. All contractors and workers engaged in setting monuments shall be under the supervision of the Superintendent or a person designated by him/her, and they will be held responsible for any damage resulting from their negligence or carelessness. No work of setting monuments shall be started that cannot be completed by the end of the day following the start of such work.
- e. No monuments shall be allowed in the flush sections.

MARKERS

- a. Markers shall not exceed 1 ½ feet in height and shall have a minimum horizontal dimension at the base of not less than half of the height. All markers shall be in one piece, and shall be dressed on the bottom at right angles to the vertical axis. These measurements do not apply to government issue markers.
- b. Individual markers can be sod set without a concrete foundation.
- c. A form with the size, material and design must be submitted to the City or its designated contractor for approval and all installation fees must be paid in full prior to delivery of the memorial. Installation will not occur between November 1st and March 31st unless weather permits.

FLUSH MEMORIAL SECTION - F-NORTH ONLY

- a. No structures shall be placed or constructed by anyone other than employees of the City or its designated contractor in the area of Greenwood Cemetery designated as the "Flush Memorial Section".
- b. Bronze or granite markers only, set flush with the turf, will be permitted in this section. No structures which would extend above the ground level shall be permitted.
- c. A form with the size, material and design must be submitted to the City or its designated contractor for approval and all installation fees must be paid in full prior to delivery of the memorial. Installation will not occur between November 1st and March 31st unless weather permits.

FLUSH MEMORIAL SECTION – AREAS PLOTTED AFTER JANUARY 1, 2015

- a. On grave spaces in Sections B, C, D, K, L, and O, all memorials on new lots plotted after January 1, 2015, must be installed at lawn level. Memorials can be individual markers measuring 24" x 12" x 4" or 16" x 24" x 4" or companion memorials over two (2) graves measuring 48" x 12" x 4".
- b. The memorials must be made of acceptable bronze or granite material and set at lawn level.
- c. A form with the size, material and design must be submitted to the City or its designated contractor for approval and all installation fees must be paid in full prior to delivery of the memorial. Installation will not occur between November 1st and March 31st unless weather permits.

VII. FUNERALS, INTERMENTS AND DISINTERMENTS

INTERMENTS

No lot or burial space shall be used for any purpose other than the interment of human remains and the erection of appropriate memorials to the dead.

No interment shall be made in Greenwood Cemetery until a proper burial permit has been issued, and until all other legally required permits have been issued by, and filed with, the proper authorities.

City personnel, or its designated contractor, will provide opening and closing of grave, initial and periodic maintenance only, and will not be responsible for handling and lowering vaults or caskets. Tents, lowering devices and other materials shall be furnished by the funeral director or vault company.

No grave shall be dug closer than six (6) inches from the line of any lot.

In all full burial interments, the casket shall be enclosed in a permanent outside container. Such outside container shall be installed by the funeral director, vault company, or the City's designated contractor.

In all interments of cremated remains, the container shall be installed by the City, its designated contractor, funeral director or vault company. The size of the container must be submitted with the request for burial.

All funerals within the cemetery shall be under the supervision of the City or its designated contractor. No burials are to be made on Sunday or legal holidays, except by permission of the Superintendent. Overtime charges will apply.

The City must be notified through the City Clerk or its designated contractor, of the time and exact location of proposed interments in time to allow not less than ten (10) hours of daylight to prepare the grave. If notification occurs less than 10 hours of daylight prior to burial, overtime charges will apply.

Interments that involve preparation or follow-up work during other than regular working hours will be done at an additional charge for the overtime portion of the time required. The maximum charge shall not exceed the normal charges plus the weekend/holiday fee. This fee is in addition to the normal interment or disinterment fee charged during regular working hours.

Interments of the remains of any persons other than the owner or an immediate member of his/her family will be permitted only after the written consent of the owner or the owner's authorized agent has been filed with the City Clerk or the City's designated contractor. In case of a minor being the owner, the guardian may give consent upon proof of this authority to act.

Only one (1) interment in any one grave space shall be permitted, except in the case of a parent and infant child, two (2) children dying at about the same time, or in such other unusual cases as it shall seem to the Superintendent to be proper under the circumstances. Such interments shall adhere to Section VIII Burial Rights Policy.

Up to two cremated remains may be placed in the same space if the owner of the grave space or his/her heirs purchase the right to such inurnments. Should the owner permit the burial of such cremated remains, only one additional memorial shall be permitted on the grave space and such memorial shall not be larger than 24 x 12 x 4 inches and installed at lawn level. Up to three (3) cremated remains (only) may be placed on a single grave space.

DISINTERMENTS

Disinterment of a burial shall be facilitated by a Michigan licensed funeral director. Said funeral director shall obtain a permit for such removal from the local health officer of Oakland County. Said funeral director shall complete the removal form as required by the City or its designated contractor. Disinterment shall not commence until after issuance of the Oakland County permit is presented to the City or its designated contractor, approval for removal is granted by the City or its designated contractor, and

all applicable fees are paid. Such disinterments shall only be scheduled between June 15th and October 15th each year unless approved by the City. The grave space where the disinterment occurred shall immediately be returned to a safe condition.

VIII. BURIAL RIGHTS POLICY

Lots purchased from the City after October 1, 2014:

Full grave

One casketed remains and two cremated remains

- or -

Up to three cremated remains

Cremation grave

3 x 2 feet one cremated remains

3 x 4 feet two cremated remains

Lots purchased prior to October 1, 2014:

Full grave

One burial right per grave (To add a burial right for cremated remains, must purchase each additional right of burial in the grave. Up to two cremated remains.)

- or -

One cremated remains (To add a burial right for cremated remains, must purchase each additional right of burial in the grave. Up to two cremated remains.)

IX. LOT RESALE POLICY

All graves sold by the City after October 1, 2014 can only be returned to the City. Such graves cannot be transferred from the original purchaser to an unrelated third party. Graves can only be transferred to family according to the Rules of Consanguinity with supporting genealogical documentation.

All graves returned to the City shall receive 50% of the original purchase price from the Greenwood Cemetery Perpetual Care Fund. Upon return of the graves, the City may resell the graves.

(For the purpose this policy, immediate family shall mean the immediate family of the purchaser(s) – spouse, children, grandchildren, parents, siblings, nieces/nephews, grandparents, aunts/uncles, step-children.)

X. SCHEDULE OF FEES AND CHARGES

Fees and other charges are as set forth in the Schedule of Fees, Charges, Bonds and Insurance.

XI. REVISIONS

The obligations of the City as herein set forth may, from time to time, be modified by the Birmingham City Commission.

- October 18, 1971 Resolution No. 1434-71
- February 13, 1984 Resolution No. 02-97-84
- February 23, 2009 Resolution No. 02-52-09
- December 17, 2012 Resolution No. 12-356-12
- August 10, 2015 Resolution No. 08-174-15

2017 MEETING SCHEDULE*
GREENWOOD CEMETERY ADVISORY BOARD
151 Martin Street, Birmingham, MI 48009
Room 205
8:30 A.M.

Friday, January 6, 2017

Friday, February 3, 2017

Friday, March 3, 2017

Friday, April 7, 2017

Friday, May 5, 2017

Friday, June 2, 2017

Friday, July 7, 2017

Friday, August 4, 2017

Friday, September 1, 2017

Friday, October 6, 2017

Friday, November 3, 2017

Friday, December 1, 2017

*Birmingham City Code

Chapter 34. Cemeteries, Article II. Greenwood Cemetery, Sec. 34-30 (e) Meetings:

The Greenwood Cemetery advisory board shall hold at least one regular public meeting in each quarter on such date and at such time and place as may be established by resolution of the Greenwood Cemetery advisory board. The Greenwood Cemetery advisory board shall keep a written or printed record of its proceedings which shall be a public record and property of the city.

07-226-16

**GREENWOOD CEMETERY ADVISORY BOARD
2015 ANNUAL REPORT
& GREENWOOD CEMETERY CONTRACT UPDATE**

The Commission received the Greenwood Cemetery Advisory Board 2015 Annual Report and the Greenwood Cemetery Report/Contractor Update submitted by City Clerk Pierce.

City Clerk Pierce presented the 2015 Greenwood Cemetery Advisory Board (GCAB) Annual Report. Ms. Pierce explained that the GCAB addressed three major items in 2015 which include space availability and the sale of graves, ground penetrating radar, and updating the rules and regulations. She explained that 103 graves were sold in 2015, 44 of which were sold in Sections B & C. Once 200 graves are sold in Sections B & C, the GCAB will discuss whether to continue selling graves in those sections and a recommendation will be given to the Commission. Ms. Pierce presented the financial information from the sale of the newly designated graves.

Commissioner DeWeese suggested including a breakdown of where the non-residents are from who have purchased graves and whether they are former residents or have some connection with the City. He requested an update on Public Act 13 in terms of the perpetual care fund and maintaining historical markers.

Commissioner Bordman suggested the contractor is responsible for the upkeep in the cemetery and that repair should be borne by the contractor. City Manager Valentine explained that the structural maintenance of the cemetery still resides with the City. He explained that the perpetual care fund will effectively be used as the source of funding for the ongoing care and maintenance in the future once significant principal is established in that fund. He stated that the contractor handling the headstones was not part of the contract.

Commissioner DeWeese suggested the GCAB consider recommending steps to make a Friends of Greenwood Cemetery 501c(3) that could be used as a fundraising and support arm similar to the library and museum.

Finance Director Gerber explained that Public Act 13 allows cities to invest some of the cemetery perpetual care funds in mutual funds. The requirement in the Act is that the mutual fund be rated in the top two tiers of a nationally recognized mutual fund rating agency and no more than 60% of the funds fund balance can be invested in equity securities. He cautioned that as with any investment in the market, there is a potential for market loss. The way the City currently invests its funds is very secure, but does limit the interest income.

Mr. Valentine pointed out that the Finance Director is working on developing a policy to allow for this more risky type of investment. The policy will be presented to the Commission with parameters in place by which the City manages its funds.

Mayor Hoff stated that reclamation is a way of getting grave sites that no one is ever going to use and do not know they even have in their family. It is a research and data ~~date~~ information process. Mr. Valentine explained that, to alleviate the concern of the grave owners, there was no direction given by the Commission to proceed with reclamation. It was rather to proceed with the spaces available existing in the cemetery.

Commissioner Bordman expressed support of starting the process to discover how many spaces have not been used in a number of decades and proceeding to inquire, not take, but inquire of any family members whether those spaces are ever going to be used. If the answer is no, they could sell them back to the City for the going rate instead of creating new spaces.

Commissioner Sherman explained the discussion held by the former Commission regarding reclamation and the concern from individuals who had plots within the cemetery. He pointed out that there is space available in the cemetery and reclamation is not a pressing need.

Commissioner Harris agreed with the Commission's decision in August and expressed support of the status quo. Wait to see if there is a demand, then balance it against the concern with reclamation. He commented that the figures are low and show a potential lack of demand.

Darlene Gehringer, chairperson of the GCAB, expressed concern with the payment plan and noted that the payment plan is not part of the contract. She commented that Elmwood has been offering this payment plan without knowledge or approval by the GCAB or by the City Commission and a payment plan is not part of the contract.

Ms. Gehringer She also expressed concern with the Lot Resale Policy where the City pays 100% of the repurchase price. She commented that if a lot is sold at \$3,000 and the owner wants to sell the grave, it is not available to sell on the open market. That has been changed by the City Commission. The City will repurchase the grave for \$1,500 and then the City can resell it again for \$3,000. The contractor is getting 25% on both sales, but they are not paying 25% on the repurchase price. She stated that she thinks the contractor should pay. If you are sharing in the profits, you should share in the cost and the loss as well. She stated that the contractor should share in that as well. She recommended that this be reviewed and noted it is up to the Commission's discretion what to do with it.

Ms. Gehringer She noted that the Board has requested an RFP for ground penetrating radar be done on the entire cemetery which would help in the reclamation process—and part of that is to identify perhaps what looks like an empty grave, but may actually have remains from the early 1800's or an unidentified grave. She stated that she is in favor of the reclamation process. She stated that the reclamation process has changed so it is less than a year now— She stated that the reclamation process does not take seven years. It has been changed and can take less than a year. She suggested we might give it a little bit longer to let people respond, but it no longer legally takes seven years to do a reclamation process.

Commissioner Boutros questioned how Ms. Gehringer obtained that information. Ms. Gehringer responded that the information came from Mr. Stern who is very knowledgeable with cemetery procedures. She explained that in her opinion, the initial part is to go through ground penetrating radar to make sure what we think is an empty grave is in fact an empty grave, then proceed from there.

Ms. Pierce explained that the ground penetrating radar request is planned to be presented in the 2017-18 budget year. She explained the payment plan and noted that the City Attorney reviewed the contract and the rules and regulations and found that neither speak to the methodology of sale. Ms. Pierce explained the Lot Resale Policy only addresses graves sold

after October 1, 2014. If someone owned a grave prior to that date, they could sell it privately.

George Stern, resident & GCAB member, expressed concern with the payment plan. He suggested the Commission ask the GCAB to discuss whether the City should have a regulation permitting the payment of graves over time, should it include interest, and a time limit for payment. He expressed concern with the location of the newly designated graves and suggested the Commission ask the GCAB to revisit this regulation. He stated that the City is doing a disservice to its residents by offering this precious and rare commodity, the graves at the cemetery, to non-residents at the same enticing prices as offered to residents. He suggested the possibility of not selling graves to non-residents. Mr. Stern suggested the Commission move to adopt Public Act 13 speedily. He encouraged the Commission to move forward with reclamation under Public Act 215.

City Attorney Currier explained that the courts have ruled that one cannot exclude non-residents. He explained that the cemetery is not supported by taxes, therefore the ability to have a differential in fees is not there.

City Clerk Pierce presented the Greenwood Cemetery Update/Contractor Update. She explained that the City entered into an agreement with the Historic Elmwood Cemetery for Cemetery Management Services in 2013. She pointed out that the care, maintenance, and operation of the Cemetery remain under the supervision and control of the City Manager. Ms. Pierce presented a breakdown of the responsibilities of the City before and after the contract and the contractor's current responsibilities. She presented the financial information since the inception of the contract as well. She noted that the labor costs are not tracked separately by the City and the Contractor.

Ms. Pierce explained the Grave Interest List and the process used by the contractor to contact the individuals on that list. She explained that a payment plan is offered by the contractor. She pointed out that once the payment plan is fulfilled, the City will receive its 75% portion of the sale. Burials cannot occur until the payment plan is paid in full.

Commissioner Harris commented on the pace of the contractor contacting individuals on the Grave Interest List. He stated that it seems like a slow and inefficient pace.

Commissioner DeWeese stated that he would like to see a more comprehensive review of all the costs and revenues for the contractor that are associated with the cemetery.

In response to a question from Commissioner Bordman regarding monuments and gravestones, Kevin Desmond, GCAB member, explained that the contractor, any funeral home, and any independent monument dealer could sell monuments and markers. He further explained that the contractor does not sell caskets, vaults or flowers.

Mr. Desmond encouraged the Commission to focus on the fact that new graves would not be available without the contractor. The contractor has mapped out the new spaces and met with the families. It has created a situation for the income to be coming to the City for the creation of the Perpetual Care fund. The cemetery is being managed and the residents are being served at an exceptional level and better than when the City itself was managing it.

George Stern stated that the Community Foundation for Southeast Michigan has a negative return and you can never get the money back and never borrow from it. He commented on his opinion of the contractor's financial information.

Commissioner DeWeese suggested the GCAB create a possible action list for the Commission to review to prioritize some of the different issues. The Commission can make the judgement and prioritize the list.

City of Birmingham Greenwood Cemetery Donor Recognition Program

Thank you for considering Greenwood Cemetery in the City of Birmingham for your donation. We welcome donations from individuals, foundations, non-profit organizations and corporations and look forward to working with you.

The City of Birmingham recognizes that the cemetery is a place of rest for loved ones who have gone before us. Accordingly, the City of Birmingham desires to enhance, protect and preserve the peaceful and historical atmosphere of the cemetery. Therefore, donations for the cemetery will be considered with the support of those goals in mind.

I. DONATION CATEGORIES

The City of Birmingham welcomes donations in several categories including:

- a) ~~Amenities for~~ The purchase of amenities, replacement, ~~or~~ refurbishment and/or maintenance of benches. Such features must enhance the bucolic nature of the cemetery, and provide an environment for peaceful reflection. Accordingly, such proposed donations will only be considered on a case-by-case basis. Donors should contact the City Clerk at the City of Birmingham to discuss proposed features. Final decisions as to location will be determined by the City of Birmingham.
- b) Monetary donations, such as cash or negotiable securities, will be used toward the preservation of historical monuments and markers. While donors may identify a specific use for the City's consideration, funds may be used to best meet the needs of Greenwood Cemetery by the City of Birmingham.

II. DONATION GUIDELINES

~~Donations of amenities are only allowed on City property.~~

In order to have a consistent donor program, the following guidelines endeavor to address both the needs and resource capabilities of the City of Birmingham and the desire of donors to support Greenwood Cemetery. Donors should contact the City Clerk at the City of Birmingham to discuss donation ideas.

The City wants to ensure the best appearance and aesthetic quality of the cemetery. Thus, donations should satisfy a true cemetery need.

All donations will be reviewed for appropriateness and compatibility with the Greenwood Cemetery Master Plan as applicable. The City reserves the right to decline any donation if, upon review, the donation is (1) limited by special restrictions, conditions or covenants which pose unreasonable budgetary or maintenance obligations on the City, or (2) not in the best interest of the City.

- a) Donors may be asked to appear before the Greenwood Cemetery Advisory Board and/or the City Commission, to present their donation proposal. Public comment and feedback may be considered during the review process.

- b) The City understands that donors may have preferences regarding the choice of design professionals, vendors and contractors, and preferences regarding the location, size, scale, color and materials of donated elements, amenities and features. The City, however, must adhere to the open bid process requirements, if applicable, and to other City policies and goals. Accordingly, final decisions on all details of the proposed donation shall be at the sole discretion of the City of Birmingham.
- c) While the City recognizes the generally good intentions behind any donation, the City, at its sole discretion, reserves the right to decline any gift or donation.
- d) Upon acceptance by the City, any donated element, amenity or feature, becomes City of Birmingham property. The City has an interest in ensuring that all cemetery elements, amenities and features remain in good repair and will provide, at its sole discretion, reasonable maintenance of donated items. The City, however, is under no continuing obligation to repair, replace or maintain perpetual care for any donated item.
- e) The City will make a reasonable effort to notify a donor of any damage, theft or other loss to a donated item and may, at its sole discretion, repair or replace such a donated item to the extent it deems practical, or as described in the original gift agreement, if any.
- f) Because donations to the City of Birmingham may be tax deductible, donors are encouraged to consult with their tax advisor.
- g) Donors will not receive preferential treatment and must adhere to the Greenwood Cemetery Rules and Regulations.

III. DONOR RECOGNITION

- a) Recognition shall be provided for all gifts given to the City of Birmingham for cemetery improvements, subject to such general policy changes and amendments as may be implemented by the City Commission.
- b) All donations will be acknowledged by a letter of appreciation from the City of Birmingham.
- c) Naming rights on any Cemetery feature ~~must be approved~~ are subject to approval by the City of Birmingham. The Birmingham City Commission may approve "naming rights" of any Cemetery feature (within its sole discretion).

**HISTORIC GREENWOOD CEMETERY 2016
THIRD QUARTER REPORT**

MONTHLY BURIAL SERVICES

MONTH	CREMATION BURIAL	FULL CASKETED BURIAL	DISINTERMENT
AUGUST	0	0	0
SEPTEMBER	0	0	0
OCTOBER	4	3	0

CEMETERY MAINTENANCE

Mike Shukwit, Director of Operations and his team had the cemetery cleaned up and in good condition for the 4th of July holiday. We held off on seeding graves due to the temperatures. Bushes and landscaping were pruned and maintained. Lawn care completed weekly. All memorials as ordered have been properly installed.

CUSTOMER SERVICE, RECORD KEEPING AND LONG TERM CARE

At the end of the quarter all of the records are up to date. No lot owner requests are outstanding and no transfers are pending.

We have been meeting with families several times a week at the cemetery.

GRAVE SALES

21 lot sales in the quarter.

2016	Purchased one grave	Purchased two graves	Purchased three or more graves	TOTAL SOLD	75% of sale paid to the City	25% of sale paid to the Contractor
Resident	3	5	0	13	\$29,250	\$9,750
Non- Resident	4	2	0	8	\$18,000	\$6,000
TOTAL	7	7	0	21	\$47,250	\$15,750

NEWLY IDENTIFIED GRAVE SPACES****TOTAL NUMBER OF GRAVES SOLD PER SECTION (AS OF SEPTEMBER 30, 2016)**

Section	2015 Total	First Quarter 2016	Second Quarter 2016	Third Quarter 2016	Fourth Quarter 2016	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
B	33	14	26	11		84*	324
C	11	8	1	8		28*	44
D	6	0	0	0		6	6
K	14	4	0	1***		18	0
L	8	0	0	0		8	8
O	6	0	0	0		6	4
TOTAL	78	26	27	20		150	386

*Per City Commission request, once 200 graves are sold in Sections B & C, the GCAB must review those Sections prior to additional graves being sold. No more than 240 graves can be sold in those two sections prior to GCAB review.

**Only flush memorials are allowed in the newly identified grave spaces.

***Space was previously sold. Transferred back to the City and sold again to another family. Space is reflected here to match the total number of spaces sold but does not affect the last two column totals concerning inventory.

Section	2015 Total	First Quarter 2016	Second Quarter 2016	Third Quarter 2016	Fourth Quarter 2016	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
G	14			1		14	14
E	11					11	
TOTAL	25			1		25	

AREAS ALONG THE ROAD**TOTAL NUMBER OF GRAVES SOLD PER SECTION (AS OF SEPTEMBER 30, 2016)**

This concluded the eleventh quarter (34 months) as the operator of Historic Greenwood Cemetery.

The space sold in G is not one of the graves referenced in the number of graves remaining. This was an existing developed space that was once occupied by a tree.



MEMORANDUM

City Clerk's Office

DATE: December 7, 2016

TO: Greenwood Cemetery Advisory Board

FROM: Cheryl Arft, Acting City Clerk

SUBJECT: Confirmation of a GCAB Action List

At the October 14, 2016 meeting, the GCAB discussed and adopted the Action List as recited at the meeting, with the addition to Item 3 of a Map for the cemetery. The revision has been made and is included for your information prior to submission to the City Commission in early 2017.

The City Commission will determine the priority of each item. Each item from the Action List will then be presented to the GCAB, in order of priority, for action by the Board at the upcoming GCAB meetings.

No action is needed by the GCAB today.

GREENWOOD CEMETERY ADVISORY BOARD ACTION LIST

1	To recommend an RFP for GPR services be issued for the entire cemetery to develop a map of all known burial sites
2	To digitize the burial records
3	To recommend an RFP for a Master Plan and Map for Greenwood Cemetery
4	To research and set up at Friends of Greenwood Cemetery 501(c)(3)
5	To review the Cemetery regulations regarding <ul style="list-style-type: none">• Potential sale of a grave back to the City that was purchased prior to October, 2014

6A	To contact owners whose records reflect no burials in the last fifty years to determine if they wish to sell graves back to the City
6B	To commence reclamation and review records every ten years
7	To recommend that the City of Birmingham review the Greenwood Cemetery Management Agreement
8	To develop a donor program for improvements specific to and appropriate to the cemetery
9	To continue to review the Cemetery regulations
10	To investigate the feasibility of installing columbaria for the inurnment of cremated remains

As adopted by the GCAB on October 14, 2016