

**GREENWOOD CEMETERY ADVISORY BOARD
MEETING AGENDA
FRIDAY, JULY 6, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

Darlene Gehringer, Chairperson

II. ROLL CALL

J. Cherilynn Mynsberge, City Clerk

III. APPROVAL OF MINUTES

A. Approval of meeting minutes of June 1, 2018

IV. NEW BUSINESS

- A. Election of Chairperson
- B. Election of Vice-Chairperson
- C. Review of 2017 Annual Report

V. UNFINISHED BUSINESS

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

A. Revision of Proposed Payment Plan Policy for Cemetery Plots

VI. CONTRACTOR REPORT

A. First Quarter 2018 Financial Report

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

VIII. BOARD COMMENTS

A. Board Member Stern

IX. ADJOURN

NEXT MEETING: SEPTEMBER 7, 2018

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, JUNE 1, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

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

II. ROLL CALL

Present: Linda Buchanan
Kevin Desmond (8:38)
Darlene Gehringer
Laura Schreiner
Margaret Suter

Absent: Linda Peterson
George Stern

Administration: J. Cherilynn Mynsberge, City Clerk, Cheryl Arft, Deputy Clerk

III. APPROVAL OF MINUTES

A. APPROVAL OF MEETING MINUTES OF MAY 4, 2018

Chairperson Gehringer asked that the second bullet point in Mr. Stern's comments be amended to clarify that "he" refers to Mr. Stern.

The Board agreed to change the reference to Emily Irving's gravestone under Board Comments "to an Irving family gravestone."

Motion: Motion by Suter, seconded by Schreiner,
To approve the minutes of the May 4, 2018 Greenwood Cemetery Board meeting as amended.

VOTE: Yeas, 5
Nays, 0
Absent, 2

IV. NEW BUSINESS

A. REVIEW OF 2017 ANNUAL REPORT *TENTATIVE*

City Clerk Mynsberge stated this would be presented at the next meeting. She continued that it would be similar to the 2015 format, and would contain:

- Accomplishments of the GCAB;
- Next steps;
- Financial reporting; and
- Potential concerns and repairs.

Chairperson Gehringer highlighted some of the Board's recent accomplishments.

City Clerk Mynsberge confirmed that those would be included in the report.

V. UNFINISHED BUSINESS

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

A. CONSIDERATION OF PROPOSED PAYMENT PLAN POLICY FOR CEMETERY PLOTS

City Clerk Mynsberge recapped the Board's discussion at their May 4, 2018 meeting:

The Board determined the end of paragraph four of the proposed Payment Plan Policy should read "money so allocated will not be shifted to other plots." The Board discussed this section further in an attempt to convey that money already paid could not be shifted to the plot to be used for interment from a different plot. City Clerk Mynsberge agreed to consult with City Attorney Currier for appropriate language, and return with the changes at the June meeting.

City Clerk Mynsberge reported City Attorney Currier drafted the following replacement to the fourth paragraph:

If multiple plots are included in the Purchase Agreement, the monthly payments should be equally allocated to each lot. In the event interment is needed, then the end plot must be fully paid before interment can take place. This will require an additional payment to fully payoff the plot in question. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments to other plots for this purpose.

The Board refined the City Attorney's recommended language to read:

"If multiple plots are included in the Purchase Agreement, monthly payments shall be equally allocated to each plot. Before interment may occur in any plot ("Interment Plot") the balance of the Interment Plot must be paid in full. Also, in the event that there are multiple interments needed, in no event shall the selection of the second Interment Plot leave any partially paid plots between the first and the second Interment Plots. This will require an additional payment to fully pay off such plot(s) in question. Neither the cemetery/its agents, nor the plot owners shall transfer any funds, or credit any prior payments for this purpose."

Motion: Motion by Buchanan, seconded by Suter,
To recommend the approval of the payment plan policy for cemetery plots to the City Commission at the June 25, 2018 Commission meeting.

VOTE: Yeas, 5
Nays, 0
Absent, 2 (Peterson, Stern)

VI. CONTRACTOR REPORT

City Clerk Mynsberge stated she is waiting to hear back from the Contractor regarding first quarter numbers.

VII. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA**VIII. BOARD COMMENTS**

Ms. Buchanan explained that some of the older areas of the cemetery have narrower aisles between grave rows.

Ms. Suter said:

- The City must be proactive in making sure no damage comes to the headstones while installing new graves.
- The GCAB should contact the Contractor and let them know about a recently broken headstone that was near a new burial site. She recommended merely informing the Contractor about the broken gravestone and letting the Contractor respond.
- Perhaps the plots in the narrower areas should be reserved for cremains.

The Board acknowledged that old gravestones are predisposed to breakage due to their age even without much disruption.

Kevin Desmond left the meeting at 9:10 a.m.

Laura Schreiner said that when Board members compile data or studies, all the information should be submitted to the Board members in writing before being discussed at a meeting.

City Clerk Mynsberge confirmed that she would require Mr. Stern submit his study in writing before the July 2018 GCAB meeting for the members' consideration, or it would not be added to the meeting's agenda.

The Board concurred that providing the written information a meeting ahead of its consideration would be ideal, but the information should be provided in written by at least the Monday of the week prior to a GCAB meeting.

Chairperson Gehringer said she would like to see the GCAB meeting times and agendas noticed outside City Hall for a few months in order to see if it encourages public participation.

City Clerk Mynsberge said the Clerk's Office would notice the GCAB's meetings.

IX. ADJOURN

The meeting adjourned at 9:17 am.

GREENWOOD CEMETERY ADVISORY BOARD

2017 ANNUAL REPORT

DRAFT

CITY OF BIRMINGHAM
151 MARTIN ST.
BIRMINGHAM MI 48009

GREENWOOD CEMETERY ADVISORY BOARD

2017 ANNUAL REPORT

THE BOARD

Darlene Gehringer, Chairperson

Linda Buchanan, Vice Chairperson

Kevin Desmond

Linda Peterson

Laura Schreiner

George Stern

Margaret Suter

INTRODUCTION

The City Commission established the Greenwood Cemetery Advisory Board (GCAB) on October 13, 2014 by adoption of Ordinance No. 2146. Now codified as Chapter 34, Section 34-30 of the Birmingham Code of Ordinances, the ordinance reads, in part:

- (g) *Powers and duties.* In general, it shall be the duty of the Greenwood Cemetery advisory board to provide 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; and
 - (4) *Day to day administration.* The day to day administration of the cemetery shall be under the direction and control of the city, through the city manager or his/her designee.
- (h) *Reports.* The Greenwood Cemetery advisory board shall make and submit to the city commission annually a report of the general activities, operation, and condition of the Greenwood Cemetery for the preceding 12 months. The Greenwood Cemetery advisory board shall, from time to

time, as occasion requires, either in the annual report, or at any time deemed necessary by the Greenwood Cemetery advisory board, advise the city commission in writing on all matters necessary and proper for and pertaining to the proper operation of Greenwood Cemetery and any of its activities or properties.

This annual report covers the calendar year 2017 and is separated into the three statutory sections:

1. General Activities
2. Operation
3. Condition.

1. GENERAL ACTIVITIES

MASTER PLAN

On March 17, 2017 the City Commission considered the action list adopted by the GCAB on September 2, 2016. The Commission felt that the GCAB's recommendation to create a master plan for the cemetery was the key component to accomplishing the other items on the list. To that end, the Commission took the following action:

Motion by Commissioner Bordman, seconded by Commissioner DeWeese:
To accept the proposed Greenwood Cemetery Advisory Board's Action List, with the following revisions:

1. Develop a Master Plan for the Cemetery including a map;
2. Revise the Rules and Regulations to remove the restriction of upright monuments in Section F. North

VOTE: Yeas, 6
Nays, None
Absent, 1 (Harris)

A Request for Proposals (RFP) for a master plan consultant was issued on August 17, 2017. No bids were received.

The GCAB revised the RFP to narrow the scope of work to focus on operational analysis of the cemetery and reissued the RFP on January 16, 2018. Bids were received from Fleis & Vandenbrink and Johnson & Anderson. Both bids were close to double the \$20,000 budgeted by the City Commission for the project. Neither bidder demonstrated a clear understanding of the scope of work or of the cemetery itself. Fleis & Vandenbrink's proposal focused on the firm's experience with large scale design and construction. Johnson & Anderson's proposal was centered almost solely on GIS mapping.

After reviewing the proposals, the GCAB agreed neither bid should be accepted. In coming months the GCAB will reevaluate the goals to be accomplished through the master plan process and draft a new RFP. Preliminary discussions suggest the term "master plan" conveys a project much broader in scope than what is intended. Future dialogue will explore more descriptive terminology which communicates the objective of a thorough analysis of the Cemetery's current structure, management, procedures, policies, and practices, as well as opportunities for optimizing, within the site's current footprint, space for interments. The outcome of the project should be recommendations to maximize the Cemetery's strengths and opportunities and to address any vulnerabilities detected.

RULES AND REGULATIONS

A. MONUMENTS

On March 17, 2017 the City Commission directed the GCAB to revise the Cemetery Rules and Regulations to permit upright monuments in Section F North of Greenwood Cemetery. All conditions as to the erection of monuments in Section VI, Monuments, Grave Markers, and Foundations shall continue to apply.

The GCAB took the necessary action to amend the Cemetery Rules and Regulations on May 5, 2017. A copy of the revised Rules is appended to this report as **Attachment A**.

B. PAYMENT PLANS

Installment payment plans for the purchase of cemetery plots are an option currently offered by the Cemetery's management services contractor, Elmwood Historic Cemetery (Contractor), but Cemetery Regulations are silent on the issue. The GCAB recommends a written, City policy be enacted to regulate payment plans.

The GCAB studied the current practice and drafted a policy which maintains the general structure while changing several economic factors:

1. Reduction of maximum period for payment plan agreements from 36-months to 24-months.
2. Increase in down payment from 10% to 20%.
3. For payment plan agreements initiated in 2018 and after, failure to pay off the contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.
4. The Greenwood Cemetery Perpetual Care Fund will receive 75% of each payment made at the time of payment.

The recommended policy also clarifies operational procedures:

5. Payments will be made in equal monthly installments, and payments will be allocated equally among all plots included in the agreement.
6. Installment plans will be interest free.
7. A plot must be paid in full before interment takes place.

8. To avoid unpaid plots being isolated amid paid plots, interment will happen in the outermost plot(s) first.
9. Prior payments may not be transferred from one plot to another.

The GCAB finalized the policy at their meeting of June 1, 2018, and presented a recommendation for adoption of the policy to the City Commission on June 25, 2018. The Commission did not object to the policy or its provisions, but referred the policy back to the GCAB for revision of the language to provide clearer explanation on points 5, 8 and 9. The Commission also directed the GCAB to obtain input from the Contractor.

2. OPERATION

FINANCIAL REPORT

A. CEMETERY

Cumulative Sales Totals for 2017

Graves Sold	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	TOTAL SOLD	75% of sale paid to City	25% of sale to Contractor
Resident	2	8	1	5	11	\$24,750.00	\$8,250.00
Non-Resident	12	9	4	6	25	\$56,250.00	\$18,750.00
TOTAL	14	17	5	11	47	\$105,750.00	\$35,250.00

Sales Totals for Newly Identified Grave Spaces

In 2015 the Contractor identified 530 potential grave spaces in Sections B, C, D, K, L, and O. The City Commission limited the sale of newly identified graves in Sections B and C to 240, and directed the GCAB to provide a recommendation after 200 were sold as to whether or not additional grave spaces should be released for sale. As of the end of 2017, 169 of the grave spaces have been sold in Sections B and C.

Section	2015 Total	2016 Total	1 Qtr 2017	2 Qtr 2017	3 Qtr 2017	4 Qtr 2017	TOTAL Sold To Date	Number of Graves Remaining
B	33	60	14	14	2	6	129	279
C	11	24	0	1	2	2	40	32
Total sold in Sections B & C:							169	
D	6	0	0	0	0	0	6	6
K	14	5	0	0	0	0	19	0
L	8	4	0	0	0	0	12	4
O	6	0	0	0	0	0	6	4

Plots Under Installment Payment Contract

Section	Lot	Grave Nos.	Date of Agreement	Term of Agreement	NUMBER OF PLOTS
B	4-A	19, 20			2
B	5-C	19, 20			2
B	10-A	3, 4	11/16/2015	36 months	2
B	12-A	9, 10			2
B	12-A	11, 12			2
C	17-C	23, 24	10/21/2015	36 months	2
C	18-A	9, 10	02/16/2017	36 months	2
C	19-A	5, 6			2
K	12-A	5, 6	8/28/2015	36 months	2
L	16-A	9, 10	9/11/2015	36 months	2
O	20-A	7, 8	8/27/2015	36 months	2
O	20-B	5, 6, 7, 8	3/22/2016	36 months	4
TOTAL:					26

B. PERPETUAL CARE FUND

DESCRIPTION	BUDGET 2017-2018	PROJECTED 2017-2018
<u>REVENUES</u>		
CHARGES FOR SERVICES	200,000	80,000
INTEREST AND RENT	11,600	10,290
TRANSFERS IN	20,000	20,000
REVENUES	231,600	110,290
<u>EXPENDITURES</u>		
OTHER CHARGES	20,000	20,000
EXPENDITURES	20,000	20,000
REVENUES OVER (UNDER) EXPENDITURES	211,600	90,290
BEGINNING FUND BALANCE	514,443	514,443
ENDING FUND BALANCE	726,043	604,733

3. CONDITION

EAST GATE

Early in the year the GCAB reported the east gate of the Cemetery was in need of repair. The Department of Public Works (DPS) removed the gate and obtained estimates for the necessary welding and masonry work. On November 22, 2017 Parks & Recreation Manager Laird reported the repair had been completed.

WHITE OAK TREES PLANTED

At the request of the GCAB, the Cemetery was included in the DPS's 2017 Spring Tree Purchase and Planting Project. Six white oak trees were planted along Oak Street between the Cemetery fence and the street curb. The trees are under a two-year warranty program.

ROADS

In 2017 the Contractor reported the roads on the east side of the property had reached a point where coning and in poor condition. The roads were included in the DPS's 2018-2019 budget for the capeseal program. Capeseal crews will begin the work at Greenwood the week of July 2nd with the pulverizing process on the east side of the cemetery. Portions of the roads will be closed where the crews are working, but access will be available. Chip seal and topcoat, the final step of the process, is slated for the week of July 9th. The topcoat process will require a four-hour road closure, and DPS will coordinate the schedule with the Cemetery's Contractor.



MEMORANDUM

City Clerk's Office

DATE: June 29, 2018
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Proposed Payment Plan Policy for Cemetery Plots

At their meeting on June 25, 2018 the City Commission considered the Board's recommendation to approve an amendment to the Cemetery rules and regulations by adding the payment plan policy.

The City Commission was in favor of the policy and generally agreed with the provisions. However, many of the Commissioners felt the policy was difficult to understand as written, and referred the policy back to the Board for revision. In particular, the Commission would like clearer explanations in paragraph 4 of why an end plot must be utilized for interment if all plots are not paid in full, and the provision that the transfer of funds from one plot to another is not allowed.

The Board may want to consider appointing a subcommittee of two or three members to revise the policy.

ATTACHMENTS:

City Clerk Mynsberge's staff report to City Manager Valentine dated June 15, 2018.

SUGGESTED RESOLUTION:

To appoint ___ to a subcommittee charged with revisiing the payment plan policy in accordance with the City Commission's direction and to present the revision to the full Board in September for consideration.



MEMORANDUM

City Clerk's Office

DATE: June 15, 2018

TO: Joseph A. Valentine, City Manager

FROM: J. Cherilynn Mynsberge, City Clerk

SUBJECT: Greenwood Cemetery Payment Plan Policy

The Greenwood Cemetery Advisory Board (GCAB) recommends an amendment to Greenwood Cemetery Operational Procedures, Conditions and Regulations (Cemetery Regulations) to add a policy regulating installment payment plans for the purchase of cemetery plots. Payment plans are an option currently offered by the Cemetery's management services contractor, Elmwood Historic Cemetery (Contractor), but Cemetery Regulations are silent on the issue. The GCAB believes a written policy should be adopted by the City of Birmingham.

The GCAB studied the current practice and drafted a policy which maintains the general structure while addressing several economic factors. The policy stipulates:

1. A 24-month maximum period for payment plan agreements.
2. A 20% down payment.
3. Equal monthly payments, with payments allocated equally among all plots included in the payment plan agreement.
4. No interest.
5. A plot must be paid in full before interment takes place.
6. The use of end plots for interment if the remaining plots in a payment plan are not paid in full.
7. Prior payments may not be transferred from one plot to another.
8. For payment plan agreements initiated in 2018 and after, failure to pay off the contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.
9. The Greenwood Cemetery Perpetual Care Fund will receive 75% of each payment made at the time of payment.

City Attorney Currier was consulted on proposed policy language and provided recommendations at the Board's April and June, 2018 meetings. City Attorney Currier, at the Board's request, also reviewed the process necessary for establishing a payment plan policy and determined, as stated in his letter dated March 1, 2018, "Further the Payment Plan Policy is a requirement of the City of Birmingham. The contractor in this regard, is required to follow all of the policies of the City of Birmingham that are established by the City Commission. Therefore, no reopening of the contract with the consultant is necessary in this regard."

The Contractor was provided with a copy of proposed language in December 2017 and invited to attend the Board's January 2018 meeting. The Contractor did not attend the meeting and did not submit comments. Agenda packets for all GCAB meetings are provided to the Contractor.

ATTACHMENTS:

1. Current Cemetery Regulations as approved by the City Commission on 3/27/2017.
2. Documentation of the GCAB's work on the proposed policy from their meetings of:
 - a. June 1, 2018
 - b. May 4, 2018
 - c. April 6, 2018
 - d. January 12, 2018
 - e. December 8, 2017
 - f. November 17, 2017
 - g. October 6, 2017
 - h. August 4, 2017

SUGGESTED RESOLUTION:

To accept the recommendation of the Greenwood Cemetery Advisory Board as approved on June 1, 2018, and approve the amendment to the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX. LOT SALES - PAYMENT PLAN POLICY.

ATTACHMENT 1 - CURRENT CEMETERY REGULATIONS

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 – 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
- March 27, 2017 Resolution No. 03-82-17 (and confirmed by Greenwood Cemetery Advisory Board on May 5, 2017).

ATTACHMENT 2A - JUNE 1, 2018

Policy version E – FINAL – as approved by GCAB on June 1, 2018 to be recommended to City Commission

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid.

If multiple plots are included in the Purchase Agreement, the monthly payments should be equally allocated to each lot. In the event interment is needed, then the end plot must be fully paid before interment can take place. This will require an additional payment to fully payoff the plot in question. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments to other plots for this purpose.

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first.

And further to renumber the subsequent three paragraphs accordingly:

- X. LOT RESALE POLICY
- XI. SCHEDULE OF FEES AND CHARGES
- XII. REVISIONS



MEMORANDUM

City Clerk's Office

DATE: June 1, 2018
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Proposed Payment Plan Policy for Cemetery Plots

At the Board's meeting on April 6, 2018 the City Attorney's concerns regarding the draft Payment Plan Policy were discussed, and the Board adopted several modifications.

At the Board's meeting on May 4, 2018 the Board determined the end of paragraph four of the proposed Payment Plan Policy should read "money so allocated will not be shifted to other plots." The Board discussed this section further in an attempt to convey that money already paid could not be shifted from a plot. City Clerk Mynsberge said she would consult with City Attorney Currier for the appropriate language, and would return with the changes at the June GCAB meeting.

City Attorney Currier has drafted the following replacement to the fourth paragraph:

If multiple plots are included in the Purchase Agreement, the monthly payments should be equally allocated to each lot. In the event internment is needed, then the end plot must be fully paid before internment can take place. This will require an additional payment to fully payoff the plot in question. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments to other plots for this purpose.

If the Board is in agreement that the revised Payment Plan Policy revision accurately reflects the amendments made on April 6, 2018, a resolution to recommend to the City Commission adoption of the proposed Payment Plan Policy would be in order.

ATTACHMENTS:

Red-lined version of revision proposed by City Attorney Currier
Clean version of policy as revised on 4/6/2018
Excerpt of draft minutes of 5/4/2018 GCAB meeting
Excerpt of minutes of 4/6/2018 meeting

SUGGESTED RESOLUTION:

To recommend to the Birmingham City Commission the approval of an amendment to the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX. LOT SALES - PAYMENT PLAN POLICY as follows:

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid.

If multiple plots are included in the Purchase Agreement, the monthly payments should be equally allocated to each lot. In the event interment is needed, then the end plot must be fully paid before interment can take place. This will require an additional payment to fully payoff the plot in question. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments to other plots for this purpose.

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first.

And further to renumber the subsequent three paragraphs accordingly:

- X. LOT RESALE POLICY
- XI. SCHEDULE OF FEES AND CHARGES
- XII. REVISIONS

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid.

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. In the case that only a portion of the plots included in a purchase agreement are paid in full so that interment can take place, an end plot will be utilized first and others located adjacent subsequently as needed. Monthly payments may continue on the other plots. Money so allocated will not be shifted

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first.

EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, JUNE 1, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN

A. CONSIDERATION OF PROPOSED PAYMENT PLAN POLICY FOR CEMETERY PLOTS

City Clerk Mynsberge recapped the Board's discussion at their May 4, 2018 meeting:

The Board determined the end of paragraph four of the proposed Payment Plan Policy should read "money so allocated will not be shifted to other plots." The Board discussed this section further in an attempt to convey that money already paid could not be shifted to the plot to be used for interment from a different plot. City Clerk Mynsberge agreed to consult with City Attorney Currier for appropriate language, and return with the changes at the June meeting.

City Clerk Mynsberge reported City Attorney Currier drafted the following replacement to the fourth paragraph:

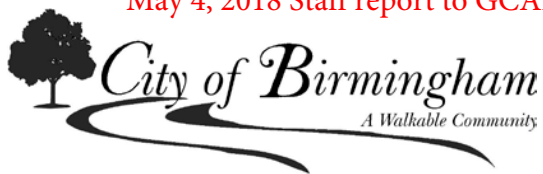
If multiple plots are included in the Purchase Agreement, the monthly payments should be equally allocated to each lot. In the event interment is needed, then the end plot must be fully paid before interment can take place. This will require an additional payment to fully payoff the plot in question. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments to other plots for this purpose.

The Board refined the City Attorney's recommended language to read:

"If multiple plots are included in the Purchase Agreement, monthly payments shall be equally allocated to each plot. Before interment may occur in any plot ("Interment Plot") the balance of the Interment Plot must be paid in full. Also, in the event that there are multiple interments needed, in no event shall the selection of the second Interment Plot leave any partially paid plots between the first and the second Interment Plots. This will require an additional payment to fully pay off such plot(s) in question. Neither the cemetery/its agents, nor the plot owners shall transfer any funds, or credit any prior payments for this purpose."

Motion: Motion by Buchanan, seconded by Suter,
To recommend the approval of the payment plan policy for cemetery plots to the City Commission at the June 25, 2018 Commission meeting.

VOTE: Yeas, 5
Nays, 0
Absent, 2 (Peterson, Stern)



MEMORANDUM

City Clerk's Office

DATE: May 1, 2018
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Proposed Payment Plan Policy for Cemetery Plots

At the Board's meeting on April 6, 2018 the City Attorney's concerns regarding the draft Payment Plan Policy were discussed, and the Board adopted several modifications.

Attached are both a red-lined and clean version of the changes as approved by the Board on April 6. Also attached is a excerpt of the minutes from that meeting chronicling the discussion.

If the Board is in agreement that the revised Payment Plan Policy revision accurately reflects the amendments made on April 6, 2018, a resolution to recommend to the City Commission adoption of the proposed Payment Plan Policy would be in order.

ATTACHMENTS:

Red-lined version of policy as revised on 4/6/2018

Clean version of policy as revised on 4/6/2018

Excerpt of draft minutes from 4/6/2018 GCAB meeting

Background material on Payment Plan Policy evolution submitted to GCAB at 4/6/2018 meeting

SUGGESTED RESOLUTION:

To recommend to the Birmingham City Commission the approval of an amendment to the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX. LOT SALES - PAYMENT PLAN POLICY as follows:

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid.

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. In the case that only a portion of the plots included in a purchase agreement are paid in full so that interment can take place, an end plot will be utilized first and others located adjacent subsequently as needed. Monthly payments may continue on the other plots. Money so allocated will not be shifted

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first.

And further to renumber the subsequent three paragraphs accordingly:

- X. LOT RESALE POLICY
- XI. SCHEDULE OF FEES AND CHARGES
- XII. REVISIONS

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid.

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. In the case that only a portion of the plots included in a purchase agreement are paid in full so that interment can take place, an end plot will be utilized first and others located adjacent subsequently as needed. Monthly payments may continue on the other plots. Money so allocated will not be shifted

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first.

EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, APRIL 6, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN

B. DISCUSSION OF CITY ATTORNEY'S RESPONSE TO PROPOSED PAYMENT PLAN POLICY FOR CEMETERY PLOTS

City Clerk Mynsberge reported:

- City Attorney Currier said more clarification is needed regarding payment for multiple plots.
- She would suggest getting rid of the second sentence in paragraph three.
- Paragraph four should be expanded to explain how plots should be paid for and used if the buyer is using fewer plots than the number purchased as part of the payment plan.

Ms. Suter suggested the fourth paragraph be changed to read:

"If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. In the case that only a portion of the plots included in a purchase agreement are paid in full so that interment can take place, an end plot will be utilized first and others located adjacent subsequently as needed. Monthly payments may continue on the other plots."

Ms. Schreiner suggested that "money so allocated will not be shifted" be added to the end of the paragraph.

Ms. Gehringer asked that:

- The word "contractor" be removed from the last paragraph.
- The City be paid its 75% of each payment up front, and proposed this language: "The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first."

The GCAB was in consensus with the above language.

City Clerk Mynsberge said she would run the proposed language by City Attorney Currier and have the changes for the GCAB at the May 2018 meeting.

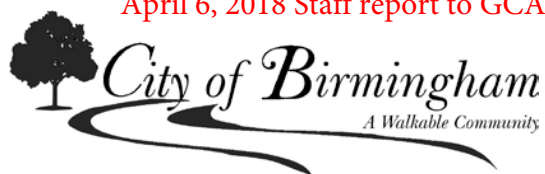
EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, MAY 4, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN

A. CONSIDERATION OF PROPOSED PAYMENT PLAN POLICY FOR CEMETERY PLOTS

Ms. Suter said that the end of paragraph four on the first page of the proposed Regulations and Procedures document should read "money so allocated will not be shifted to other plots."

The Board discussed this section further in an attempt to convey that money already paid could not be shifted from a plot. City Clerk Mysnberge said she would consult with City Attorney Currier for the appropriate language, and would return with the changes at the June GCAB meeting.

April 6, 2018 Staff report to GCAB



Agenda Item 5B

MEMORANDUM

City Clerk's Office

DATE: April 3, 2018
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Proposed Payment Plan Policy for Cemetery Plots

In August 2017 the Board began discussions about amending the Operational Procedures, Conditions and Regulations to include a payment plan policy for purchase of cemetery plots. On January 12, 2018 the Board voted "to forward to the City Attorney for review as to form and content and for comments on appropriate next steps the proposed Payment Plan Policy for Cemetery Plots as an addition to the Greenwood Cemetery Operational Procedures, Conditions and Regulations". City Attorney Currier reviewed the proposed policy and made the following comments in his letter to City Clerk Mynsberge dated March 1, 2018:

"The Payment Plan appears to be complete with one exception, that being the third paragraph which states, "A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid." That is clear. The second sentence states, "If plots are not paid in full but interment is needed, an end plot will be utilized first and others located adjacent subsequently as needed, unless all plots are paid in full at that time." There appears to be some explanation necessary. The second sentence appears to apply to someone who has purchased multiple plots, and they are applying the purchase price for all the plots to one that requires interment, but it is not clear. If the total amount being paid on multiple plots does not equal the amount necessary to pay for a single plot, is interment still going to be allowed? This needs further explanation and definement in the Payment Plan Policy. It appears to be inconsistent with the first sentence.

Further the Payment Plan Policy is a requirement of the City of Birmingham. The contractor in this regard, is required to follow all of the policies of the City of Birmingham that are established by the City Commission. Therefore, no reopening of the contract with the consultant is necessary in this regard."

A suggested clarification to address City Attorney Currier's comments is attached.

If the Board reaches a consensus on revisions to the proposed policy which provide the explanation and definement suggested by the City Attorney, a resolution to recommend to the City Commission adoption of the proposed Payment Plan Policy would be in order.

ATTACHMENTS:

City Attorney's letter dated March 1, 2018

Red-lined version of revisions made on January 12, 2018

Clean version of revisions made on January 12, 2018

Suggested clarification to address City Attorney's comments

Beier Howlett

ATTORNEYS AND COUNSELORS

TIMOTHY J. CURRIER
tcurrier@bhlaw.us.com
Telephone (248) 645-9400
Fax (248) 645-9344

March 1, 2018

Ms. Cherilynn Mynsberge, City Clerk
City of Birmingham
151 Martin Street, P.O. Box 3001
Birmingham, MI 48012-3001

**Re: Greenwood Cemetery Advisory Board
Lot Sales – Payment Plan Policy**

Dear Ms. Mynsberge:

I have been requested to review the proposed Lot Sales – Payment Plan Policy that is approved by the Greenwood Cemetery Advisory Board on January 12, 2018. I understand the Payment Plan Policy reads as follows:

“A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid. If plots are not paid in full but interment is needed, an end plot will be utilized first and others located adjacent subsequently as needed, unless all plots are paid in full at that time.

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. Monthly payments may continue on the other plots included in the purchase agreement for the term of the agreement.

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time the full purchase price has been received by Contractor or upon the expiration date of the purchase agreement, whichever occurs first.”

Beier Howlett

Ms. Cherilynn Mynsberge, City Clerk
March 1, 2018
Page 2

The Payment Plan appears to be complete with one exception, that being the third paragraph which states, "A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid." That is clear. The second sentence states, "If plots are not paid in full but interment is needed, an end plot will be utilized first and others located adjacent subsequently as needed, unless all plots are paid in full at that time." There appears to be some explanation necessary. The second sentence appears to apply to someone who has purchased multiple plots, and they are applying the purchase price for all the plots to one that requires internment, but it is not clear. If the total amount being paid on multiple plots does not equal the amount necessary to pay for a single plot, is internment still going to be allowed? This needs further explanation and definement in the Payment Plan Policy. It appears to be inconsistent with the first sentence.

Further, the Payment Plan Policy is a requirement of the City of Birmingham. The contractor in this regard, is required to follow all of the policies of the City of Birmingham that are established by the City Commission. Therefore, no reopening of the contract with the consultant is necessary in this regard.

If you have any further questions, please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.



Timothy J. Currier

TJC/jc

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid. If plots are not paid in full but interment is needed, an end plot will be utilized first and others located adjacent subsequently as needed, unless all plots are paid in full at that time.

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. Monthly payments may continue on the other plots included in the purchase agreement for the term of the agreement.

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time the full purchase price has been received by Contractor or upon the expiration date of the purchase agreement, whichever occurs first.

Suggested clarification to address City Attorney's comments

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid. ~~If plots are not paid in full but interment is needed, an end plot will be utilized first and others located adjacent subsequently as needed, unless all plots are paid in full at that time.~~

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. Monthly payments may continue on the other plots included in the purchase agreement for the term of the agreement. In the case that only a portion of the plots included in a purchase agreement are paid in full so that interment can take place, an end plot will be utilized first and others located adjacent subsequently as needed.

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time the full purchase price has been received by Contractor or upon the expiration date of the purchase agreement, whichever occurs first.

EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, APRIL 6, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN

B. DISCUSSION OF CITY ATTORNEY'S RESPONSE TO PROPOSED PAYMENT PLAN POLICY FOR CEMETERY PLOTS

City Clerk Mynsberge reported:

- City Attorney Currier said more clarification is needed regarding payment for multiple plots.
- She would suggest getting rid of the second sentence in paragraph three.
- Paragraph four should be expanded to explain how plots should be paid for and used if the buyer is using fewer plots than the number purchased as part of the payment plan.

Ms. Suter suggested the fourth paragraph be changed to read:

"If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. In the case that only a portion of the plots included in a purchase agreement are paid in full so that interment can take place, an end plot will be utilized first and others located adjacent subsequently as needed. Monthly payments may continue on the other plots."

Ms. Schreiner suggested that "money so allocated will not be shifted" be added to the end of the paragraph.

Ms. Gehringer asked that:

- The word "contractor" be removed from the last paragraph.
- The City be paid its 75% of each payment up front, and proposed this language: "The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first."

The GCAB was in consensus with the above language.

City Clerk Mynsberge said she would run the proposed language by City Attorney Currier and have the changes for the GCAB at the May 2018 meeting.

January 12, 2018 Staff report to GCAB

Agenda Item 5B



MEMORANDUM

City Clerk's Office

DATE: January 2, 2018

TO: Greenwood Cemetery Advisory Board

FROM: J. Cherilynn Mynsberge, City Clerk

SUBJECT: Revised Payment Plan Policy for Cemetery Plots

The Board, at its October 6, 2017 meeting, discussed the need for a written policy defining the parameters of a payment plan for cemetery plots.

A draft of that policy was presented to the Board at their December 11, 2017 meeting.

The Board reviewed and evaluated the draft policy, and requested revisions. The revised version is attached.

If the document meets the Board's approval, the proposed policy should be forwarded to the City Attorney for review as to form and content and for his comments as to the appropriate next steps.

If the Board agrees, I would recommend the following motion:

Moved by , seconded by , to forward to the City Attorney, for review as to form and content and for comments on appropriate next steps, and to the Contractor for comment, the proposed Payment Plan Policy for Cemetery Plots as an addition to the *Greenwood Cemetery Operational Procedures, Conditions and Regulations*.

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid. If plots are not paid in full but interment is needed, the farthest plot on the end will be utilized first and others located adjacent subsequently as needed, unless all plots are paid in full at that time.

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. Monthly payments may continue on the other plots included in the purchase agreement for the term of the agreement.

For purchase agreements initiated in 2018 and subsequently, failure to pay entire contract in full on or before the final payment due date will result in forfeiture of the property and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time the full purchase price has been received by Contractor or upon the expiration date of the purchase agreement, whichever occurs first.

Plot sales completed by Contractor and revenues receipted to the Greenwood Cemetery Perpetual Care Fund are subject to inclusion in the City of Birmingham's annual audit.

☐ **ELMWOOD WEST CEMETERY**
SUPERIOR TOWNSHIP, MI

☐ **GREENWOOD CEMETERY**
BIRMINGHAM, MI

☐ **GLENWOOD CEMETERY**
FLINT, MI

No. 20787

PURCHASE AGREEMENT

This agreement made this _____ day of _____, _____ by and between THE CEMETERY of Michigan, as Seller ("Cemetery") and

Name: _____ Telephone: (_____) _____

Address: _____
Street City State Zip Code

Name(s) on Certificate: _____

1. Purchases: The Purchaser agrees to Purchase and the Cemetery agrees to sell, subject to all the terms and conditions set forth in this Agreement and to the Rules and Regulations of the Cemetery, now or hereafter in effect (with the Purchaser acknowledging receipt of the Rules and Regulations of the Cemetery as in effect as of the date hereof), the following, (collectively, the "Rights").

A. Burial Space(s): Lot _____ Section _____ Grave #'s _____ Qty of Spaces _____ @ _____ \$ _____

B. Crypt Space(s): Bank _____ Crypt # _____ Tier _____ Qty of Spaces _____ @ _____ \$ _____

C. Niche Space(s): Bank _____ Niche # _____ Tier _____

D. Interment/Entombment/Inurnment Fee(s):

Pre-need _____ @ \$ _____ At-Need _____ @ \$ _____ \$ _____

Payment for _____ Payment for _____

Location _____ Location _____

Payment for _____

Location _____

E. Memorial for _____ Location _____ \$ _____

F. Miscellaneous Merchandise/Fee(s): _____ \$ _____

Sales Tax \$ _____

Total Purchase Price \$ _____

Pre-Need Discount \$ _____

Subtotal \$ _____

Administrative Service Fee \$ _____

Down Payment \$ _____

Balance Due \$ _____

Your credit is payable as follows: No. of Payments _____ Amount of Payment \$ _____ Due Date _____

If a payment is late, you will be charged a delinquency fee of the lesser of 5% or \$5.00 on any unpaid balance.

2. Continuing Care Fund: In accordance with applicable Michigan law and the Rules and Regulations of the Cemetery, the Purchase Price includes a contribution to the Continuing Care Fund of the Cemetery in an amount at least equal to fifteen percent (15%) of the purchase price of the Rights set forth above, which shall be used for purposes of maintaining the grounds of the Cemetery.

3. Rights Not Included: The Purchase Price does NOT include any charges for or rights with respect to: inscriptions, labor for opening, closing and/ or sealing of a crypt or niche, installation of memorials or any other services, products or document customarily required or provided in connection with an entombment, inurnment or interment, including, without limitation, any charges customarily billed by a funeral director.

4. Validity and Effective Date: This Agreement shall not be valid unless and until it is executed and delivered by both the Purchaser and the Cemetery. This agreement shall be effective as of the later to occur of the date the Purchaser and the Cemetery execute this Agreement.

IN WITNESS WHEREOF, the Purchaser and the Cemetery have executed this Agreement to be effective as of the later to occur of the date the Purchaser and the Cemetery execute this Agreement; the Purchaser acknowledges receipt of an executed copy of this Agreement.

CEMETERY REPRESENTATIVE

PURCHASER

By: _____

Title: _____

Date: _____

Date: _____

WHITE: Cemetery

CANARY: Purchaser

EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, JANUARY 12, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN

II. ROLL CALL

Present: Linda Peterson
Margaret Suter
Darlene Gehringer
Laura Schreiner
George Stern

Absent: Kevin Desmond
Linda Buchanan

Administration: City Clerk Mynsberge, Deputy Clerk Arft

B. FINALIZATION OF RECOMMENDED PAYMENT PLAN POLICY FOR CEMETERY PLOTS

The Board discussed how to indicate that 75% of each payment installment should be immediately remitted to the Greenwood Cemetery Perpetual Care Fund.

Per discussion, a new paragraph was inserted after paragraph two to read: "The Greenwood Cemetery Perpetual Care Fund shall receive 75% of each payment at the time payment is made."

Ms. Schreiner clarified for Mr. Stern that:

- Per paragraph five, "failure to pay entire contract in full on or before the final payment due date will result in forfeiture of property and all monies paid to date" refers to any plots on a payment plan.
- This would not apply to occupied plots within said lot, however, since full payment is required for occupation before burial.

Mr. Stern pointed out that "entire contract" in paragraph five could refer to both paid and unpaid plots within a lot. He was concerned that this language indicates that both paid and unpaid plots are forfeited in the case of non-payment, with the paid occupant potentially being disinterred.

Ms. Schreiner agreed with Mr. Stern and suggested that the language be changed to reflect that a fully paid and occupied plot within an unpaid lot would not be forfeited.

Chairperson Gehringer suggested paragraph five be changed to "For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date."

Ms. Schreiner shared concern that:

- Paragraphs four and five are redundant.
- Paragraph three refers to a "farthest plot", which may lead to confusion in the future regarding how "farthest" is determined.

Mr. Stern suggested that the language in paragraph three be changed to "an end plot" and "interior", rather than "adjacent".

Chairperson Gehringer said:

- The language in paragraph three should remain "adjacent", and not "interior", because plots within a lot should be filled in succession and not with gaps between the plots.
- "An end plot" would be appropriate language for paragraph three.
- Paragraph three should be amended to "...are not paid in full but internment is needed, an end plot will be utilized first..." with the rest of the paragraph remaining the same.

Mr. Stern asked:

- How plots on a payment plan would be presented in the Audit.
- If the Contractor's receivables are on the City's books.

Chairperson Gehringer told Mr. Stern that the Contractor's receivables are not on the City's books.

City Clerk Mysnerberge clarified for Mr. Stern that the Board has the power to decide what information goes into the Annual Report, not the audit, as the audit has predefined parameters.

Ms. Schreiner suggested that a column with the title 'Under Contract' should be added to the Annual Report.

Chairperson Gehringer:

- Agreed with Ms. Schreiner; and,
- Suggested removing the last paragraph from the policy.

The Board concurred about removing the last paragraph.

MOTION: Motion by Schreiner, seconded by Peterson, to forward to the City Attorney for review as to form and content and for comments on appropriate next steps, and to the Contractor for comment, the proposed Payment Plan Policy for Cemetery Plots as an addition to the Greenwood Cemetery Operational Procedures, Conditions and Regulations.

Chairperson Gehringer asked to strike "and to the Contractor for comment".

MOTION: Motion by Schreiner, seconded by Peterson, to forward to the City Attorney for review as to form and content and for comments on appropriate next steps the proposed Payment Plan Policy for Cemetery Plots as an addition to the Greenwood Cemetery Operational Procedures, Conditions and Regulations.

City Clerk Mynsberge confirmed for Mr. Stern that the contractor received the above information with an invitation to attend this evening's Board meeting. The contractor did not attend, and no reply was received.

VOTE: Yeas, 5
 Nays, 0
 Absent, 2 (Desmond, Buchanan)



MEMORANDUM

City Clerk's Office

DATE: December 6, 2017

TO: Greenwood Cemetery Advisory Board

FROM: J. Cherilynn Mynsberge, City Clerk

SUBJECT: Payment Plan Policy for Cemetery Plots

The Board, at its October 6, 2017 meeting, discussed the need for a written policy defining the parameters of a payment plan for cemetery plots.

Attached is a draft policy statement on purchase agreements.

Once the Board reviews, evaluates and makes any desired revisions, the proposed policy should be forwarded to the City Commission with the Board's recommendation for adoption.

The policy would appropriately become part of the *Greenwood Cemetery Operational Procedures, Conditions and Regulations* document if adopted by the Commission.

If the Board is ready to approve the policy and forward it to the City Commission I would recommend the following motion:

Moved by , seconded by , to recommend to the City Commission approval of the revision to the *Greenwood Cemetery Operational Procedures, Conditions and Regulations* document to add the Payment Plan Policy for Cemetery Plots as paragraph IX with the renumbering of subsequent sections of the document.

IX. LOT SALES - PAYMENT PLAN POLICY

Cemetery plots are purchased through the City of Birmingham's professional cemetery management contractor, Elmwood Historic Cemetery (hereinafter called "Contractor"), having its principal office at 1200 Elmwood Road, Detroit MI 48207.

A payment agreement may be entered into between purchaser and Contractor to allow for the purchase price to be paid over a period of time.

Payment agreements require a 10% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid.

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. Monthly payments may continue on the other plots included in the purchase agreement for the term of the agreement.

For purchase agreements initiated in 2015 and subsequently, a 50% refund of the amount paid for any of the plots included in the purchase agreement will be granted as long as the plot is unoccupied.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time the full purchase price has been received by Contractor or upon the expiration date of the purchase agreement, whichever occurs first.

Plot sales completed by Contractor and revenues receipted to the Greenwood Cemetery Perpetual Care Fund are subject to inclusion in the City of Birmingham's annual audit.

EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, DECEMBER 8, 2017 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN

I. CALL TO ORDER

Chairperson Darlene Gehringer 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

Administration: City Clerk Mynsberge, Deputy Clerk Arft

A. DISCUSSION OF CONTRACT REVISIONS REGARDING PAYMENT PLANS FOR LOT PURCHASES

Clerk Mynsberge suggested setting the policy first in order to establish the parameters for the payment plan and then ask the City Attorney to review the policy and advise the Board of the next steps in amending the contract. She noted that the City Manager has authorized the Board to request assistance from the City Attorney.

Ms. Gehringer suggested that the terms may not be agreeable to the parties, and would require a revision to the payment plan policy. She believes that before we submit to the City Commission, all parties should be in agreement with it.

Clerk Mynsberge suggested that the Board draft the payment plan policy as the Board would like to see it, with the understanding the Board would like to change the contract, submit the draft to the City Attorney and let him advise the Board how to go forward.

Chairperson Gehringer suggested several changes to the page titled Lot Sales-Payment Plan Policy.

Ms. Peterson asked what happens if the purchaser on a payment plan decides to walk away from the purchase. Ms. Gehringer said the purchaser would lose the money paid, since the contractor has done the paperwork and the plot has been off the market for a period of time.

Ms. Peterson asked when purchasers typically purchase plots. Clerk Mynsberge said we do not have that information, but added there are currently 12 payment plan agreements. Ms. Gehringer asked how many plots are involved in the 12 payment plans.

The Board was in agreement with a 24 month term for payments.

Ms. Peterson confirmed that graves would be used from the edges when more than 1 plot is purchased. Clerk Mynsberge suggested that should be included in policy as well, and added that the purchase plan agreement would be drawn from the policy.

Ms. Gehringer suggested removing the paragraph "For purchase agreements initiated in 2015 and subsequently, a 50% refund of the amount paid for any of the plots included in the purchase agreement will be granted as long as the plot is unoccupied."

Clerk Mynsberge noted that the paragraph cannot be removed, as it is part of the Rules and Regulations Lot Resale Policy (Section IX). Ms. Gehringer then suggested we say any purchase agreements after 2018.

Ms. Buchanan noted that we need additional language about selling the plot. Ms. Gehringer noted that the 50% refund applies to sold plots only and is discussed in a different area of the Rules and Regulations.

Ms. Gehringer stated she thinks the paragraph should not be included in the payment plan policy. She suggested For purchase agreements initiated in 2018 and subsequently, no refund of any amount paid will be granted. She explained that a purchaser would not own the plot, so they would get no money back.

Clerk Mynsberge explained that the Board needs to draft a payment plan default section for the policy.

Ms. Gehringer suggested removing the current paragraph which begins "For purchase agreements initiated in 2015...". The following paragraph would be added: For purchase agreements initiated in 2018 and subsequently, failure to pay entire contract in full on or before the final payment due date will result in forfeiture of property and all monies to date.

Ms. Gehringer asked that the Contractor attend the next meeting so the Board can have their input. She requested that we receive a copy of the Contractor's purchase plan agreement.

Ms. Gehringer suggested adding a statement to the 4th paragraph "A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid. If plots are not paid in full, but interment is needed, the farthest plot on the end will be utilized first and others located adjacent subsequently as needed unless all plots are paid in full at that time.

The Board concurred with the changes thus far.

Clerk Mynsberge read the policy with the changes.

Mr. Stern asked Ms. Gehringer about her comment at the last meeting that adding to the existing Rules and Regulations would violate the existing contract. Ms. Gehringer said this is a draft of the policy, and as stated earlier, would have the City Attorney and the Contractor review the policy and ask for input. It will be brought back to the Board, and if approved by

the Board, it will be submitted to the City Commission as an amendment to the contract and then become an amendment to the Greenwood Cemetery policy.

Clerk Mynsberge clarified that this is a draft at this point. After review by Contractor and City Attorney, the Board may make a recommendation to the Commission to amend the contract to include the payment plan policy. Until the Commission approves it, nothing has changed.

Mr. Stern said the word violates is a very strong word. He said there is a process to amend the contract. Ms. Gehringer said the Commission discussed this back in March and the Commission agreed that it was a violation of the contract and asked the Board to suggest a payment plan policy so the contract could be amended, and then we could amend our cemetery operational plan. We are just following the Commission's direction.

Mr. Stern does not think we should have an amendment to a regulation that specifies a specific contractor. The Rules and Regulations are generic and he objects to the specific wording of the first paragraph. He also does not feel the Rules and Regulations require the City to buy back a plot. It specifies that if an owner wishes to sell a plot, it must be sold to the City. The wording indicates to him that the City would automatically buy back the plot. A concern he has is that someone could buy 8 plots and bury people in alternate spaces and then want to sell back alternate spaces. He thinks the City must retain the right to enforce the contract.

Ms. Gehringer noted that the issue of plot distribution is included in the revisions discussed today, and will be included in the next draft.

Clerk Mynsberge referred Mr. Stern to Section III. Plot Distribution which is on the proposed Purchase Agreement. She clarified that if a purchaser wants to bury loved ones in a specific order, they are obligated to pay for enough plots to do so before the first burial.

Ms. Gehringer agreed with Mr. Stern about removing the reference to Elmwood in the payment plan policy in the first paragraph. Mr. Stern confirmed that currently the payment agreement is between the purchaser and the City and executed by the Contractor. Mr. Stern suggested removing the entire first paragraph.

Clerk Mynsberge suggested the following language for the first paragraph: A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Mr. Stern suggested not making the payment schedule definite. Clerk Mynsberge responded that monthly payments allow the Contractor to contact the purchaser quickly before payments get behind too far. She added the Contractor currently follows a monthly payment schedule, and Ms. Gehringer noted that the Board had discussed and agreed on the monthly terms previously.

MOTION: Motion by Buchanan, seconded by Suter:
To approve the revised draft of the Lot Sales-Payment Plan Policy, as amended.

VOTE: Yeas, 5
Nays, 0
Absent, 2 (Desmond, Schreiner)

Clerk Mynsberge clarified that she will invite the Contractor's representative to attend the January meeting, discuss the revised draft with the Contractor at that time, and possibly make further changes. Ms. Gehringer requested a copy of the Contractor's purchase agreement in the Board's packet to review prior to the meeting.



MEMORANDUM

City Clerk's Office

DATE: October 4, 2017

TO: Greenwood Cemetery Advisory Board

FROM: J. Cherilynn Mynsberge, City Clerk

SUBJECT: Payment Plan Policy for Cemetery Plots

The Board, at its October 6, 2017 meeting, discussed the need for a written policy defining the parameters of a payment plan for cemetery plots.

Attached is a draft policy statement on purchase agreements.

Once the Board reviews, evaluates and makes any desired revisions, the proposed policy should be forwarded to the City Commission with the Board's recommendation for adoption.

The policy would appropriately become part of the *Greenwood Cemetery Operational Procedures, Conditions and Regulations* document once adopted by the Commission.

If the Board is ready to approve the policy and forward it to the City Commission I would recommend the following motion:

Moved by , seconded by , to recommend to the City Commission approval of the revision to the *Greenwood Cemetery Operational Procedures, Conditions and Regulations* document to add the Payment Plan Policy for Cemetery Plots as paragraph IX with the renumbering of subsequent sections of the document.

IX. LOT SALES - PAYMENT PLAN POLICY

Cemetery plots are purchased through the City of Birmingham's professional cemetery management contractor, Elmwood Historic Cemetery (hereinafter called "Contractor"), having its principal office at 1200 Elmwood Road, Detroit MI 48207.

A payment agreement may be entered into between purchaser and Contractor to allow for the purchase price to be paid over a period of time.

Payment agreements require a 10% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid.

If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. Monthly payments may continue on the other plots included in the purchase agreement for the term of the agreement.

For purchase agreements initiated in 2015 and subsequently, a 50% refund of the amount paid for any of the plots included in the purchase agreement will be granted as long as the plot is unoccupied.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time the full purchase price has been received by Contractor or upon the expiration date of the purchase agreement, whichever occurs first.

Plot sales completed by Contractor and revenues receipted to the Greenwood Cemetery Perpetual Care Fund are subject to inclusion in the City of Birmingham's annual audit.

EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, NOVEMBER 17, 2017 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN

I. CALL TO ORDER

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

II. ROLL CALL

Present: Linda Peterson
Kevin Desmond
Margaret Suter
Darlene Gehringer
Linda Buchanan

Absent: Laura Schreiner
George Stern

Administration: Deputy Clerk Arft

A. PAYMENT PLAN POLICY FOR CEMETERY PLOTS

Chairperson Gehringer said:

- The City Commission wanted the Board to make recommendations to change the contract, but that adding to Birmingham's cemetery rules and regulations would violate the existing contract.
- The Board should recommend that the Commission amend the existing contract to include a payment plan policy and should present the Commission with the Board's suggestion for the policy in the contract.
- City Attorney Currier would have to review the suggested changes first.

Chairperson Gehringer drafted a proposed purchase agreement and provided each member with a copy. She briefly described the proposed agreement and terms. She stated that the contractor would also have the opportunity to review the proposed agreement and terms.

The Board agreed that each parcel for purchase should be referred to as a 'plot', and that a 'lot' would refer to multiple plots together.

Chairperson Gehringer continued that she would like the Board to work on its recommendations for changing the contract so that the City can put the policy in its rules and regulations once it is ~~been~~ approved*.

Ms. Buchanan stated her approval of Chairperson Gehringer's draft.

Chairperson Gehringer asked the Board members to put their thoughts together for the December meeting about the Board's suggestions to the Commission regarding contract revisions.

*As amended on December 8, 2017.



MEMORANDUM

City Clerk's Office

DATE: October 4, 2017

TO: Greenwood Cemetery Advisory Board

FROM: J. Cherilynn Mynsberge, City Clerk

SUBJECT: Payment Plan Policy for Cemetery Plots

At the Board's meeting on August 4, 2017 the subject of current practice for selling cemetery plots under payment plans was discussed. As requested, I contacted the Greenwood Cemetery's management contractor and have the following information to report:

- Elmwood Historic Cemetery (hereinafter called "Contractor") does not have a written policy on payment plans to share with the Board.
- Contractor collects all payments for lots over the period of the purchase agreement, and submits the City's portion when the plot(s) are fully paid. During the period of the purchase plan the Contractor incurs expenses for invoicing, collections, accounting and other normal business expenses.
- If a person paying for a plot on a payment plan passes away before the lot is fully paid, the Contractor collects the full amount owing from the deceased's family or the deceased's estate before burial.
- All lots being purchased on a payment plan by the same person are included in one purchase agreement. The amount owing on the first plot to be used must be paid before burial in that plot. Monthly payments then continue in accordance with the purchase agreement.
- Where in a block of lots a burial would be placed depends, because traditionally, for a husband and wife, the man is buried on the left.

The Contractor noted that there are very few, if any, places in the cemetery where multiple plots exist side-by-side.

The Board raised additional questions on August 4, 2017 with the intention of developing a written policy on payment plans. Those questions included whether or not interest should be charged, what the minimum down payment should be, what the maximum length of the payment period should be, and whether or not plots on payment plans refundable. The Board also wondered if earnest money should be charged to hold a plot.

EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, OCTOBER 6, 2017 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN

I. CALL TO ORDER

Linda Buchanan, Vice Chairperson called the meeting to order at 8:30 AM.

II. ROLL CALL

PRESENT: Linda Buchanan, Vice Chairperson
Linda Peterson
Laura Schreiner
George Stern
Margaret Suter

ABSENT: Kevin Desmond
Darlene Gehringer, Chairperson

Administration: City Clerk Mynsberge, Transcriptionist Eichenhorn

C. PAYMENT PLAN POLICY FOR CEMETERY PLOTS

Clerk Mynsberge presented the information provided to her by Elmwood, regarding payment plans for cemetery plots, noting:

- There is no written policy for payment plans.
- All payments are collected over the period of the purchase agreement, and the City does not receive its portion until the plot is completely paid. During the payment period Elmwood assumes the costs for invoicing, collections, and other relevant duties.
- She has seen purchase agreements for 36 months, but was advised by Elmwood that they provide two-year, no interest financing, with ten percent down.
- If an individual on a payment plan passes away, said individual will not be interred until the plot has been fully paid.
- If multiple plots are purchased in a group, full payment must be received for the first plot at the time the first plot is needed, and monthly payments may continue on the other plots within the group.
- There are very few places where two plots are available together, let alone multiple plots available together.
- 50% refunds on the grave price are available for plots purchased in 2015 or subsequently, as long as the plot is unoccupied.

Ms. Suter expressed discomfort that there is no written policy, and Ms. Buchanan agreed. Clerk Mynsberge clarified that Elmwood enters into a legal agreement with each purchaser of a cemetery plot.

Ms. Schreiner stated that:

- The Greenwood Cemetery Advisory Board desires to see the outer parameters written down, and;
- That the individual contracts would set forth price, term, time and parties, but it would be beneficial to have the outside possible terms of those contracts defined.

Ms. Schreiner ~~than~~ then inquired as to how payment is allocated if plots are purchased in a group, paid for over some period of time, and then one plot needs to be paid in full. In that case, are the previous payments all re-allocated to paying off the balance of the first plot? Or does each plot maintain its partial balance, with the difference for the first plot requiring immediate payment?

Ms. Buchanan cited Ms. Schreiner's question as evidence that the Advisory Board requires a set of guidelines.

Mr. Stern agreed as well, and stated that the cemetery, acting as advisors for the City, needs to have rules and regulations set forth by the City.

Clerk Mynsberge affirmed for Mr. Stern that it would be appropriate to ask staff for input regarding policy on how City money should be handled in these cases.

Ms. Schreiner asked if the payments become City money when the contract is initiated, or when the money is transferred to the City. Ms. Schreiner continued that it would be wise for the Advisory Board to discuss this matter.

Clerk Mynsberge told Mr. Stern she would find out whether there is an audit procedure for City contractors, and told Ms. Suter that third quarter sales numbers were not yet available.

Mr. Stern asked when City revenue technically becomes City revenue, if a contractor has possession of the revenue first for a period of time. Ms. Schreiner stated that these sorts of transactions likely occur frequently within the City.

Clerk Mynsberge offered to seek input from the appropriate staff regarding the questions raised in this meeting, to present her findings in November, and to prepare a rough draft of the guidelines the Advisory Board is seeking.

EXCERPT
GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, AUGUST 4, 2017 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: Margaret Suter
Darlene Gehringer
Linda Buchanan
Laura Schreiner
George Stern

ABSENT: Linda Peterson
Kevin Desmond

Administration: Clerk Brown, Deputy Clerk Arft

B. RECOMMENDATION FOR AMENDMENT TO THE CEMETERY CONTRACT WITH ELMWOOD REGARDING PAYMENT PLANS

Ms. Gehringer reviewed other cemeteries' policies and reported that some charge interest, while others do not. She noted that the majority of the commissioners did not want to charge interest. Some cities do set a time limit on the payment plan. She said she is unsure if our contractor sets a time limit. She suggested the Board put in writing that we are going to adopt a payment plan and the rules and regulations regarding payment plans. She suggested a down payment at the time of entering into the payment plan, as well as not charging interest.

Ms. Schreiner said that when she went through the purchase process, she was told by the contractor that there was an option for payments. She recalled that there was an immediate payment requirement with a time limit. She agreed that this needs to be formalized.

Ms. Gehringer asked that the Clerk discuss what the contractor's current practice is for Greenwood purchases.

Ms. Suter expressed concern about being paid from an estate.

Ms. Gehringer questioned whether reimbursements are made if a purchaser decides to not complete the payment plan or decides that the plot is no longer wanted. She noted that when plots are held, other cemeteries require a non-refundable fee to hold the plots.

Ms. Schreiner said we need to determine how the contractor handles these situations and then discuss if it is what the Board is comfortable with, as well as investigate what other cemeteries practices are.

Ms. Gehringer noted that other cemeteries require a non-refundable "holding fee" to hold a plot or plots.

Mr. Stern asked for clarification of where the payments go during the time a plot is being paid off.

Mr. Stern suggested that the contractor be wary of people who buy multiple plots, and how the deceased are being buried in the plots so as not to ruin the resale value of the total parcel.

Clerk Brown will report to the Board at the October meeting.

**HISTORIC GREENWOOD CEMETERY 2018
FIRST QUARTER REPORT**

MONTHLY BURIAL SERVICES

MONTH	CREMATION BURIAL	FULL CASKETED BURIAL	DISINTERMENT
JANUARY	0	1	0
FEBRUARY	1	0	0
MARCH	0	1	0

CEMETERY MAINTENANCE

Snow removal completed as needed. Difficulty with roads on eastside of cemetery. The roads are in poor repair.

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.

GRAVE SALES

9 plot sales in the first quarter.

JANUARY – MARCH (FIRST QUARTER)

2018	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	2		1(3 graves)	5	\$11,250.00	\$3,750.00
Non-Resident			1(4 graves)	4	\$9,000.00	\$3,000.00
TOTAL				9	\$20,250.00	\$6,750.00

2018 CUMULATIVE SALES TOTALS

Graves Sold	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	TOTAL SOLD	75% of sale paid to the City	25% of sale paid to the Contractor
Resident	5					\$11,250.00	\$3,750.00
Non-Resident	4					\$9,000.00	\$3,000.00
TOTAL						\$20,250.00	\$6,750.00

NEWLY IDENTIFIED GRAVE SPACES****TOTAL NUMBER OF GRAVES SOLD PER SECTION**

Section	2015 Total	2016 Total	2017 Total	First Quarter 2018	Second Quarter 2018	Third Quarter 2018	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
B	33	60	36	1			130*	278
C	11	24	5	7			47*	25
D	6	0	0	0			6	6
K	14	5	0	0			19	0
L	8	4	0	0			12	4
O	6	0	0	0			6	4
TOTAL	78	93	41	8			220	317

*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. **Total to date: 177**

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

AREAS ALONG THE ROAD (SECTIONS E & G)**TOTAL NUMBER OF GRAVES SOLD PER SECTION**

Section	2015 Total	2016 Total	2017 Total	First Quarter 2018	Second Quarter 2018	Third Quarter 2018	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
E	11	0	0	0			11	0
G	14	1	3	1			19	0
TOTAL	25	1	3	1			30	0

REMAINING SECTIONS WITH AVAILABLE LOTS**TOTAL NUMBER OF GRAVES SOLD PER SECTION**

Section	2015 Total	2016 Total	2017 Total	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
F North			3	3	0
TOTAL			3	3	0

PLOTS UNDER CONTRACT (PAYMENT PLAN) IN SECTIONS B & C

Section	Lot	Grave Nos.	Date of Agreement	Term of Agreement	NUMBER OF PLOTS
B	4-A	19, 20			2
B	5-C	19, 20			2
B	10-A	3, 4	11/16/2015	36 months	2
B	12-A	9, 10			2
B	12-A	11, 12			2
C	17-C	23, 24			2
C	18-A	9, 10			2
C	19-A	5, 6			2
TOTAL:					16

This concluded the 16th quarter (49 months) as the operator of Historic Greenwood Cemetery.

GREENWOOD CEMETERY SUPPLY

In my opinion, a major reason that the City was not successful in securing replies to its original Request for Proposals for supplying a Master Plan for the Cemetery and in receiving bids for its revised RFP above the desired amount, is that we, as a Board did not narrowly define where we needed professional help. In my opinion, the RFP needs an introduction explaining the background for the request and the desired outcome.

I believe such an introduction would begin with a status report of plots and burials at Greenwood Cemetery. I am attaching to these comments my effort to do so. In the past few months, I have read every record of sales and burials recorded in the Office of the City Clerk, a little over 5,000 records. I have also read every deed for plots sold since 2015. I reported to you in our meeting on April 6th, my disappointment at the records given to us by the contractor including sales of plots where the records show someone is buried, deeds with missing dates of execution, some confusion on numbering of sections and lots and the possibility of the sale of a plot that does not exist. At this time, I would like to report to you what I found out. While I was fairly careful in recording my findings, I did not check my work so it could be slightly wrong.

I divided my findings into two categories: the traditional Greenwood Cemetery and the two walking paths in Sections B and C which the City has now authorized for sale.

In general, when Greenwood Cemetery was platted, it was subdivided into lots each containing several burial sites. Without a total map of the Cemetery showing every burial site, I was not able to determine if there were some sections where there might be additional burial sites not recorded. This is particularly true in section A where it appears section numbers were designated equal to the number of sites purchased. So, for example, A48 contains 7 burial sites, A49 contains 3, A50 contains 4, A51 contains two and A52 contains 6. The Greenwood Cemetery Advisory Board recommended that the City secure bids for a complete map and GPR mapping of burials both for planning purposes and to assist relatives and friends in locating graves. I feel our Board should do so again.

In general, Sections B and C, contain 10 burial sites per lot (usually numbered 1 to 10) and some of the later sections are subdivided into a fixed number of burial sites such as 8. In general, the lots would be designated with a separate letter if a person bought less than the entire subsection. For example, B14 contains 10 burial sites but B15a contains 6 sites and B15b contains 4.

I recorded 929 distinct numbered and lettered lots in the traditional cemetery which, I feel, roughly corresponds to the number of separate sales that were made by the City. Over the years, a few dozen gravesites have been resold privately so the total persons with burial rights at Greenwood Cemetery exceeds this number to some degree.

The new burial sales in Section B and C are not being recorded in this manner.

I recorded 4,707 burial sites in the traditional cemetery. The City has authorized sales of an additional 408 plots in Sections B and C for a total full body capacity of 5,187 burial sites. One complication is that the Booth family purchased a site specified in the record of having a capacity of 90 burials but the portion platted so far only shows 38. In my opinion, it might be worthwhile for a conversation with the Booth family as part of the site survey as to whether the additional property is capable of further development and whether the family wishes to retain all the property.

There are two sections not on my cemetery map (as well as many lots). A "Potter Field", with 61 burial sites and 56 burials, is recorded as part of Section C. I would hope that it is clearly marked on the ground so these sites are not resold. Also, the records show a "Single Burial" section I, with 39 burial sites and 36 burials, which is not on my map.

I recorded 3,434 burials in the traditional cemetery or approximately 73% of the sites available. I checked the site plan of each of these sites and found 143 with either trees or monuments but that would still leave 1,287 burial sites for potential burials. This number will be important to the Board as we try to forecast future revenue. Of course, these are full body burials, and there is a high potential of cremation burials in occupied plots.

I found 126 burial sites where no owner is recorded or the City is specifically shown as the owner. Nineteen of these plots are in the Potter Field so they are, probably, not to be sold but to be retained for use by the Police Department. The City has potential revenue from the sale of the remaining plots (less any commission that the City Manager chooses to pay to the Contractor). The largest number of these plots, 39 are in Section H, which the Consultant, now Contractor, reported has no plots available for sale and, as such, are not reported in the Contractor's quarterly and annual reports. (Section F North has just been added to the Contractor's reports; Section F is still omitted).

I found 655 burial sites in the traditional cemetery where some action has taken place in the family's lot in the last 50 years. Such contact can range from a purchase of a grave site, a burial, placement of a monument or an update of the owner's address.

That would leave just under 500 burial sites, that I found, unused and appropriate for full body burial and where the family has not made contact with the City for more than 50 years. For example, in Lot A31, there was one burial in 1912 but no burials are shown in the other four gravesites. In Lot A36, there was one burial in 1838 but no burials are recorded in the other five burial gravesites. There are no burials recorded among the five plots in section A37. Of the total of 496 gravesites that I recorded meeting my criteria, 148 are just single gravesites amongst family burials.

If I omit the single gravesites, there are approximately 348 gravesites in groups of two or more, that I feel are eligible for reclaim by the City to accommodate current demand for burial at Greenwood Cemetery.

So far, I have limited my discussion to the portion of Greenwood Cemetery available for the erection of upright memorials. In addition to these plots, the Commission has authorized the sale of 480 plots in section B and C restricted to the placement of flush markers only. There are still 311 of these plots available for sale.

In this memorandum to the Greenwood Cemetery Board, I have sought to provide an overview of the supply of full body gravesites available at the Cemetery. Of course, these could be used alternatively for cremation urns. Also, occupied gravesites could be used by current owners for interment of cremation urns.

In my opinion, the next task is to assess and forecast the total demand at Greenwood Cemetery for full body and cremation burial space and further subdivided by upright or flush mounted memorials.

Respectfully submitted,

George Stern

GREENWOOD CEMETERY

SUPPLY

[illegible]

RECENT SALES EXPERIENCE

As I started to estimate demand for cemetery space at Greenwood Cemetery, I wondered what the recent experience has been since the City started a concerted effort to sell plots approximately three years ago. I looked at whether it was City residents or non-City residents who had bought graves. I wondered how many they purchased at one time. And I wondered if they purchased in monument or flush marker sections.

I reviewed the record of sales supplied to the GCAB by the Contractor.

I knew that Dr. Warr had petitioned the City to buy 25 graves at one time with the proviso that he use just one of the spaces for a family marker. It struck me that there should be a policy, in as much as there are so few spaces remaining unsold at the cemetery, how many spaces one person or family might purchase at one time. In general, a little over one-fifth of graves are sold singly and just about one-third of plots are sold as a purchase of four. In fact, in every year where purchases are made of more than three plots, the average purchase is four.

Dr. Warr is a resident of Southfield. During the first two years of recent sales, as the reservation list was contacted individually, about half the purchasers were residents. Last year, about one-third were Birmingham residents.

The City Commission was petitioned by one other person recently. Mr. Robertson was upset that he had purchased burial sites in a section that did not permit upright monuments. Upon review, the Commission removed the flush marker restriction from the entire New F section. However, there are almost no sites remaining to be sold where monuments are permitted. The Contractor lists 14 sites in three separate sections.

gls 5.4.18

GREENWOOD CEMETERY											
SALES											
RESIDENTIAL STATUS	2015	2016	2017	TOTAL							
	Resident	43	56	16	115						
	Non Resident	60	38	31	129						
	TOTAL	103	94	47	244						
PURCHASE SIZE OF SALE	2015	2016		2017		TOTAL					
	SALES	PLOTS	SALES	PLOTS	SALES	PLOTS	SALES	PLOTS			
	Single Plot	13	13	34	34	10	10	57	57		
	2 plots	25	50	18	36	9	18	52	104		
	3 or more plots	9	40	6	24	5	19	20	83		
TOTAL	47	103	58	94	24	47	129	244			
g/s 4.29.18											

GREENWOOD CEMETERY					
SALES					
<u>MONUMENT SECTIONS</u>					
	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>TOTAL</u>	<u>REMAIN</u>
D	6	0	0	6	6
E	11	0	0	11	0
F NORTH			3	3	
G	14	1	3	18	0
K	14	5	0	19	0
L	8	4	0	12	4
O	6	0	0	6	4
TOTAL	59	10	6	75	14
<u>FLUSH MARKER SECTIONS</u>					
B	33	60	36	129	279
C	11	24	5	40	32
	44	84	41	169	311
<u>TOTAL SALES</u>					
	103	94	47	244	325
gls 4.29.18					

GREENWOOD CEMETERY
POPULATION OF MARKET AREA
2010 Oakland County Census

<u>COMMUNITY</u>	<u>POPULATION</u>	<u>%</u>
Birmingham City	20,103	21.3
Berkley City	14,970	
Beverly Hills Village	10,267	
Bingham Farms Village	1,111	
Bloomfield Hills City	3,869	
Bloomfield Township	41,070	
Franklin Village	3,150	
Total Non Resident	74,437	78.7
Total Market Area	94,540	
2015 Market Area ^a	97,660	
Mortality Rate	845.4	
Projected Mortality	826	

a. The Population of Oakland County grew by 3.3% by 2015

gls 5.4.18

**Crude Mortality Rates by County of Residence, State of Michigan,
Michigan Counties, and Detroit City, 1980 - 2016
(Continued)**

County	1980	1985	1990	1995	2000	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Muskegon	850.5	912.3	904.7	873.8	949.6	911.8	945.3	923.2	886.4	947.6	913.8	981.9	954.6	988.2	952.5	1,007.0	986.1
Newaygo	933.7	882.3	971.1	821.0	878.7	905.9	840.0	829.1	903.3	939.4	979.8	962.1	1,004.7	942.3	989.1	1,067.0	1,020.1
Oakland	688.7	760.3	707.7	741.2	744.2	748.7	754.6	773.5	782.5	777.4	794.6	807.2	821.3	812.0	831.3	845.4	844.3
Oceana	987.4	837.1	881.4	990.9	894.6	915.3	858.7	814.6	1,032.4	922.4	969.0	889.8	922.0	969.7	1,027.7	1,102.7	1,137.3
Ogemaw	1,127.0	1,125.0	1,347.5	1,182.7	1,341.3	1,418.2	1,395.3	1,278.1	1,256.6	1,194.2	1,331.1	1,262.7	1,386.3	1,527.5	1,507.8	1,451.1	1,679.1
Ontonagon	1,180.9	1,359.6	1,091.5	1,320.3	1,280.9	1,261.0	1,312.0	1,780.5	1,950.3	1,406.0	1,289.8	1,569.6	1,262.3	1,346.2	1,765.8	1,597.9	2,047.0
Osceola	883.3	953.6	909.0	945.4	968.5	948.0	967.1	944.3	874.8	948.0	969.7	1,146.9	958.2	967.3	1,084.2	1,027.5	1,146.7
Oscoda	1,213.2	1,184.2	1,117.9	1,322.2	1,245.9	1,350.5	1,265.1	1,571.0	1,405.8	1,434.0	1,487.9	1,410.4	1,605.4	1,492.2	1,520.4	1,292.6	1,645.7
Otsego	948.2	1,058.8	980.8	910.4	823.8	961.3	858.7	934.5	894.2	996.3	997.9	886.8	1,052.5	1,091.1	973.7	1,154.9	1,107.5
Ottawa	567.7	640.0	576.2	618.3	612.3	581.4	596.9	609.9	623.5	596.1	624.3	620.5	628.5	647.5	685.3	665.7	683.4
Presque Isle	954.9	1,035.8	1,213.7	1,263.1	1,538.7	1,205.7	1,313.7	1,312.6	1,277.3	1,384.7	1,533.4	1,289.3	1,570.2	1,356.4	1,484.8	1,509.8	1,582.8
Roscommon	1,410.2	1,245.9	1,302.8	1,353.3	1,384.1	1,417.6	1,369.3	1,493.0	1,464.4	1,432.7	1,589.7	1,600.0	1,620.3	1,596.0	1,550.2	1,688.9	1,873.4
Saginaw	752.3	803.1	868.1	932.7	973.6	1,029.6	1,035.8	1,016.5	1,024.9	984.4	978.9	1,018.4	1,037.0	1,000.1	1,047.9	1,092.1	1,108.5
St. Clair	849.8	915.3	888.4	869.2	893.0	874.5	871.6	922.2	935.8	961.5	1,011.8	1,009.7	1,002.0	1,093.6	1,089.3	1,121.5	1,111.6
St. Joseph	875.0	899.9	931.6	968.8	1,009.6	947.4	938.4	931.8	1,003.5	895.5	1,008.4	989.2	1,022.2	1,027.3	1,115.8	1,050.2	1,110.9
Sanilac	1,020.6	1,079.8	1,064.2	1,020.4	1,092.2	1,025.9	992.9	1,077.8	1,118.2	1,087.3	1,028.4	1,020.6	996.6	1,164.5	1,164.0	1,186.2	1,275.1
Schoolcraft	1,039.8	1,333.8	1,213.2	1,144.6	1,257.4	1,269.0	1,252.0	1,258.1	1,286.7	1,225.4	1,144.1	1,226.7	1,256.3	1,418.2	1,470.2	1,066.6	1,412.3
Shiawassee	700.3	708.2	777.1	832.8	860.5	861.8	797.6	847.8	936.8	941.9	1,008.5	906.3	1,029.4	1,075.2	1,053.2	1,046.5	1,067.8
Tuscola	770.8	786.9	779.5	802.3	890.8	993.9	814.3	1,026.8	1,006.9	1,053.6	976.7	937.0	986.9	1,032.8	1,070.5	1,078.0	1,158.6
Van Buren	944.5	915.3	857.8	874.6	822.5	937.6	876.4	936.9	969.9	938.9	898.2	915.5	922.0	978.4	911.0	995.2	1,035.6
Washtenaw	514.4	556.0	541.2	522.3	595.3	541.2	540.1	562.4	590.2	567.7	583.7	595.0	591.2	618.8	597.5	592.8	623.2
Wayne	975.6	1,045.7	1,015.6	1,007.3	985.8	961.5	960.3	975.9	1,007.7	958.2	987.6	973.9	999.4	1,010.2	1,019.3	1,028.5	1,045.3
Detroit City	1,153.2	1,212.2	1,151.5	1,119.1	1,053.1	1,030.9	1,026.8	1,048.1	1,092.0	1,049.9	1,046.1	1,021.4	1,059.9	1,061.3	1,046.2	1,049.2	1,097.5
Wayne Excluding Detroit	785.9	881.4	886.3	890.1	928.4	909.9	912.3	925.2	950.5	897.9	949.3	943.0	960.4	977.3	1,002.7	1,013.9	1,014.3
Wexford	931.9	1,055.3	938.2	910.1	986.2	911.4	921.1	891.3	930.9	891.1	1,050.2	1,043.5	1,034.2	1,158.8	1,045.7	1,137.5	983.0

Source: 1980 - 2016 Michigan Resident Death Files. Division for Vital Records & Health Statistics, Michigan Department of Health & Human Services.

The "Mortality Rate" is the number of people per 100,000 who die in a particular area during a particular time period

The "Death Rate" is the number of people per 1,000 who die in a particular area during a particular time period

MORTALITY	
YEAR	RATE
1980	689
1990	708
2000	744
2010	795
2015	845

23% increase in 35 years
.6% per year on average

OAKLAND COUNTY CENSUS

	2010	2000
Oakland County	1,202,362	1,194,156
Addison Township.....	5,948	6,107
Leonard Village**.....	403	332
Auburn Hills City.....	21,412	19,837
Berkley City.....	14,970	15,531
Birmingham City.....	20,103	19,291
Bloomfield Hills City.....	3,869	3,940
Bloomfield Township.....	41,070	43,021
Brandon Township.....	13,733	13,230
Ortonville Village**.....	1,442	1,535
Clarkston City (City of the Village of).....	882	962
Clawson City.....	11,825	12,732
Commerce Township.....	35,874	30,349
Wolverine Lake Village**.....	4,312	4,415
Farmington City.....	10,372	10,423
Farmington Hills City.....	79,740	82,111
Ferndale City.....	19,900	22,105
Groveland Township.....	5,476	6,150
Hazel Park City.....	16,422	18,963
Highland Township.....	19,202	19,169
Holly Township.....	5,276	3,902
Holly Village**.....	6,086	6,135
Huntington Woods City.....	6,238	6,151
Independence Township.....	34,681	32,581
Keego Harbor City.....	2,970	2,769
Lake Angelus City.....	290	326
Lathrup Village City.....	4,075	4,236
Lyon Township.....	14,545	11,041
Madison Heights City.....	29,694	31,101
Milford Township.....	9,561	8,999
Milford Village**.....	6,175	6,272
Northville City (Oakland County Portion).....	3,231	3,352
Novi City.....	55,224	47,386
Novi Township.....	150	193
Oakland Township.....	16,779	13,071
Oak Park City.....	29,319	29,793
Orchard Lake Village City.....	2,375	2,215
Orion Township.....	32,421	30,748
Lake Orion Village**.....	2,973	2,715
Oxford Township.....	17,090	12,485
Oxford Village**.....	3,436	3,540
Pleasant Ridge City.....	2,526	2,594
Pontiac City.....	59,515	66,337
Rochester City.....	12,711	10,467
Rochester Hills City.....	70,995	68,825
Rose Township.....	6,250	6,210
Royal Oak City.....	57,236	60,062
Royal Oak Township.....	2,419	5,446
South Lyon City.....	11,327	10,036
Southfield City.....	71,739	78,296
Southfield Township.....	19	26
Beverly Hills Village**.....	10,267	10,437
Bingham Farms Village**.....	1,111	1,030
Franklin Village**.....	3,150	2,937
Springfield Township.....	13,940	13,338
Sylvan Lake City.....	1,720	1,735
Troy City.....	80,980	80,959
Walled Lake City.....	6,999	6,713
Waterford Township.....	71,707	73,150
West Bloomfield Township.....	64,690	64,862
White Lake Township.....	30,019	28,219
Wixom City.....	13,498	13,263

** Townships that have a Village within their boundaries — add both Village and Township figure together for a true township census total.

GREENWOOD CEMTERY
BURIALS

	<u>2016</u>	<u>2017</u>	<u>Total</u>	<u>%</u>
FULL BURIAL	10	10	20	38
CREMATION	18	14	32	62
TOTAL	28	24	52	

gls 6.6.18

OAKLAND COUNTY CEMETERIES

- Aaron Webster Cemetery
- Acacia Park Cemetery
- Beach Road Cemetery
- Bigelow Cemetery
- Bigler Cemetery
- Clover Hill Park Cemetery, Birmingham
- Crescent Hills Cemetery
- Christian Memorial Cemetery
- Crooks Road Cemetery, Troy
- Great Lakes National Cemetery, Holly
- Greenwood Cemetery, Birmingham
- Holy Sepulchre Cemetery, Southfield
- Knapp Cemetery, Novi
- Lakeside Cemetery, Oxbow
- Lakeside Memorial Park, Holly
- Lakeville Cemetery, Leonard
- Machpelah Cemetery, Ferndale (closed to new sales)
- Mount Avon Cemetery, Rochester
- Mount Hope Cemetery, Pontiac
- Mount Pleasant Cemetery, Oakwood
- North Farmington Cemetery, Farmington Hills
- Oak Hill Cemetery, Holly
- Oakland Hills Memorial Gardens, Novi
- Oakview Cemetery, Royal Oak
- Olive Branch Cemetery, Holly
- Paint Creek Cemetery, Lake Orion
- Perrin Cemetery, Troy
- Perry Mount Park Cemetery, Pontiac
- Roseland Park Cemetery, Berkley
- Royal Oak Cemetery, Royal Oak
- Saint Mary Cemetery, Milford
- Saint Mary Cemetery, Royal Oak
- Southfield Cemetery, Southfield
- Troy Union Corners Cemetery, Troy
- West Farmington Cemetery, Farmington
- White Chapel Cemetery, Troy

GREENWOOD CEMETERY FUTURE SALES

In my opinion, the critical parameter in a long-range market plan is to estimate future demand. I can think of several ways to do this.

There are approximately 100,000 people living in the area covered by the Observer Eccentric newspaper which I have defined as Greenwood Cemetery's primary market. One way to determine how many households would consider purchasing a lot at Greenwood Cemetery would be to ask them. If we wanted to consider doing such a survey, I would suggest we consult a professional market research firm to determine the cost of such a survey to design and mail, the percent of persons that might return the survey, particularly among the elderly, and the consultant's opinion how many of the positive responses might eventually result in a sale. It would be interesting if the replies could be segregated by those wishing to be buried in monument spaces, flush marker spaces and cremation crypts.

A second method to estimate demand would be to estimate the percent of the market for burial space that Greenwood Cemetery might sell. Based on the mortality rate for Oakland County, we might expect 826 deaths in Greenwood Cemetery's primary market area. The question is, what proportion would wish to be buried in Greenwood Cemetery? Suppose it were 4%. Then 33 people per year would want to be buried in Greenwood Cemetery. If half of those buried had purchased a plot prior to death, then there would have been 22 new sales, about the number of plots actually sold. The average sale is two plots even though 62% of burials are cremations where one plot can be used for two or three cremation urns. If sales were to remain at the current pace, then the current inventory of City-owned spaces in both the older sections and the new flush marker sections might suffice for ten years.

A third possible method to estimate future demand would be to project from recent sales recognizing that, officially, there is very little supply of monument marker space and no cremation crypts. Also, Greenwood Cemetery does no marketing.

In my opinion, there are about 100 spaces available for sale where monuments could be erected. I believe that, if the public were made aware of their availability, they would be sold within five years which is equal to an average rate of 20 plots per year.

The City has opened former pathways in two historic sections for burials although it has restricted them to placement of flush markers. Just over 300 plots remain to be sold. If sales were to average 40 per year (last year's rate), there would be about 7 years' inventory.

What might be done to make more plots available? The City might talk with the Booth family to explore whether it might sell some of its land to the City. Quite possibly, 40 plots might be made available, a two-year supply.

I believe, too, that the City should explore reclaiming plots where there has been no contact with the family for more than 50 years. In my opinion, such action might make plots available for an additional 15 to 20 years.

I have one more suggestion. During the last two years, 62% of interments have chosen cremation burial (mirroring the national rule-of-thumb of 60%). Many cemeteries and churches, such as Christ Church Cranbrook, have installed low, contoured mausoleum walls that fit into the natural serenity and historic sensitivity of the landscape. They are usually two-niche high. Such an option might satisfy demand for more than 100 years. I suggest we have a landscape architect propose a design.

GREENWOOD CEMETERY
BURIALS BY DATE BY SECTION

SECTION	PRIOR TO 1864	1864 - 1932	1933 - 2017	Unknown	TOTAL
A	66	192	28	37	323
B	67	321	99	33	520
C	5	3	74	6	88
D		89	91	1	181
E	4	172	131	5	312
F	2	33	98	1	134
F NORTH		1	172	1	174
G	1	260	237	1	499
H	2		405	17	424
K		75	157		232
L		27	188	2	217
M			86		86
O (incl Booth)		6	141	4	151
POTTERS FIELD		56			56
Single Grave Section I		35	1	1	37
TOTAL OLD CEMETERY	147	1,270	1,908	109	3,434
B			7		7
C			14		14
TOTAL NEW CEMETERY			21		21
TOTAL	147	1,270	1,929	109	3,455

gls 6.25.18





