

**GREENWOOD CEMETERY ADVISORY BOARD
MEETING AGENDA
FRIDAY, FEBRUARY 1, 2019 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 December 7, 2018

IV. NEW BUSINESS

- A. 8:30-8:45 Presentation. Mark Gerber, Finance Director
 - 1. Reading Expenditure and Revenue Reports
 - 2. Perpetual Care Fund Investment Policy
- B. 8:45-9:15 Presentation. Matt Johnson, Ground Penetrating Radar Systems
 - 1. Process, findings, and deliverable results.
- C. 2018 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. Payment Plan Policy Adopted by City Commission
- B. Master Plan Process/Historical Collaboration
- C. Spring Tree Planting – describe areas where Board believes trees are needed.

VI. FINANCIAL REPORT

A. 3Q Financial Report for Greenwood Cemetery

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

VIII. BOARD COMMENTS

IX. ADJOURN

NEXT MEETING: MARCH 1, 2019

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, DECEMBER 7, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

Chairperson Gehringer called the meeting to order at 8:36 a.m.

II. ROLL CALL

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

Administration: City Clerk Mynsberge

Others: Cheri Arcome, Elmwood Historic Cemeteries

III. APPROVAL OF MINUTES

A. Approval of meeting minutes of October 5, 2018

MOTION: Motion by Ms. Schreiner, seconded by Ms. Suter:
To approve the minutes of October 5, 2018 as submitted.

VOTE: Yeas, 6
 Nays, 0
 Absent, 1

IV. NEW BUSINESS

None

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. Payment Plan Policy

City Clerk Mynsberge presented her memo dated November 15, 2018

Mr. Stern endorsed City Clerk Mynsberge’s recommendations to:

- Refund 50% of the payments made on installment if a purchaser is unable to complete the contract;
- Payment of 75% of the purchase price be made to the Perpetual Care Fund after the final payment is made, which causes less work for the City; and
- In the interest of compassion, if enough money is on account to pay for a needed grave the purchaser may be given time to replace the 20% deposit on the other plot(s).

Ms. Suter and Ms. Buchanan questioned what an appropriate procedure would be if all of the money on account was credited to the plot to be used and the 20% down payment amount for the remaining plot(s) was not left in the account.

Mr. Stern confirmed for Ms. Schreiner that he would be willing to give people time to replace the 20% down payment on the remaining plot(s) while the estate was settled.

Ms. Schreiner suggested the policy be made broader to allow flexibility.

City Clerk Mynsberge noted that as the purchaser continues to make payments when they can, in a short amount of time the 20% will be paid.

Ms. Peterson suggested a six-month grace period to reestablish the 20%.

Ms. Gehringer stated:

- The Board takes direction from, and reports to, the City Commission.
- When the City Commission first considered the GCAB's recommendation there were several comments, including from then-Mayor Harris the request for a cure period and other in-depth financial comments that were not clear to her.

Ms. Schreiner explained a cure period is a legal term for what is essentially a grace period.

Ms. Gehringer noted where she stands on the factors of the payment plan policy:

- Elmwood should submit 75% of the payments on payment plans quarterly.
- She reminded the Board the payment plan was initiated by Elmwood, so, with all due respect, quarterly accounting of the payments made is not that much more work.
- She does not agree, and she believes the City Commission also does not agree, that remittance of the City's 75% should be deferred until the purchasers make final payment.
- Refunding 50% of money paid on contracts which are not honored is consistent with the lot resale policy.
- In perspective, not everyone is buying a plot on a payment plan. Only a small number of people chose that option. If and when the payment plan policy is made official the number of payment plans is not going to increase discernably.
- When she wrote the initial draft of a policy, she took it from acceptable standards from other cemeteries offering payment plans, deleting a lot of the details and reporting requirements.
- She agrees a grace period should be offered.
- She does not agree that all the money on account goes to the particular plot needed for burial because these plot(s) are being held. Plots are being kept off the market that could otherwise be sold.
- She is not adverse to keeping 20% on each plot and using the funds above that amount to pay off a plot needed for burial.

In response to a question from Ms. Peterson, Cheri Arcome, representing Elmwood, explained how Elmwood administers payment plans:

- The 20% down payment is not applied to each plot equally.
- If there is \$3,000 on account, one plot may be used for burial. As long as the family keeps making payments, the contract is paid off in 24 months so it is not considered an issue.
- Elmwood does not address the greater financial arrangements at the time of a death, when a family is grieving, as long as the needed plot is paid for in full and the burial fee

is paid. Instead, the family is contacted 30 days after the burial to discuss any payments still owing.

- She explained that families are in a time of crisis when making burial arrangements. Often a widow has not handled the finances and may not know where the checkbook is or how to make payments. One of the biggest concerns for a family member at the time is that they might lose their space next to their spouse.

Ms. Arcome clarified for Ms. Peterson that families on a payment plan are given a payment book and are mailed a statement monthly. She confirmed that families are well informed by Elmwood as to when payments are due, how much has been paid and the balance owed. As of the end of the third calendar quarter, there are 15 statements being mailed each month.

Ms. Gehring said she had a different perspective after Ms. Arcome's explanation of the current procedure. She noted Elmwood's method is more compassionate than what I was suggesting. When families are in a time of crises it is harsh to say we are keeping 20%.

Ms. Suter and Ms. Schreiner explained how long probate can take and how long accounts can be frozen.

Ms. Gehring commented that the Board has spent a year and a half on the policy, going around and around, changing their minds, then going back and changing their minds the other way. She suggested that payment plans be discontinued moving forward for simplicity's sake. She noted there are a small number of people choosing the payment plan option in comparison with the overall population and with the number of graves in the cemetery. Ms. Gehring also expressed concern that when the policy is once again presented to the City Commission the Board will be going back and forth again.

Ms. Arcome reported that 85% of purchasers pay in full up front.

Ms. Arcome indicated Elmwood, as the City's contractor, is amenable to whatever direction Birmingham chooses in regards to payment plans.

Mr. Stern believed payment plans should continue to be offered because of the high cost of a plot in Greenwood. He noted many municipalities around the state are selling plots for around \$500, and at that price point he understands those communities not offering a payment plan. Mr. Stern commented that with the high price at Greenwood a payment plan is a compassionate thing to do, and it serves the citizens of Birmingham and the general area. He advocated finishing the policy and submitting it to the City Commission.

Ms. Suter commented that simplifying makes things better for everyone, and she said that people have other sources for money such as bank loans or personal loans from family. Ms. Suter was in favor of phasing out payment plans.

MOTION: Motion by Ms. Peterson, seconded by Ms. Suter:

To recommend to the City Commission that no new payment plans for the purchase of Greenwood Cemetery plots will be entered into effective January 1, 2019, and that current payment plans will be continued to their conclusion.

VOTE: Yeas, 4
 Nays, 2 (Schreiner, Stern)
 Absent, 1

Ms. Gehringer commented that if the City Commission does not accept the Board's recommendation she hopes they will give the Board better direction as to exactly what they are looking for.

B. Discussion of Master Plan Process

City Clerk Mynsberge:

- Introduced the discussion by suggesting the Board come to a consensus on their long-range goal and create the plan to achieve that goal.
- Noted that Ground Penetrating Radar (GPR) has been a priority of the Board since its inception because there seems to be a lack of confidence from some quarters as to whether the current map and records of Greenwood Cemetery are accurate.
- Explained that field surveys have been done by both the Department of Public Works and by the City's contractor for cemetery management, Elmwood Historic Cemeteries. Both efforts included comparing findings in the field with the City's cemetery records. The current map of the cemetery is the result of the surveys and of Elmwood's having GPR performed on all of Sections K, L, B, C, and the western portion of Section A.
- Suggested that if the Board feels GPR is necessary to achieve their goal they should make a decision soon about requesting funding in the FY2018-2019 budget.

Discussion ensued regarding the long-term financial needs of the cemetery and how the perpetual care fund operates. The possibility of finding additional revenue streams was mentioned. City Clerk Mynsberge agreed to ask the City's Finance Director to attend the February meeting to explain the operation of the perpetual care fund, and how to read the quarterly revenue and expenditure report and the balance sheet.

Ms. Gehringer stated her opinion:

- GPR of the entire cemetery is the first priority to establish the baseline of plots that are sold and unsold, because there may be plots that have been sold for decades and graves that have not been identified.
- Determining the definitive location of potter's field would be the second priority.

Ms. Schreiner asserted that a really good baseline already exists, and she is reluctant to spend a lot of money recreating what is already available.

Ms. Gehringer agreed there is a good baseline, but implied it is not 100%. She stated GPR has never been done for the entire cemetery, and that she would be surprised if graves from the last century are found that are not on the map along with open spaces we do not know about.

Ms. Arcome confirmed:

- In 2014 or 2015, Elmwood did GPR on Sections B & C.
- Elmwood field surveyed all of Sections K, L, B, C, and the western portion of A.
- The maps and lot diagrams are correct. Elmwood spent three months at Greenwood verifying the records. If there were any corrections or updates that needed to be made, they were done at that time.
- Prior to Elmwood's work, around 2010, the City's Department of Public Services verified the lot diagrams and maps for all other sections, and those records are on file with the City.
- A field survey includes measuring lots, probing to determine existing contents, and, based on historical records, the sizes of plots for time periods are known and the points can be measured exactly.
- Sometimes excavation is required and the soil is used to determine what something is.
- Only single layer burials exist at Greenwood.

Ms. Gehringer noted that doing GPR on Sections B and C would be redundant but the Board would have access to the findings. She reiterated that GPR needs to be done on the entire cemetery.

City Clerk Mynsberge asked the Board to define, definitely, the receivables a GPR surveyor is to provide, so that in requesting quotes the Board's expectations can be communicated.

The Board defined the receivables as:

- A digitized map showing the location of each grave.
- Cross referencing of the findings with current records.
- A determination of which spaces are used and which are available to sell.

Ms. Schreiner confirmed for Board members that the current cemetery map is available to the public through the City's website (under the Clerk's Department pages and at www.greenwoodhistoriccemetery.org).

Ms. Arcome explained what GPR is likely to provide and provided suggestions for the Board to get useful information:

- GPR shows where ground has moved, which can mean that the ground shifted when a burial took place next to that spot.
- The Board should require, before committing to anything, a report which a vendor has provided to another cemetery. Does the report consist of analyzation of sediment layers and does that help the Board with its ultimate goal.
- GPS cannot tell whether or not a body from 1859 is in the spot.

Mr. Stern agreed with Ms. Arcome's assessment.

Ms. Gehringer commented that the entire cemetery needs GPR because the City doesn't have access to Elmwood's data. Ms. Arcome clarified that the City has access to all the results of the GPR done by Elmwood, and reiterated that all of the records have been confirmed or updated and are in the Clerk's office. She noted that GPR results will not be able to identify who is buried in a grave, for example that "Al Smith" is in Grave 24 in Section A.

Ms. Schreiner restated the end goal of the Board is to find out which spaces have been used, which spaces have not been used, and which spaces are available, and asked if GPR meets that goal.

Ms. Gehringer said she wants digitization of the entire cemetery.

Mr. Stern indicated he found over 100 spaces currently available for sale.

Ms. Schreiner again stated her opinion that the City already has a lot of the information being discussed as the goal through Elmwood's records. She made a comparison of not needing to see the sink trap if the plumber says he changed it. In the same way she does not need to see the unpleasant details to make an educated decision if she can rely on the company which is providing the information.

Ms. Gehringer noted that Elmwood did not do GPR on the entire cemetery. Mr. Stern added, "including one or two sections that had the most unsold graves. Never has come up in any of the contractor's discussions, so it's important".

Ms. Gehringer restated her opinion that the Board needs complete total knowledge on the entire cemetery.

Mr. Stern noted he would like to know more about our current data system from an IT person as to how it comports to cemetery programs in general. He indicated the Board has spent considerable time over the last four or five years talking about a comprehensive cemetery system, and it would concern him if the City Clerk is generating a lot of records if at some point a comprehensive cemetery system is instituted and is not compatible with the City's system. City Clerk Mynsberge noted that her office is deeply into the data input of cemetery records into the BS&A system. Mr. Stern said the Board may have to ask the City for an additional resource for the conversion process.

Ms. Gehringer asked each Board member to prioritize the master plan process list and to be prepared to discuss the master plan process in February.

Mr. Stern noted that the items on the list all deal with supply and suggested adding items related to demand.

Ms. Gehringer moved on to the Perpetual Care Fund financial report.

VI. FINANCIAL REPORT

A. Perpetual Care Fund – Period Ending September 30, 2018

- Income from the sale of cemetery plots was \$18,000.
- Investment income was \$3,509.57.
- Assets for the period were \$21,509.57

Board members discussed changing their fiscal year from a calendar year to the same year used by the City in order to avoid confusion with the first quarter for the Board meaning January-March, and the first quarter for the Finance Department meaning July-September.

MOTION: Motion by Ms. Schreiner, seconded by Ms. Peterson:
To make the Board's fiscal year coincide with the City's fiscal year beginning immediately.

VOTE: Yeas, 6
 Nays, 0
 Absent, 1

It was further suggested the Board's annual report to the City Commission be based on the fiscal year rather than the calendar year.

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

No members of the public were present.

VIII. BOARD COMMENTS

None.

IX. ADJOURN

Chairperson Gehringer adjourned the meeting at 10:09 a.m.

NEXT MEETING: FEBRUARY 1, 2019

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).



MEMORANDUM

City Clerk's Office

DATE: January 29, 2019
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Reading Expenditure & Revenue Reports and Balance Sheets

Governmental accounting is somewhat different from other accounting methods. Mark Gerber, the City's Finance Director, will be explaining how to read the Perpetual Care Fund's expenditure & revenue reports and the balance sheet.

The reports for the quarter ending September 30, 2018, which were presented to the Board at its December meeting, are attached for reference.

ATTACHMENTS:

- 1) 3Q18 Expenditure and Revenue Report for Greenwood Perpetual Care Fund
- 2) 3Q18 Balance Sheet

GL NUMBER	DESCRIPTION	ACTIVITY FOR QUARTER 09/30/2018	YTD BALANCE 09/30/2018
Fund 150 - GREENWOOD CEMETERY PERPETUAL CARE FUND			
Revenues			
Dept 000.000			
CHARGES FOR SERVICES			
150-000.000-643.0000	SALE OF CEMETARY PLOTS	18,000.00	18,000.00
CHARGES FOR SERVICES		18,000.00	18,000.00
INTEREST AND RENT			
150-000.000-664.0000	INVESTMENT INCOME	3,509.57	3,509.57
INTEREST AND RENT		3,509.57	3,509.57
Total Dept 000.000		21,509.57	21,509.57
TOTAL REVENUES		21,509.57	21,509.57
Fund 150 - GREENWOOD CEMETERY PERPETUAL CARE FUND:			
TOTAL REVENUES		21,509.57	21,509.57
TOTAL EXPENDITURES		0.00	0.00
NET OF REVENUES & EXPENDITURES		21,509.57	21,509.57

Fund 150 GREENWOOD CEMETERY PERPETUAL CARE FUND

Account Number	Description	Balance
*** Assets ***		
00-000.000-005.0000	CASH AND INVESTMENTS	20,106.40
00-000.000-017.0000	INVESTMENTS	572,934.95
00-000.000-017.0006	MARKET GAIN (LOSS)	27,732.73
00-000.000-028.1000	MANUAL ACCOUNTS RECEIVABLE	13,500.00
Total Assets		634,274.08
*** Liabilities ***		
Total Liabilities		0.00
*** Fund Balance ***		
00-000.000-391.0000	RETAINED EARNINGS	514,443.29
Total Fund Balance		514,443.29
Beginning Fund Balance		514,443.29
Net of Revenues VS Expenditures		119,830.79
Ending Fund Balance		634,274.08
Total Liabilities And Fund Balance		634,274.08



MEMORANDUM

City Clerk's Office

DATE: January 29, 2019
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Perpetual Care Fund Investment Policy

Finance Director Gerber will be clarifying the statute(s) and policy regarding investment and expenditure of the Greenwood Cemetery Perpetual Care Fund money.

ATTACHMENTS:

- 1) Perpetual Care Fund Investment Policy
- 2) Ordinance No. 2145, Perpetual Care Fund

CITY OF BIRMINGHAM

PERPETUAL CARE FUNDS

INVESTMENT POLICY

Purpose: The purpose of the City of Birmingham’s perpetual care investment program is to invest perpetual care funds in manner which will provide for growth of the funds as well as income for the purpose of maintaining the Greenwood Cemetery. The investment program must also invest these funds within the parameters as outlined in this investment policy while conforming to all state statutes and local ordinances governing the investment of these funds.

Scope: This investment policy applies only to investment activities related to perpetual care funds. The fund covered by this policy is the Greenwood Cemetery Perpetual Care Fund and is accounted for in the City’s annual financial report.

Prudence: The standard of prudence to be applied by the investment officer shall be the prudent-person rule that states: “Investments shall be made with judgement and care – under circumstances then prevailing – which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.” The prudent-person rule shall be applied in the context of managing the overall portfolio.

Investment officers acting in accordance with written procedures and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported to the chief executive in a timely fashion and appropriate action is taken to control adverse developments.

Objective: Care funds of the City will be invested in accordance with Michigan Public Act 20 of 1943, as amended and Public Act 215 of 1937, as amended, and in accordance with the following objectives, procedures, and policy.

- a) Growth:** Growth of principal is the foremost objective of the City. Each investment transaction shall first seek to ensure a steady growth of principal.
- b) Risk:** The overall portfolio composition should be designed to minimize risk and loss of principal.
- c) Return on Investment:** The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles.
- d) Maintain the Public’s Trust:** All participants in the investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and

evaluation. In addition, the overall investment program shall be designed and managed with a degree of professionalism worthy of public trust. Investment officials shall also avoid any transaction that might knowingly impair public confidence in the City's ability to govern effectively.

Delegation of Authority: The Treasurer is designated as investment officer of the City and is responsible for investment decisions and activities. The Treasurer shall develop and maintain written administrative procedures for the operation of the investment program, consistent with the investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in investment transactions except as provided under the terms of this policy and administrative procedures established by the Treasurer. The Treasurer shall also establish a system of controls to regulate the activities of subordinate officials and shall be responsible for all transactions undertaken.

The Treasurer may use outside consultants for advice and counsel in determining which types of investments are most appropriate within the investment policy approved by the City Commission.

Ethics and Conflicts of Interest: Officers and employees involved in the investment process shall comply with the City's Ethic Ordinance.

Permitted Investments: The Treasurer is limited to investments authorized by Public Act 20 of 1943, as amended, and Act 13 of 2016, and may purchase/sell investments at prevailing market rates as specified below:

- a) U.S. Treasury Bonds, Notes, Bills or Strips;
- b) U.S. Agency Bonds;
- c) Certificates of Deposit;
- d) Commercial Paper;
- e) Obligations of this State or its Political Subdivisions;
- f) Pooled Funds that Meet State Guidelines;
- g) Mutual Funds (consisting of fixed income securities, equity securities, or both as provided in Public Act 215 of 1937, as amended).

Portfolio Limitations: The Treasurer is further limited in investments authorized above by the following limitations:

- a) Mutual funds must have a rating of 4 or 5 by a nationally recognized mutual fund rating agency (for example, Morningstar).
- b) No more than 60% of the perpetual care funds shall be invested in equity mutual funds.
- c) No more than 40% of the perpetual care funds invested in equity mutual funds shall be of a given asset category.
- d) No more than 60% of the perpetual care funds invested in mutual funds shall be invested with one investment company.
- e) In order to minimize investment expense, mutual funds will be restricted to no-load mutual funds.
- f) Certificate of deposits are limited to the maximum of FDIC insurance.
- g) Investments in commercial paper and obligations of this state or its political subdivisions are limited to those rated A-1/P-1 by at least two Nationally Recognized Statistical Rating organizations at the time of purchase.
- h) Investments in pooled funds that meet state guidelines are limited to pooled funds with a rating of A or better by either Moody's or Standard and Poor's or be from institutions whose long-term debt rating is A or better.

Internal Controls: The Treasurer will use current established internal controls in place to prevent loss of public funds due to fraud, error, misrepresentation, unanticipated market changes or imprudent actions.

Reporting: The Treasurer shall submit an annual investment report to the City Commission which summaries perpetual funds received, invested, investment income received, and investment gains or losses.

Investment Policy Adoption: The City of Birmingham's Perpetual Care Fund Investment Policy shall be adopted by resolution of the Birmingham City Commission. The policy shall be reviewed periodically and any modifications made thereto must be approved by the City Commission.

This policy shall become effective the day following adoption by the Birmingham City Commission.

Sec. 34-29. - Perpetual care fund.

- (a) *Establishment of fund; name.* The city hereby establishes, subject to the control of the city commission, a fund separate and apart from all other funds, property or securities belonging to the city, or belonging to any other entity, for the perpetual care and maintenance of Greenwood Cemetery property owned by the city, together with its buildings and appurtenances, any extension or enlargements thereof, and any mausoleum or burial crypts thereon. All deposits hereafter deposited with the city pursuant to this section and earnings thereon (such deposits and earnings being hereinafter referred to collectively as "Care Funds"), shall be administered in accordance with Act 215 of 1937 (MCL § 128.1 et seq.) and the terms of this section. The perpetual care fund hereby established shall be known as the Greenwood Cemetery Perpetual Care Fund.
- (b) *Deposits.*
- (1) *General.* The city shall set aside and deposit within the perpetual care fund, within the time period required by law, the amount of funds required by the Act. The city agrees to accept care funds paid in accordance with this section and to maintain such amounts and records as are necessary to carry out its obligations.
- (2) *Multiple care funds.* The city may establish more than one care fund as specified by the city commission, provided that the procedures and requirements for establishing a care fund, under this section are complied with separately for each separate care fund. Each separate care fund shall be handled by the city in like manner as if each such care fund were governed by its own separate and distinct agreement with terms identical to those contained herein.
- (3) *Rejection of donation.* The city reserves the right to reject any donation.
- (c) *Investments.* The city is hereby expressly authorized and empowered to manage the care fund in accordance with Act 20 of 1943 (MCL § 129.91), as amended and within the parameters of the city's investment policy as adopted by the city commission and conforming to all statutes governing the investment of public funds.
- (d) *Distribution of income.* The ordinance of the care fund shall be held intact by the city pursuant to the terms herein, and any interest and dividends (i.e. income, generated from the principal of the care fund) shall be paid for the care and maintenance of the cemetery. For purposes of this section, net capital gains shall be treated as principal. To the extent that income so generated is not immediately paid, such income shall be retained and shall be characterized as undistributed income.
- (e) *Records.* The city shall maintain such records for each care fund and will evidence the amounts received for deposit, the amounts disbursed and withdrawn, the total amount of care funds held and the location, description, and character of the investments of the care fund.
- (f) *Reports.*
- (1) *Annual.* The city shall provide an annual (fiscal year, July 1 through June 30) accounting as of June 30 of each year.
- (2)

Other. The city will furnish such additional reports or information related to the care fund as may be required by ordinance and as may be required by the city or the state.

(Ord. No. 2145, 10-13-14)



MEMORANDUM

City Clerk's Office

DATE: January 29, 2019
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: 2018 Annual Report

At the December 7, 2018 meeting the Board adopted a motion to make their fiscal year the same as the City's. This decision then produced a suggestion that the Board's annual report to the City Commission be based on the fiscal, rather than the calendar, year.

Because the City Commission has not yet seen the Board's financial reports for 2018 it may be appropriate to submit a calendar year 2018 report with that information, along with a recommendation that future annual reports be based on the fiscal year. The first report on the fiscal year basis would be a six-month report for the period January 1, 2019 – June 30, 2019. Subsequent reports would be for the twelve month period preceding the start of the new fiscal year.

Attached is a draft of the 2018 Annual Report. The 4Q18 financial reports on cemetery sales and the perpetual care fund will be ready to present at the Board's March 1, 2019 meeting. Once that information is received, the 2018 Annual Report can be completed and reviewed by the Board before it is submitted to the City Commission.

ATTACHMENTS:

- 1) 2018 draft annual report

GREENWOOD CEMETERY ADVISORY BOARD

2018 ANNUAL REPORT

CITY OF BIRMINGHAM
151 MARTIN ST.
BIRMINGHAM MI 48009

GREENWOOD CEMETERY ADVISORY BOARD

2018 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.

By ordinance the GCAB is required to meet at least once each calendar quarter. In 2018 the GCAB met a total of 9 times, with at least one meeting being held in each quarter.

This annual report covers the calendar year 2018 and is separated into the three statutory sections:

1. General Activities
2. Operation
3. Condition.

1. GENERAL ACTIVITIES

FROM 2017 ANNUAL REPORT

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. Discussions in progress indicate the need to first establish a baseline of the property in terms of sites that are sold, sites that are occupied, and sites which remain unsold. The process by which this might be accomplished will be explored in order to more narrowly define the scope of work requiring professional assistance.

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. The revised Rules are 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 to 24-months.
2. Increase of down payment from 10% to 20%.
3. For payment plan agreements initiated after the date on which this Policy is approved, 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 funds paid to date. Based on input from the City Commission and City Attorney, a cure period of 90 days has been added.

4. For plots under the Payment Plan 75% of each payment made shall be remitted to the Greenwood Cemetery Perpetual Care Fund at the end of each calendar quarter.

The recommended policy also clarifies operational procedures:

5. Payments will be made in equal monthly installments, and if multiple plots are included in the Payment Agreement, each monthly payment shall be equally allocated to each plot. Once allocated to one plot, the funds are not transferable to a different plot.
6. Installment plans will be interest free.
7. A plot must be paid in full before interment takes place.

Taking into consideration the comments of the City Commission on September 17, the City Attorney drafted a revision of the Policy. The GCAB finalized the policy at their meeting of October 5, 2018, and plans to present a recommendation for adoption of the policy to the City Commission on October 29, 2018.

2. OPERATION

FINANCIAL REPORT

A. CEMETERY

Cumulative Sales Totals for 2018

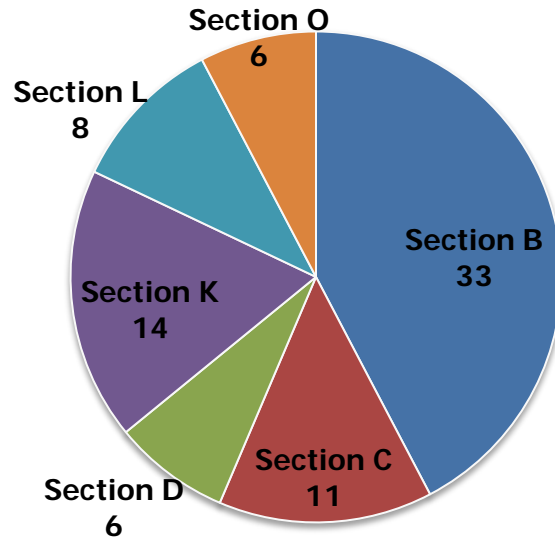
Graves Sold	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	TOTAL SOLD	75% of sale paid to the City	25% of sale paid to the Contractor
Resident	5				5	\$11,250	\$3,750
Non-Resident	4	6	4		14	\$31,500	\$10,500
Payment Plans Completed			4		Paid, not sold	\$9,000	\$3,000
TOTAL	9	6	4		19	\$51,750	\$17,250

Sales Totals for Newly Identified Grave Spaces

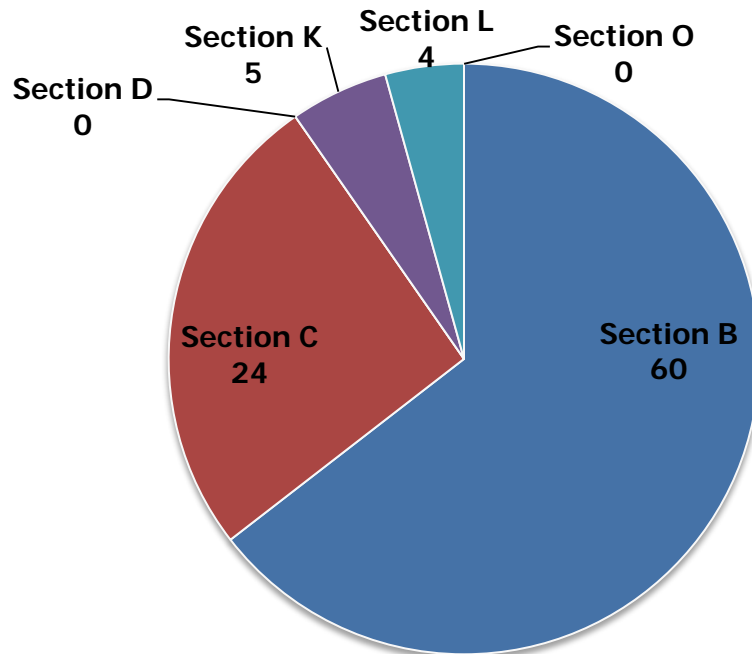
In 2015 the Contractor identified 530 potential grave spaces in Sections B, C, D, K, L, and O. In August, 2015 the City Commission released the plots for sale, limiting the sale of newly identified graves in Sections B and C to 240, and directing the GCAB to provide a recommendation after 200 were sold as to whether or not additional grave spaces should be released for sale. As of the end of 2018, **187** of the grave spaces have been sold in Sections B and C.

Section	2015 Total	2016 Total	2017 Total	1 Qtr 2018	2 Qtr 2018	3 Qtr 2018	4 Qtr 2018	TOTAL Sold 2015 through 2018	Number of Graves Remaining
B	33	60	36	1	6	2		138	270
C	11	24	5	7	0	2		49	23
Total sold in Sections B & C:								187	
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
TOTAL	78	93	41	8	6	4		230	307

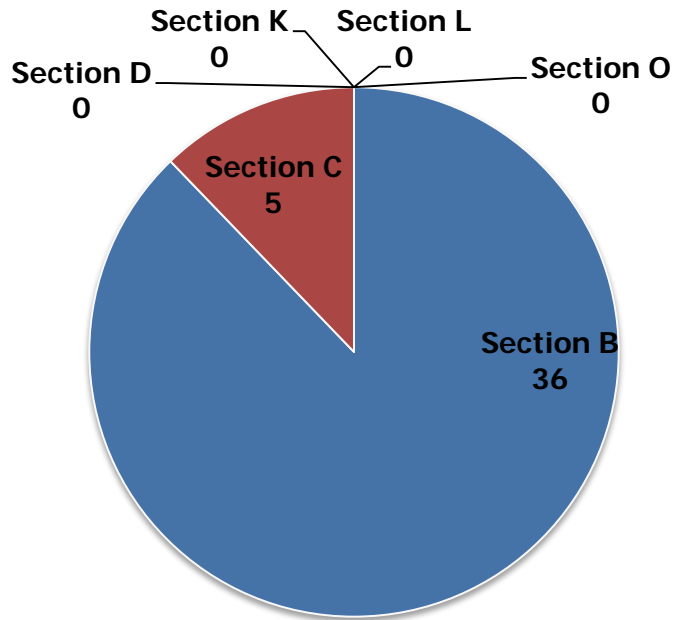
2015 SALES OF NEWLY IDENTIFIED GRAVE SPACES - 78



2016 SALES OF NEWLY IDENTIFIED GRAVE SPACES - 93



2017 SALES OF NEWLY IDENTIFIED GRAVE SPACES - 41



INSERT CHART FOR 2018

Plots Under Contract (Payment Plan) in Sections B, C, K, L & O
Current through March 31, 2018

Section	Lot	Grave Nos.	Date of Agreement	Term of Agreement	NUMBER OF PLOTS
B	1-A	24	06/21/2018	24 months	1
B	4-A	19, 20	10/23/2017	24 months	2
B	5-C	19, 20	10/23/2017	24 months	2
B	10-A	3, 4	11/16/2015	36 months	2
B	11-A	23	06/26/2018	24 months	1
B	12-A	9, 10	07/15/2016	24 months	2
B	6-C	23, 24	06/13/2018	24 months	2
C	16-C	5	06/13/2018	24 months	1
C	16-C	6	06/13/2018	24 months	1
C	17-C	23, 24	10/26/2016	60 months	2
C	18-A	9, 10	11/04/2016	36 months	2
C	19-A	5, 6	09/21/2017	24 months	2

L	16-A	9, 10	12/03/2015	60 months	2
O	20-A	7, 8	08/26/2015	60 months	2
O	20-B	5,6,7,8	04/22/2016	60 months	4
TOTAL:					28

B. PERPETUAL CARE FUND

REPLACE WITH 2018

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

Charges for Services - represents proceeds from grave sales.

Interest and Rent - represents income from investments.

Transfers In - represents money transferred from the general fund for the master plan.

Other Charges - represent money spent on the master plan.

Fund Balance - represents the accumulation of assets. Some of it is unspendable (principal) and some is spendable (earnings on investments).

3. CONDITION

FROM 2017 ANNUAL REPORT

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 was making the roads difficult for use by vehicles and were in poor condition. The roads were included in the DPS's 2018-2019 budget for the cape seal program. In June capeseal crews conducted the pulverizing process on the east side of the cemetery. Seal coating was applied to all Cemetery roads in September, and the project is now complete.



MEMORANDUM

City Clerk's Office

DATE: January 15, 2019
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Payment Plan Policy Adopted by City Commission

The City Commission, at their December 10, 2018 meeting, was presented with the GCAB's recommendation to phase out payment plans effective January 1, 2019, but the Commission chose to go a different route. It is not uncommon for the Commission to consider a recommendation from an advisory board, but to decide not to enact the recommendation, either in whole or in part.

In December I presented two options to the Commission: 1) The GCAB's recommendation to eliminate payment plans, including the minutes from the the GCAB's December 7, 2018 meeting; and 2) An alternate option to continue payment plans and to adopt a policy substantially in alignment with the discussion of the GCAB in December, before the Board voted to phase out the payment plan program. It is also not an unusual practice for staff to provide the Commission with options.

The City Commission was in favor of maintaining payment plans for the purchase of cemetery plots, but did not approve the policy as submitted. The Commission directed staff to revise the policy in accordance with their comments and to bring it back to them as soon as possible.

Sometimes the Commission will refer something back to the advisory board, as they did with earlier iterations of this policy. In this case, the Commission referred the policy to staff.

On January 14, 2019 the Commission approved a revised policy. They removed from the policy any statement as to when the Contractor will remit the City's share of payments made toward plots on payment plans to the Perpetual Care Fund. Staff was directed to discuss the possibility of setting up an escrow account for retaining these funds until the purchaser has paid for the plot(s) in full.

As an advisory board, you and your fellow members take your job to provide recommendations to the City Commission seriously. I commend you for the time, care, and attention you have given this matter.

ATTACHMENTS:

- 1) Approved Payment Plan Policy
- 2) Excerpt of City Commission minutes from Jan. 14, 2019 and City Clerk staff report
- 3) Excerpt of City Commission minutes from Dec. 10, 2018 and City Clerk staff report
- 4) Complete copy of newly revised *Operational Procedures, Conditions and Regulations for the Greenwood Cemetery*

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

IX. LOT SALES – PAYMENT PLAN POLICY

1. A payment agreement may be entered into to allow for the purchase price of a plot(s) to be paid over a period of time not to exceed 24 months and the period provided to cure a default. A copy of this Payment Plan Policy shall be attached to all installment payment agreements and shall be provided to the Purchaser.
2. Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments for the payment period. Such payment agreements shall be interest free. There shall be no prepayment penalty to the Purchaser.
3. A plot(s) being purchased under a payment agreement may not be used for interment until the full purchase price of the plot(s) has been paid. The Purchaser may apply all payments made on the plan to the plot(s) needed for burial. Should this application of funds to the burial plot reduce the balance in the Purchaser's account below 20% of the value of the remaining plots, the Purchaser shall be given a grace period of up to six months to repay the 20% deposit on the remaining plot(s).
4. In the event a Purchaser fails to make an installment payment, the Purchaser shall have 90 days from the default to cure the deficiency and bring the payments current.
5. For purchase agreements initiated after January 14, 2019, failure to pay the entire contract on or before the final payment due date and the cure period will result in forfeiture of the unpaid plot(s) and 50% of all monies paid to date. If enough money is on account to completely pay for a plot(s), the Purchaser shall have the option to purchase said plot(s) with those available funds. Fifty percent of the remaining funds on account and any plots not paid in full shall be forfeited.

XII. 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).
- January 14, 2019 Resolution No. 01-011-19

EXCERPT
BIRMINGHAM CITY COMMISSION MINUTES
JANUARY 14, 2019
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Patty Bordman called the meeting to order at 7:30 PM.

II. ROLL CALL

ROLL CALL:	Present:	Mayor Bordman Mayor Pro Tem Boutros Commissioner DeWeese Commissioner Harris Commissioner Hoff Commissioner Nickita Commissioner Sherman
	Absent:	none

V. UNFINISHED BUSINESS

01-011-19 GREENWOOD CEMETERY PAYMENT PLAN POLICY

City Clerk Mynsberge presented her memo dated January 4, 2019.

Mayor Bordman said that in multiple plot purchases the City should consider requiring the monies be remitted to the City before the two year payment plan is complete.

Commissioner Sherman said he did not see why it would be difficult for the Contractor to remit monies in any circumstances before a two year payment plan is complete. He stated that these are the City's funds, that the Commission is responsible for the care of those funds, and that the City does not normally let a third party hold onto City funds and earn interest on them for two years.

City Manager Valentine explained that creating separate books in Finance and in the Clerk's Office to track these payments could cost more than the benefit gained by having the monies transferred immediately.

City Clerk Mynsberge stated the Perpetual Care Fund receives \$2,250 from each plot sold.

Mayor Bordman suggested that the City could require all payment plan monies be placed in an escrow account. She asked why, in paragraph six, the plot purchaser would need to know the breakdown of monies kept by the Contractor and the City. She explained that such information belongs in a contract with the Contractor, not in the payment plan policy for a plot purchaser.

Commissioner Harris agreed the relevant provisions are paragraphs one through five.

Commissioner DeWeese and Mayor Bordman requested the relevant sections in paragraphs three and five be changed to "plot or plots" to indicate a purchaser is not restricted to only one plot.

MOTION: Motion by Commissioner Hoff , seconded by Commissioner Harris:
To amend the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX. LOT SALES - PAYMENT PLAN POLICY as amended on January 14, 2019, Paragraphs 1-5 only. Further, to renumber the subsequent three paragraphs accordingly:

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

VOTE:	Yeas,	7
	Nays,	0
	Absent,	0

Commissioner Hoff asked that it be made known when a Contractor representative is present at the Commission meetings so the representative may be addressed if the Commission so desires.

Mayor Bordman suggested staff discuss an escrow account and the receipt of 75% of the sale by the City with the Contractor. She noted both could result in contract amendments.



MEMORANDUM

City Clerk's Office

DATE: January 4, 2019
TO: Joseph A. Valentine, City Manager
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Greenwood Cemetery Payment Plan Policy

INTRODUCTION:

Payment plans for the purchase of cemetery plots are currently being utilized by 15 customers for the purchase of fewer than 30 plots in Greenwood Cemetery. The Greenwood Cemetery Operational Procedures, Conditions and Regulations (Regulations) as approved by the City Commission do not address payment plans.

On December 10, 2018 the City Commission voiced support for Greenwood Cemetery offering payment plans. The Commission discussed the policy recommendations from staff, and requested the staff address the comments made and return a revised recommendation to the Commission for consideration.

BACKGROUND:

Clarity.

1. Paragraph 3 as proposed on December 10, 2018 does not make clear that Purchasers may use the money on account to pay for a plot needed for burial and may then be given a grace period to repay the 20% deposit amount on the remaining plot(s). Appropriate language has been added to clarify this option.
2. Paragraph 5 as proposed on December 10, 2018 stipulates forfeiture of both the plot(s) and 50% of all payments made should a purchaser default on a payment plan agreement. The Commission expressed interest in offering the purchaser an option of applying the money in their account to pay for one (or more) plot in full, and forfeiting and remaining plot(s) and 50% of the remaining balance. Appropriate language has been added to allow this option.

Consistency.

3. Paragraph 6 as proposed on December 10, 2018 requires our Contractor to remit 75% of the sale price for each plot sold under a payment agreement at the time of final payment. This is consistent with the remittance schedule and record keeping practice currently in place. Plots under contract are not sold; they are not owned by the Purchaser until final payment has been made. The completion of the sale generates the permanent physical and financial record. This is a clean and accurate method of accounting for plots sold.

A change to the method requires a second set of accounts be created and maintained by the City Clerk and Finance Director. The cost of these resources would be in excess of any potential interest earnings. Therefore, it is the staff's recommendation at this time to continue the current accounting practice for installment payments, and to monitor the market. If factors change, such as increased utilization of the program or higher returns

realized on investments, the practice will be reviewed and a recommendation made to the City Commission.

LEGAL REVIEW:

Attorney Don Studt reviewed the revised proposed policy and found it acceptable.

FISCAL IMPACT:

Income to the Greenwood Perpetual Care Fund will continue to be submitted quarterly for plots which are paid in full. Accounting for monthly payments on installment plans will continue as is unless review of the market indicates changes be considered.

SUMMARY:

The policy proposed on December 10, 2018 has been revised to address concerns expressed by the City Commission.

ATTACHMENTS:

1. Revised Payment Plan Policy, redlined
2. Revised Payment Plan Policy, clean
3. Installment plan agreement
4. Excerpt of the December 10, 2018 City Commission meeting minutes.
5. December 10, 2018 staff report

SUGGESTED RESOLUTION:

To amend the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX. LOT SALES - PAYMENT PLAN POLICY as recommended by staff on January 14, 2019. 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

1. A payment agreement may be entered into to allow for the purchase price of a plot(s) to be paid over a period of time not to exceed 24 months and the period provided to cure a default. A copy of this Payment Plan Policy shall be attached to all installment payment agreements and shall be provided to the Purchaser.

2. Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments for the payment period. Such payment agreements shall be interest free. There shall be no prepayment penalty to the Purchaser.

3. A plot being purchased under a payment agreement may not be used for interment until the full purchase price of the plot has been paid. The Purchaser may apply all payments made on the plan to the plot needed for burial. Purchaser shall be given a grace period of up to six months to repay the 20% deposit on the remaining plot(s).

4. In the event a Purchaser fails to make an installment payment, the Purchaser shall have 90 days from the default to cure the deficiency and bring the payments current.

5. For purchase agreements initiated after December 10, 2018, failure to pay the entire contract on or before the final payment due date and the cure period will result in forfeiture of the unpaid plot(s) and 50% of all monies paid to date. If enough money is on account to completely pay for a plot, the Purchaser shall have the option to purchase said plot with those available funds. Fifty percent of the remaining funds on account and any plots not paid in full shall be forfeited.

6. 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 final payment.

IX. LOT SALES - PAYMENT PLAN POLICY

1. A payment agreement may be entered into to allow for the purchase price of a plot(s) to be paid over a period of time not to exceed 24 months and the period provided to cure a default. A copy of this Payment Plan Policy shall be attached to all installment payment agreements and shall be provided to the Purchaser.
2. Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments for the payment period. Such payment agreements shall be interest free. There shall be no prepayment penalty to the Purchaser.
3. A plot being purchased under a payment agreement may not be used for interment until the full purchase price of the plot has been paid. The Purchaser may apply all payments made on the plan to the plot needed for burial. Purchaser shall be given a grace period of up to six months to repay the 20% deposit on the remaining plot(s).
4. In the event a Purchaser fails to make an installment payment, the Purchaser shall have 90 days from the default to cure the deficiency and bring the payments current.
5. For purchase agreements initiated after December 10, 2018, failure to pay the entire contract on or before the final payment due date and the cure period will result in forfeiture of the unpaid plot(s) and 50% of all monies paid to date. If enough money is on account to completely pay for a plot, the Purchaser shall have the option to purchase said plot with those available funds. Fifty percent of the remaining funds on account and any plots not paid in full shall be forfeited.
6. 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 final payment.

BIRMINGHAM CITY COMMISSION MINUTES
DECEMBER 10, 2018
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Patricia Bordman called the meeting to order at 7:30 PM.

II. ROLL CALL

ROLL CALL:	Present:	Mayor Bordman Mayor Pro Tem Boutros Commissioner DeWeese Commissioner Harris Commissioner Hoff Commissioner Nickita Commissioner Sherman
	Absent:	none

Administration: City Manager Valentine, Assistant City Manager Gunter, City Attorney Currier, IT Director Brunk, Police Chief Clemence, Planning Director Ecker, Assistant Engineer Fletcher, Finance Director Gerber, Police Commander Grewe, Assistant to the City Manager Haines, Building Official Johnson, City Engineer O'Meara, City Clerk Mynsberge

V. UNFINISHED BUSINESS

12- -18 GREENWOOD CEMETERY PAYMENT PLAN POLICY

City Clerk Mynsberge presented her memo dated December 10, 2018.

Commissioner Hoff was not in favor of the contractor holding payments, and retaining any interest generated from those payments, until plot(s) on a payment agreement are paid in full.

City Clerk Mynsberge clarified for Commissioner Hoff:

- Previous materials showed 16 payment plans in effect, but one has recently been paid off, leaving only 15 contracts in place.
- The length of terms for the current 15 contracts were determined by the contractor and will remain as is. The proposed policy limits any future contracts to a maximum of 24 months.

Commissioner DeWeese stated:

- Eliminating payment plans would be contrary to the City's policy of providing first class customer service. He sees no downside for the City in offering payment plans.
- Limiting a payment plan to 24 months is wise.
- The contractor is going to bear the extra work, not the Clerk's Office, and it makes it a nice clean separation having such a policy in place, so he will be supporting the amendment to the Operational Procedures as proposed.
- The proposed policy gets rid of a number of inconsistencies, and puts control in the City's hands.

- When a down payment is made it is basically a reservation for a spot. The customer does not own the plot until it is paid in full, and it is clear that if a customer has to use one of the plots, 20% of the cost of the remaining plots must be paid within a period of two to three months, which seems reasonable. Therefore he sees no downside to the policy as presented.

Commissioner Sherman remarked:

- The City's portion of payments should be remitted probably quarterly or semi-annually.
- He is not in favor of the contractor holding payments until the end of a payment plan. If that provision were changed he would be supportive of policy.
- Payment arrangements are appropriate in this industry. It's a fairly common practice, and he does not know why the City would not offer payment plans.
- The proposed plan addresses the rest of the issues that have been raised.
- For him, it comes down to when payment is made to the Perpetual Care Fund.

City Clerk Mynsberge commented the Perpetual Care Fund's investment earnings are currently approximately 5%. Over the course of 24 months the interest on the City's \$2,250 share is approximately \$112, which could be considered a nominal fee for the administration of the plan. The contractor sends out payment books, monthly statements, the accounting, and keeps in close contact with the purchasers.

City Manager Valentine explained the idea is that the contractor can do it cheaper and more efficiently than the City can do it, so it is a better deal for the City in the long run. Weighing what is given up against what is gained the City is benefitting from the arrangement.

Commissioner Sherman responded:

- The City has a contract with Elmwood to provide these services.
- Elmwood initially offered payment plans without the City's agreement.
- He would feel differently if the split was opposite – the City getting 25% and the contractor getting 75% - but the City gets three-fourths of each sale and he believes that should go into the Perpetual Care Fund sooner rather than later.
- Investment return rates could exceed 5%.

Mayor Bordman:

- Indicated the contractor is receiving payment for the work they do under the payment plan.
- Noted money in the Perpetual Care Fund gains interest and accumulates over time which will help accomplish many projects in the cemetery. The money should come to the City, as Commissioner Sherman suggested, quarterly or so.
- Suggested that in the event someone could not complete their payment plan, the person should have the option of transferring their money to cover one (or more) plot, and then 50% of the remaining balance on account would be forfeited.

City Clerk Mynsberge confirmed that all money paid on a payment plan can be applied to a plot needed for burial. The customer will then be given a grace period to pay enough on the account to cover 20% of the remaining plot(s).

Commissioner Harris said:

The policy needs to be clear on the point just explained by City Clerk Mynsberge.

The Commission should see the payment plan agreement to ensure it comports with the payment plan adopted.

Commissioner DeWeese noted:

- No one has expressed opposition to having payment plans for cemetery plots.
- Suggested the staff address the comments made and bring the proposed policy back to the Commission as soon as feasible.
- Encouraged a policy that is compassionate and works for the interests of the City.
- Referring to the question of when the City's portion of plots sold under payment plans should be remitted, suggested there may be other options.

Commissioner Nickita said he concurs with the general comments made, and agreed with Commissioner Harris that the Commission needs to see the contract being used for payment plans.

City Manager Valentine confirmed staff will address the comments made and bring the policy back to the Commission for consideration.



MEMORANDUM

City Clerk's Office

DATE: December 10, 2018
TO: Joseph A. Valentine, City Manager
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Greenwood Cemetery Payment Plan Policy

INTRODUCTION:

Payment plans for the purchase of cemetery plots are currently being utilized by 15 customers for the purchase of fewer than 30 plots in Greenwood Cemetery. The Greenwood Cemetery Operational Procedures, Conditions and Regulations (Regulations) as approved by the City Commission do not address payment plans. The Greenwood Cemetery Advisory Board (GCAB) believes a written policy should be adopted by the City of Birmingham to regulate such payment plans and has worked diligently to craft a policy which best protects the fiduciary soundness of Birmingham and the Greenwood Cemetery.

Based on the City Commission's comments at their September 17, 2018 meeting, the GCAB revised its draft of the policy on October 5, 2018. Administrative staff encouraged comments from the City's Contractor and conducted a thorough review of both the policy as approved by the GCAB and the perspective of our Contractor as cemetery and funeral professionals who will be charged with implementing the policy. Staff concluded there are issues of consistency and customer service which deserve further consideration in order to provide the City with the best possible policy.

BACKGROUND:

Inconsistency.

1. Paragraph 6 of the proposed policy stipulates forfeiture of both the plot(s) and all payments made should a purchaser default on a payment plan agreement. Section IX. Lot Resale Policy of the current Regulations requires repayment by the City of 50% of the original purchase price on graves returned to the City. In the interest of uniformity, consideration should be given to refunding 50% of payments made on installment if a purchaser is unable to bring the account current.
2. Paragraph 7 of the proposed policy would require our Contractor to remit 75% of each payment made on installment plans to the Greenwood Perpetual Care Fund (Fund) at the time of each payment. From the time our Contractor began making sales of cemetery plots in 2014 distributions to the Fund have been made quarterly on lot sales which have been paid in full. This practice was stated by the Contractor at the GCAB's first meeting on January 9, 2015. The Contractor's report on lot sales from July 1 through December 31, 2014 stated, "Currently, sales of available spaces are permitted where a death has occurred. This total represents seven space sales. Distributions to the City are made quarterly, now that the Endowment Fund account has been established by ordinance, on lot sales upon payment in full by the purchaser". For consistency's sake, remittance of the Perpetual Care Fund's 75% of sales should continue to be made quarterly for plots which are paid in full.

The City Commission hired Elmwood Historic Cemetery on June 24, 2013 to provide management services for Greenwood Cemetery. Contractually, our Contractor is responsible for providing permanent record keeping, financial record keeping, customer service and marketing, and assisting the City in reviewing the Operational Procedures, Conditions, and Regulations in order to ensure the needs of the community are being met in a manner consistent with industry best practices (*Request for Proposal as incorporated by reference into the Agreement for Greenwood Cemetery Management Services, Scope of Work, Sections 1 & 7*). Under our Contractor's system of record keeping, the permanent record of sale is reported to the City when payment is complete along with 75% of the sale price and a copy of the deed issued to the purchaser. The cost of monthly billing, collecting and accounting is absorbed by our Contractor. The investment earnings of approximately 5% of the City's \$2,250 share of each Cemetery plot amounts to \$112.50. Deferral of interest over a maximum 24-month term could be considered a nominal cost for providing the service of installment plans to Greenwood Cemetery's customers while maintaining a clean and simple accounting of plots sold.

Customer Service.

1. The City of Birmingham prides itself on providing exceptional customer service to its residents. Providing payment plans for the purchase of plots in Greenwood Cemetery observes this standard. The GCAB has commendably concentrated on fiscal responsibility in the policy's provisions. Upon review, however, administrative staff rears some unintended negative perceptions may be felt by the City's customers. For instance, if Birmingham retains all payments made on an installment plan if the customer defaults, the City could be perceived as unsympathetic or uncompassionate to families whose circumstances have changed. If the City refunds 50% it also retains 50% and is able to resell the plot(s) at full price. This is consistent with Section IX. Lot Resale Policy of the current Regulations.
2. Paragraph 4 of the policy requires equal allocation of monthly payments to each plot being purchased and does not allow families who wish to utilize one plot for a burial to apply payments already made to the needed plot. In their contractual role of reviewing the Regulations to ensure the needs of the community are being met in a manner consistent with industry best practices, our Contractor notes that this is not a standard practice in the industry. Rather, one space is required to be paid in full with the 20% down payment being maintained on the remaining plots under contract. A grieving family member may perceive the practice of requiring more money when enough is already on account as unnecessarily insensitive on the part of the City. Should the Greenwood Cemetery policy be based on standard industry practice, or is it beneficial to the City to be more stringent?

LEGAL REVIEW:

Following the September 17, 2018 City Commission meeting, City Attorney Currier reviewed the proposed policy as submitted by the GCAB and made revisions compatible with the City Commission's comments while maintaining the meaning and substance of the GCAB's version. The GCAB approved the attorney's draft policy with minor adjustments on October 5, 2018.

FISCAL IMPACT:

Income to the Greenwood Perpetual Care Fund will continue to be submitted quarterly for plots which are paid in full. Deferred investment income would be approximately \$112.50 per plot for a maximum of 24 months.

SUMMARY:

The GCAB met on December 7, 2018 and reviewed the comments as presented above under "Background". During much of the discussion which ensued, members of the GCAB were amenable to making many of the suggested changes. As the discussion continued a suggestion was made that perhaps purchase plans for cemetery plots should be phased out. On a vote of 4-2, with one member absent, the GCAB approved a recommendation to the City Commission that no new payment plans for the purchase of Greenwood Cemetery plots will be entered into effective January 1, 2019, and that current payment plans will be continued to their conclusion.

Minor changes could cure inconsistencies in the policy and inject the policy with elements of customer service more sensitive to the Cemetery's customers, without the GCAB compromising its fiduciary responsibility.

ATTACHMENTS:

1. Excerpt of the December 7, 2018 GCAB meeting minutes.
2. Payment Plan Policy as approved by the GCAB on October 5, 2018.
3. Comments on proposed plan from Contractor.
4. Contractor's report distributed at January 9, 2015 meeting of the GCAB
5. October 5, 2018 version revised to incorporate changes as suggested by staff-REDLINED
6. October 5, 2018 version revised to incorporate changes as suggested by staff-CLEAN

SUGGESTED RESOLUTION:

To adopt the recommendation of the Greenwood Cemetery Advisory Board that no new payment plans for the purchase of Greenwood Cemetery plots be entered into effective January 1, 2019, and that current payment plans will be continued to their conclusion.

OR

To amend the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX. LOT SALES - PAYMENT PLAN POLICY as suggested by staff. Further, to renumber the subsequent three paragraphs accordingly:

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

**GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, DECEMBER 7, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

Chairperson Gehringer called the meeting to order at 8:36 a.m.

II. ROLL CALL

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

Administration: City Clerk Mynsberge

Payment Plan Policy

City Clerk Mynsberge presented her memo dated November 15, 2018

Mr. Stern endorsed City Clerk Mynsberge's recommendations to:

- Refund 50% of the payments made on installment if a purchaser is unable to complete the contract;
- Payment of 75% of the purchase price be made to the Perpetual Care Fund after the final payment is made, which causes less work for the City; and
- In the interest of compassion, if enough money is on account to pay for a needed grave the purchaser may be given time to replace the 20% deposit on the other plot(s).

Ms. Suter and Ms. Buchanan questioned what an appropriate procedure would be if all of the money on account was credited to the plot to be used and the 20% down payment amount for the remaining plot(s) was not left in the account.

Mr. Stern confirmed for Ms. Schreiner that he would be willing to give people time to replace the 20% down payment on the remaining plot(s) while the estate was settled.

Ms. Schreiner suggested the policy be made broader to allow flexibility.

City Clerk Mynsberge noted that as the purchaser continues to make payments when they can, in a short amount of time the 20% will be paid.

Ms. Peterson suggested a six-month grace period to reestablish the 20%.

Ms. Gehringer stated:

- The Board takes direction from, and reports to, the City Commission.
- When the City Commission first considered the GCAB's recommendation there were several comments, including from then-Mayor Harris the request for a cure period and other in-depth financial comments that were not clear to her.

Ms. Schreiner explained a cure period is a legal term for what is essentially a grace period.

Ms. Gehringer noted where she stands on the factors of the payment plan policy:

- Elmwood should submit 75% of the payments on payment plans quarterly.
- She reminded the Board the payment plan was initiated by Elmwood, so, with all due respect, quarterly accounting of the payments made is not that much more work.
- She does not agree, and she believes the City Commission also does not agree, that remittance of the City's 75% should be deferred until the purchasers make final payment.
- Refunding 50% of money paid on contracts which are not honored is consistent with the lot resale policy.
- In perspective, not everyone is buying a plot on a payment plan. Only a small number of people chose that option. If and when the payment plan policy is made official the number of payment plans is not going to increase discernably.
- When she wrote the initial draft of a policy, she took it from acceptable standards from other cemeteries offering payment plans, deleting a lot of the details and reporting requirements.
- She agrees a grace period should be offered.
- She does not agree that all the money on account goes to the particular plot needed for burial because these plot(s) are being held. Plots are being kept off the market that could otherwise be sold.
- She is not adverse to keeping 20% on each plot and using the funds above that amount to pay off a plot needed for burial.

In response to a question from Ms. Peterson, Cheri Arcome, representing Elmwood, explained how Elmwood administers payment plans:

- The 20% down payment is not applied to each plot equally.
- If there is \$3,000 on account, one plot may be used for burial. As long as the family keeps making payments, the contract is paid off in 24 months so it is not considered an issue.
- Elmwood does not address the greater financial arrangements at the time of a death, when a family is grieving, as long as the needed plot is paid for in full and the burial fee is paid. Instead, the family is contacted 30 days after the burial to discuss any payments still owing.
- She explained that families are in a time of crisis when making burial arrangements. Often a widow has not handled the finances and may not know where the checkbook is or how to make payments. One of the biggest concerns for a family member at the time is that they might lose their space next to their spouse.

Ms. Arcome clarified for Ms. Peterson that families on a payment plan are given a payment book and are mailed a statement monthly. She confirmed that families are well informed by Elmwood as to when payments are due, how much has been paid and the balance owed. As of the end of the third calendar quarter, there are 15 statements being mailed each month.

Ms. Gehringer said she had a different perspective after Ms. Arcome's explanation of the current procedure. She noted Elmwood's method is more compassionate than what I was suggesting. When families are in a time of crises it is harsh to say we are keeping 20%.

Ms. Suter and Ms. Schreiner explained how long probate can take and how long accounts can be frozen.

Ms. Gehringer commented that the Board has spent a year and a half on the policy, going around and around, changing their minds, then going back and changing their minds the other way. She suggested that payment plans be discontinued moving forward for simplicity's sake. She noted there are a small number of people choosing the payment plan option in comparison with the overall population and with the number of graves in the cemetery. Ms. Gehringer also expressed concern that when the policy is once again presented to the City Commission the Board will be going back and forth again.

Ms. Arcome reported that 85% of purchasers pay in full up front.

Ms. Arcome indicated Elmwood, as the City's contractor, is amenable to whatever direction Birmingham chooses in regards to payment plans.

Mr. Stern believed payment plans should continue to be offered because of the high cost of a plot in Greenwood. He noted many municipalities around the state are selling plots for around \$500, and at that price point he understands those communities not offering a payment plan. Mr. Stern commented that with the high price at Greenwood a payment plan is a compassionate thing to do, and it serves the citizens of Birmingham and the general area. He advocated finishing the policy and submitting it to the City Commission.

Ms. Suter commented that simplifying makes things better for everyone, and she said that people have other sources for money such as bank loans or personal loans from family. Ms. Suter was in favor of phasing out payment plans.

MOTION: Motion by Ms. Peterson, seconded by Ms. Suter:
To recommend to the City Commission that no new payment plans for the purchase of Greenwood Cemetery plots will be entered into effective January 1, 2019, and that current payment plans will be continued to their conclusion.

VOTE: Yeas, 4
 Nays, 2 (Schreiner, Stern)
 Absent, 1

Ms. Gehringer commented that if the City Commission does not accept the Board's recommendation she hopes they will give the Board better direction as to exactly what they are looking for.

As approved by GCAB on October 5, 2018

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price of a plot(s) to be paid over a period of time not to exceed 24 months and the period provided to cure a default. A copy of this Payment Plan Policy shall be attached to all installment payment agreements and shall be provided to the Purchaser.

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 the payment period . Such payment agreements shall be interest free. If the Purchaser is buying more than 1 plot, prepayments shall be allocated equally to all plots being purchased. There shall be no prepayment penalty to the Purchaser.

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 payment in question shall be equally allocated to each plot. In the event interment is needed, the plot to be used must be fully paid before interment can take place. This will require an additional payment to fully payoff the plot in question. The remaining plots shall continue on the installment payment basis until all plots are paid in full or the agreement is otherwise terminated. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments for other plots for this purpose.

In the event a Purchaser fails to make an installment payment, the Purchaser shall have 90 days from the default to cure the deficiency and bring the payments current.

For purchase agreements initiated after (*effective date*), failure to pay the entire contract on or before the final payment due date and the cure period 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, plus the cure period, whichever occurs first.

**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 SALES – PAYMENT PLAN POLICY

1. A payment agreement may be entered into to allow for the purchase price of a plot(s) to be paid over a period of time not to exceed 24 months and the period provided to cure a default. A copy of this Payment Plan Policy shall be attached to all installment payment agreements and shall be provided to the Purchaser.

2. Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments for the payment period. Such payment agreements shall be interest free. There shall be no prepayment penalty to the Purchaser.

3. A plot(s) being purchased under a payment agreement may not be used for interment until the full purchase price of the plot(s) has been paid. The Purchaser may apply all payments made on the plan to the plot(s) needed for burial. Should this application of funds to the burial plot reduce the balance in the Purchaser's account below 20% of the value of the remaining plots, the Purchaser shall be given a grace period of up to six months to repay the 20% deposit on the remaining plot(s).

4. In the event a Purchaser fails to make an installment payment, the Purchaser shall have 90 days from the default to cure the deficiency and bring the payments current.

5. For purchase agreements initiated after January 14, 2019, failure to pay the entire contract on or before the final payment due date and the cure period will result in forfeiture of the unpaid plot(s) and 50% of all monies paid to date. If enough money is on account to completely pay for a plot(s), the Purchaser shall have the option to purchase said plot(s) with those available funds. Fifty percent of the remaining funds on account and any plots not paid in full shall be forfeited.

X. 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.)

XI. SCHEDULE OF FEES AND CHARGES

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

XII. 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).
- January 14, 2019 Resolution No. 01-011-19

**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 SALES – PAYMENT PLAN POLICY

1. A payment agreement may be entered into to allow for the purchase price of a plot(s) to be paid over a period of time not to exceed 24 months and the period provided to cure a default. A copy of this Payment Plan Policy shall be attached to all installment payment agreements and shall be provided to the Purchaser.

2. Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments for the payment period. Such payment agreements shall be interest free. There shall be no prepayment penalty to the Purchaser.

3. A plot(s) being purchased under a payment agreement may not be used for interment until the full purchase price of the plot(s) has been paid. The Purchaser may apply all payments made on the plan to the plot(s) needed for burial. Should this application of funds to the burial plot reduce the balance in the Purchaser's account below 20% of the value of the remaining plots, the Purchaser shall be given a grace period of up to six months to repay the 20% deposit on the remaining plot(s).

4. In the event a Purchaser fails to make an installment payment, the Purchaser shall have 90 days from the default to cure the deficiency and bring the payments current.

5. For purchase agreements initiated after January 14, 2019, failure to pay the entire contract on or before the final payment due date and the cure period will result in forfeiture of the unpaid plot(s) and 50% of all monies paid to date. If enough money is on account to completely pay for a plot(s), the Purchaser shall have the option to purchase said plot(s) with those available funds. Fifty percent of the remaining funds on account and any plots not paid in full shall be forfeited.

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.)

XI. SCHEDULE OF FEES AND CHARGES

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

XII. 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).
- January 14, 2019 Resolution No. 01-011-19



MEMORANDUM

City Clerk's Office

DATE: January 29, 2019
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Master Plan Process/Historical Collaboration

As part of the City's long range planning process the following was listed as a priority with the Birmingham Museum's presentation:

Collaboration with the Clerk's office, Historic District Study Committee, and Friends of the Birmingham Museum to improve database and public access to information about Greenwood Cemetery and to increase public awareness of historic preservation and dissemination of information about historic sites in Birmingham.

The attached matrix is an extended version of the Board's master plan process chart and officially brings together several City boards and commissions with closely aligned projects to offer aid and assistance to one another.

COLLABORATIVE HISTORIC PRESERVATION PROJECTS

	Greenwood Cemetery (Clerk's)	Historic District Comm	Historic District Study Comm	Museum	Parks	Baldwin Library	Friends of the Museum	Birmingham Public Schools
Historic building plaque repair/replacement			X	X				
Historic walking tour-update/expand			X	X				
Heritage home certificate/plaque program-update/expand			X	X				
Raise awareness of Birmingham historical assets-press/articles/promotion, etc.			X	X				
Promotion of new properties for historic designation			X	X				
Audit/update records-designated historical buildings			X	X				
Publish Eco City survey and history			X	X				
Update/expand/digitize Greenwood Cemetery records	X		X	X			X	
Historic headstone inventory and condition assessment/repairs	X		X	X			X	
Update Greenwood biographical information for existing tour program, interactive map and online access	X		X	X			X	
Locate Potter's Field at Greenwood	X		X	X			X	
Preservation project Certified Local Government (SHPO)grant funding at Allen/Hunter Houses		X		X				
Preserve and improve Museum site and adjacent trails for enhanced public access/explore relevant grants				X	X			
Integrated/continuity of park signage and wayfinding				X	X			
Enhance/expand adult and child history-related enrichment programs				X		X	X	X



MEMORANDUM

City Clerk's Office

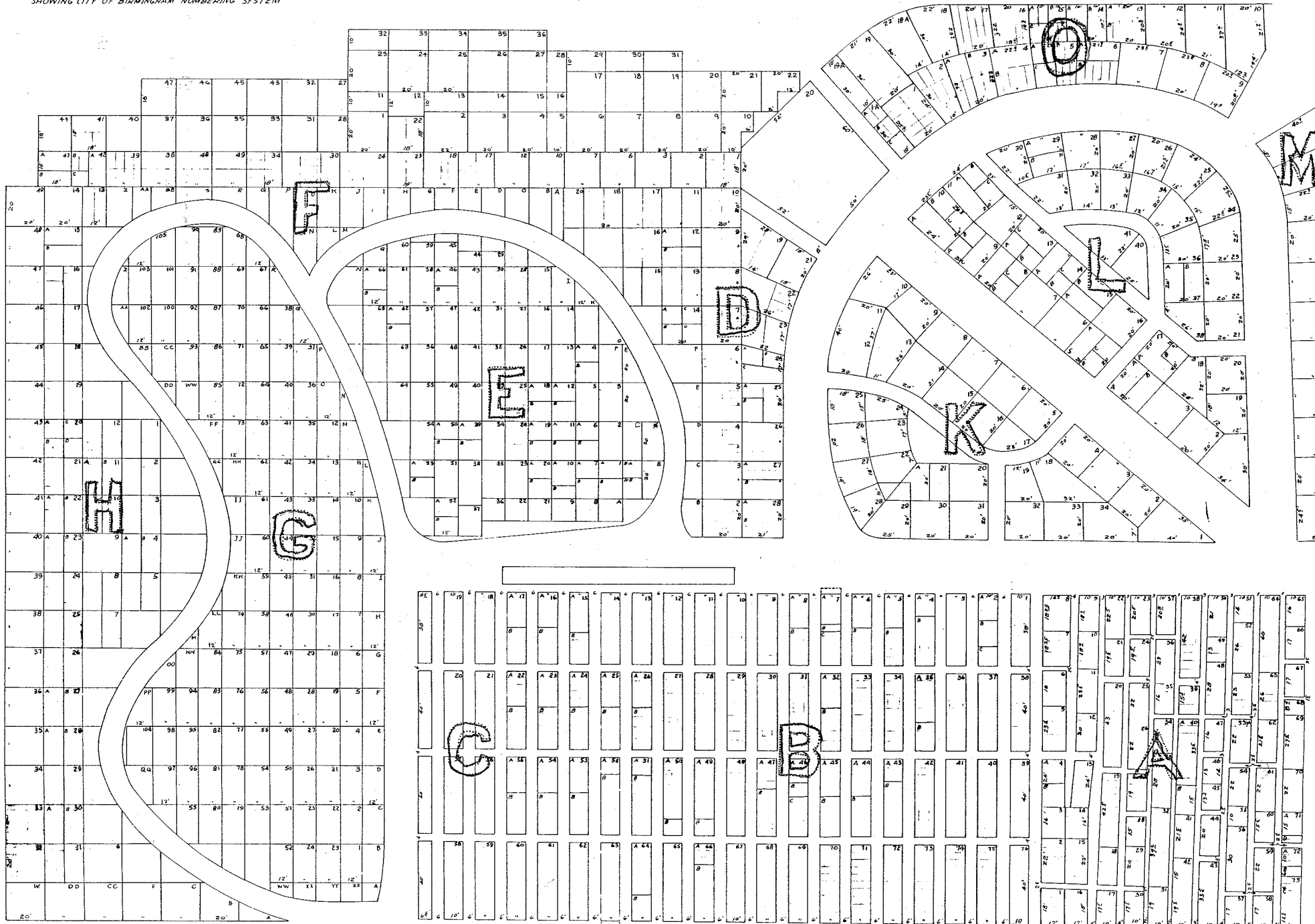
DATE: January 30, 2019
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Spring Tree Planting

Last fall the Board began discussing adding trees to the cemetery. In February I will meet with DPS, the arborist, and our management contractor to assess and evaluate the opportunity to include Greenwood Cemetery in the City's spring tree planting project.

Please be prepared to identify on the attached map of the cemetery areas the Board would like evaluated.

GREENWOOD CEMETERY

SHOWING CITY OF BIRMINGHAM NUMBERING SYSTEM



Oak St.

**HISTORIC GREENWOOD CEMETERY 2018
THIRD QUARTER REPORT**

MONTHLY BURIAL SERVICES

MONTH	CREMATION BURIAL	FULL CASKETED BURIAL	DISINTERMENT
JULY	0	1	0
AUGUST	1	1	0
SEPTEMBER	1	0	0

CEMETERY MAINTENANCE

Lawn maintenance continues weekly. Road work has been completed. The cemetery is in good 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

4 plot sales in the third 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	\$3,750
Non-Resident			1(4 graves)	4	\$9,000	\$3,000
TOTAL	2		7	9	\$20,250	\$6,750

APRIL – JUNE (SECOND 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						
Non-Resident			1(6 graves)	6	\$13,500	\$4,500
TOTAL			6	6	\$13,500	\$4,500

JULY – SEPTEMBER (THIRD 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						
Non-Resident		2		4	\$9,000	\$3,000
2 payment plans completed for a total of 4 plots.					\$9,000	\$3,000
TOTAL				4	\$18,000	\$6,000

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				5	\$11,250	\$3,750
Non-Resident	4	6	4		14	\$31,500	\$10,500
Payment Plans Completed			4		Paid, not sold	\$9,000	\$3,000
TOTAL	9	6	4		19	\$51,750	\$17,250

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	Fourth Quarter 2018	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
B	33	60	36	1	6	2		138*	270
C	11	24	5	7	0	2		49*	23
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
TOTAL	78	93	41	8	6	4		230	307

*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: 187**

**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	Fourth Quarter 2018	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
E	11	0	0	0	0	0		11	0
G	14	1	3	1	0	0		19	0
TOTAL	25	1	3	1	0	0		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	0	0	3	3	0
TOTAL	0	0	3	3	0

PLOTS UNDER CONTRACT (PAYMENT PLAN) IN SECTIONS B, C, K, L & O

Current through September 30, 2018

Section	Lot	Grave Nos.	Date of Agreement	Term of Agreement	NUMBER OF PLOTS
B	1-A	24	06/21/2018	24 months	1
B	4-A	19, 20	10/23/2017	24 months	2
B	5-C	19, 20	10/23/2017	24 months	2
B	10-A	3, 4	11/16/2015	36 months	2
B	11-A	23	06/26/2018	24 months	1
B	12-A	9, 10	07/15/2016	24 months	2
B	12-A	11, 12	09/15/2016	24 months	2 PD
B	6-C	23, 24	06/13/2018	24 months	2
C	16-C	5	06/13/2018	24 months	1
C	16-C	6	06/13/2018	24 months	1
C	17-C	23, 24	10/26/2016	60 months	2
C	18-A	9, 10	11/04/2016	36 months	2
C	19-A	5, 6	09/21/2017	24 months	2
K	12-A	5, 6	08/26/2015	60 months	2 PD
L	16-A	9, 10	12/03/2015	60 months	2
O	20-A	7, 8	08/26/2015	60 months	2
O	20-B	5,6,7,8	04/22/2016	60 months	4
TOTAL:					28

This concluded the 18th quarter (55 months) as the operator of Historic Greenwood Cemetery.