

**TERRILL L. HILL**  
MAYOR - COMMISSIONER

**MARY LAWSON BROWN**  
VICE MAYOR - COMMISSIONER

**RUFUS J. BOROM**  
COMMISSIONER

**JUSTIN R. CAMPBELL**  
COMMISSIONER

**JAMES NORWOOD, JR.**  
COMMISSIONER



# CITY of *Palatka* FLORIDA

*Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.*

**TERRY K. SUGGS**  
CITY MANAGER

**BETSY JORDAN DRIGGERS**  
CITY CLERK

**MATTHEW D. REYNOLDS**  
FINANCE DIRECTOR

**JAMES A. GRIFFITH**  
INTERIM CHIEF OF POLICE

**MICHAEL LAMBERT**  
CHIEF FIRE DEPT.

**DONALD E. HOLMES**  
CITY ATTORNEY

## AGENDA CITY OF PALATKA WORKSHOP October 14, 2015 – 3:30 p.m.

### CALL TO ORDER & Reading of Workshop Meeting Call – Mayor Hill

- a. Invocation
- b. Pledge of Allegiance
- c. Roll Call

1. PUBLIC COMMENTS (limited to 3 minutes – no action will be taken on topics of discussion)
- \* 2. DISCUSSION – Cemeteries Ordinance amending Code to cease city-provided burials and vault sales
3. OTHER COMMENTS
4. ADJOURN

\*Attachment \*\*Separate Cover

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FS 286.105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.

### Upcoming Events:

Sept. 7 – City offices closed to observe Labor Day Holiday  
Sept. 17 – City hosts NEFLC Meeting 6:00 p.m.  
Oct. 2, 2015 – Employees' Safety Luncheon (noon)  
Oct. 31 – Halloween Trick or Treat, 6 to 8 pm  
Nov. 11 – City offices closed to observe Veterans Day  
Nov. 26 & 27 – City offices closed to observe Thanksgiving

### Board Openings:

Palatka General Pension Board – 1 Commission Rep  
Planning Board – 1 Vacancy (at large)  
Putnam Co. Better Place Plan Oversight Committee Rep  
Board of Zoning Appeals – 3 vacancies (at-large)

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**CITY of Palatka**  
**FLORIDA**

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**September 11, 2015**

**TO COMMISSIONERS: MARY LAWSON BROWN, RUFUS BOROM,  
JUSTIN CAMPBELL AND JAMES NORWOOD, Jr.:**

You are hereby notified that a Workshop Meeting of the Palatka City Commission is called to be held on Tuesday, September 15, 2015, at the Palatka Golf Club, 1715 Moseley Avenue, Palatka, to commence at 5:30 p.m.

The purpose of the workshop meeting is to discuss Golf Course Sustainability.

*/s/ Terrill L. Hill*

Terrill L. Hill, MAYOR

We hereby acknowledge receipt of the foregoing Notice of a Special Called Workshop Meeting on the 11<sup>th</sup> day of September, 2015.

*/s/ Mary Lawson Brown*

COMMISSIONER

*/s/ Justin Campbell*

COMMISSIONER

*/s/ James Norwood, Jr.*

COMMISSIONER

*/s/ Rufus Borom*

COMMISSIONER

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.



## CITY COMMISSION WORKSHOP AGENDA ITEM

### **SUBJECT:**

**DISCUSSION** - Ordinance amending Chapter 22, Cemeteries, creating provisions for the issuance of burial permits for burials in City cemeteries, and amending Appendix A, Fee Schedule accordingly to cease City-provided burial services and vault sales

### **SUMMARY:**

This is a discussion item for this workshop. This item was tabled on 2nd reading at the September 24, 2015 City Commission meeting. It is scheduled to come back for 2nd reading on October 22, 2015, and the changes will be effective November 1, 2015.

**BACKGROUND:** Some time during the 1970's the City of Palatka became the exclusive provider of grave opening/closing services in its three City-owned cemeteries. At that time, the Cemetery Department had a dedicated staff of six (a manager and administrative assistant who took care of administration, with a maintenance/burial staff consisting of a foreman and three to four laborers). In the early 2000's the Cemeteries department was combined with the Parks department to form the Parks & Cemeteries Department, and all business was handled out of the Cemeteries Office located at Oak Hill West. All maintenance and burials were performed by dedicated Cemeteries personnel and backed up by Parks personnel.

From 2008 to 2013, dedicated Cemeteries labor personnel positions dropped from five to three positions (a foreman and two laborers). In 2013, the Cemeteries Department was split away from the Parks Department and further divided into Cemeteries Maintenance and Cemeteries Administration. Cemeteries Admin consisted of one off-site administrator and two part-time office employees, who man the cemeteries office. Cemeteries maintenance employees (one foreman and one laborer) were moved up under the Public Works department. One other laborer position that was being funded from the Cemeteries budget was moved to Parks.

In 2014, the Cemeteries laborer position became vacant. The decision was made at that time to not fill the position, but to use the money to be saved by not filling that position to partially fund the purchase of an additional prison crew for the Parks Department. Since that time, the City has continued performing burials seven days a week, which requires two employees to perform (excavation, vault setting and set-up prior to the graveside service, break-down, setting the vault lid and covering the grave post-funeral). Because there is now only one dedicated cemeteries labor position, this requires "borrowing" an employee from Public Works for burials. Many of our funerals require employees to work after 4 pm and on Saturdays, which is the day most burials are performed, and some Sundays. This creates an overtime situation for two employees, thereby severely limiting any profit to be realized by continuing to perform burials with such a limited staff.

A check of municipally-owned cemeteries across the State reveals few, if any, municipalities that actually open and close graves and manage graveside services. Some municipalities contract grave opening/closing to a 3rd party provider. Research has revealed that the City can do that, but it will mean an increase in the price of opening/closing a grave just to cover the City's expense, and will require an employee to provide

limited supervision of activities on Saturdays and Sundays.

Most municipalities have a burial permit procedure in place, wherein a permit is issued to a funeral service provider when a burial is to take place, and that provider opens and closes the grave and manages the graveside service amenities. The municipality issues the burial permit to the provider, and marks the location of the grave. The service provider takes care of opening and closing the grave site, setting and closing the vault, setting up and breaking down tents and chairs, and assumes liability for all burial-related events.

Until August, 2015, the City had performed 60 regular burials for the year. In 2014 the City performed 97 burials (plus 13 indigent burials) for the year. In 2013 the City performed 104 regular burials (plus four indigent burials) for the year. Casket burials are declining in favor of cremation.

There has been much concern over the condition of our cemeteries. When the Cemeteries Dept. had a labor staff and it's own prison crew, there was as much attention paid to maintenance as was paid to burials, and personnel could be scheduled to work to cover weekend burials without creating an overtime situation. Now that staff is down to one dedicated employee, and the Cemetery does not have it's own prison crew, the city has been more burial service oriented than maintenance oriented. One of the City's two prison crew makes a sweep through all three cemeteries at least twice a month, but during Florida's 9 months of growing season, this is not sufficient. Staff believes it would be advantageous for the City to cease to provide burial services, at least until such time that Staffing levels and demand again permit burial services to be a profitable and reasonable venture.

The City Manager and Cemeteries administrative staff met with our local burial services providers in July to gauge reaction and take comments on proposed changes to city-provided burial services. The Providers all agreed with the concept of providing their own burial services, as they all do this for burials that take place in other cemeteries. They also requested that, if the City is to get out of the "burial" business, that the City also ceases the sale of cemetery vaults. Also requested was that the City provide a dedicated event space within each cemetery to hold a burial service, such as a gazebo or open-air chapel, which can be booked by service providers or families for memorial services, similar to the service chapels provided for memorial services in state-owned veterans' cemeteries.

The ordinance being introduced (following this summary) creates a mechanism for the City's issuance of burial permits for a fee of \$150 per burial, and makes other amendments to the City's code to allow for the transition from the City providing burial services to the funeral service providers contracting for burial services. Fee schedule amendments are included. If approved, this change will become effective October 1, 2015.

**RECOMMENDED ACTION:**  
**Discussion item for Workshop**

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Ordinance Strike-through/Underline	Ordinance
<input type="checkbox"/> Minutes - Sept 24, 2015 meeting	Discussion

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	10/14/2015 - 10:43 AM

This instrument prepared by:  
Betsy J. Driggers, CMC  
201 North 2<sup>nd</sup> Street  
Palatka, Florida 32177

**ORDINANCE NO. 15 -**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING CHAPTER 22 OF THE PALATKA MUNICIPAL CODE ENTITLED CEMETERIES; AMENDING SECTION 22-3, ADDING PROVISIONS FOR VAULTS INSTALLED BY BURIAL SERVICE PROVIDERS, SECTION 22-4, LOT PRICES, TO DELETE VAULT SALES AND INTERMENT SERVICES, SECTION 22-6, RECORDS; ADDING PROVISIONS FOR OPENING AND CLOSING OF GRAVESITES, PERMITS FOR BURIALS REQUIRED, REGULATIONS FOR INTERMENTS AND DISINTERMENTS, AND OTHER REVISIONS TO GENERAL RESTRICTIONS; PROVIDING FOR RENUMBERING OF CHAPTER SECTIONS WHERE NECESSARY; AND AMENDING "APPENDIX A - FEE SCHEDULE" TO DELETE VAULT SALES AND INTERMENT PRICING AND ADD BURIAL PERMIT FEES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palatka owns and maintains three cemeteries and desires to memorialize and adopt rules and standards for the maintenance and orderly care of those cemeteries, as well as for the health, welfare and safety of its citizens and employees; and

**WHEREAS**, the City of Palatka desires to delete provisions for vault sales and interment services provided by the City and adopt standards, rules, permitting processes and fees for interments provided by licensed funeral service providers effective October 1, 2015; and

**WHEREAS**, all the necessary procedural steps have been accomplished, and two duly advertised public hearings were held before the City Commission of the City of Palatka on September 10 and 24, 2015; and

**WHEREAS**, the City Commission of the City of Palatka has determined that said amendments and standards are necessary and should be adopted.

**NOW, THEREFORE, BE IT ENACTED BY THE CITIZENS OF THE CITY OF PALATKA, FLORIDA:**

**Section I.** That Palatka Municipal Code Chapter 22, Section 3,

entitled shall be amended to read as follows:

**Sec. 22-3. - Grave markers, fences, coverings and vaults in city cemeteries**

- (a) All corner markers, copings, fences or railings for grave lots or spaces in city cemeteries shall be of marble or granite and shall be installed at ground level. In addition, no stones, gravel, pebbles or other light material shall be used as grave coverings on any graves in the cemeteries.
- (b) ~~Concrete vaults or steel vaults shall be used for each grave space at the expense of the lot owner, and no burial shall be made in any of the cemeteries of the city unless a concrete or steel vault is used.~~ Except for indigent burials, no person or undertaker or funeral director shall bury or cause to be buried a human being in any City of Palatka Cemetery without providing a steel or concrete block vault which said vault dimensions shall follow the dimensions of the gravesite, and said vault shall be inspected by the city prior to its use or the funeral director shall provide a certificate of compliance to the satisfaction of the city.
- (c) Except for burials in the sections of Historic West View Cemetery and Oak Hill Cemetery (East) platted prior to 1928 and mausoleums, all vaults and outside containers used in City of Palatka Cemeteries must be covered completely with a minimum of 18 inches of earth. No vault covers are to be left exposed above the ground.
- (d) Vaults are not required for cremain urns interred in standard or cremains in-ground interment sites; however, all cremain urns must be covered by a minimum of ten inches of soil.
- (e) Mausoleums and niches for urns to be located in any City of Palatka Cemetery shall not exceed five feet in height.

**Section II.** That Palatka Municipal Code Chapter 22, Section 4, entitled "Lot Prices" shall be amended to read as follows:

**Sec. 22-4. Prices for lots and services in city cemeteries.**

- (a) *Adult lots.* The price of city cemetery lots per single adult grave space shall be as set out in Appendix A to this Code, as amended from time to time. All lots, except those designated as infant lots and those designated as cremains-only lots, will be considered adult lots.
- (b) *Infant and cremains-only lots.* The price of cemetery lots per single infant grave space, and per double-urn cremains-only grave space, shall be as set out in Appendix A to this Code, as amended from time to time. Lots 8 through 20, 28 through 40, 48 through 60, and 68 through 80, in Block 118 of Oak Hill Cemetery (also known as Oak Hill East Cemetery), and Sheets 3 and 4, Blocks A and AA of Oak Hill West Cemetery, are hereby designated as infant lots. Cremains-only lots, which are designated and set aside for that purpose, are as shown on the Plat of Oak Hill West Cemetery.
- ~~(c) *Vaults.* The price of vaults provided for burials by the City of Palatka shall be as set out in appendix A to this Code, as amended from time to time.~~
- ~~(d) *Interments and all other services.* The price for interments and all other services associated with interments, to coincide with those permitted times for the scheduling of interments, shall be as set out in appendix A to this Code, as amended from time to time. All interments shall require a forty-eight (48) hour notice provided to the City of Palatka Cemeteries Office during regular business hours.~~

**Section III.** That Palatka Municipal Code Chapter 22, Section 6, entitled "Records and maps of city cemeteries" shall be amended to read as follows:

**Sec. 22-6. - Records and maps of city cemeteries; Correct mailing address of lot owners**

The ~~city clerk~~ Cemeteries Department shall be responsible for maintaining the records and maps of the cemetery system of the city and for ensuring that the records and maps are kept current.

Each lot owner shall have the duty to keep the city informed as to his or her correct mailing address. Such information may be provided to the city at 201 N. 2nd Street, Palatka, FL 32177. Any notice mailed to a lot owner at the last address on file with the city shall be equivalent to actual delivery of the notice.

**Section IV.** That the following sections be added to Chapter 22, Cemeteries:

**Sec. 22-8. Opening and closing of grave sites; permit for burial required; fees.**

Grave sites shall be opened and closed solely under the direction of a licensed funeral director and after having obtained a Burial Permit from the City of Palatka Cemeteries Department. Burial Permit fees shall be as set forth in Appendix A, Fee Schedule. No person or undertaker shall bury or cause to be buried a human being in any City of Palatka cemetery, without first obtaining a permit from the city. Permits shall be obtained by making written application to the cemeteries department during regular business hours upon such forms as are prescribed and by paying the appropriate permit fee. No permit for interment or disinterment shall be issued unless the owner of the cemetery lot, or his/her representative has signed the application for permit. Should a funeral director fail to obtain a Burial Permit prior to interment, the city may refuse to allow any further interment services to be performed by said funeral director until such time as all permits are obtained and all fees are paid in full. The city shall locate and mark the corners of the site before the grave is opened. The sod shall be removed and replaced by the person opening and closing the grave. The funeral director responsible for the interment shall be responsible for properly filling in the grave and for restoring the grave site to the level of the surrounding lands for a period of 90 days after the grave is filled and closed. In the event that settling of the soil on the grave shall cause any depression at the grave site, the funeral director and the funeral home or business employing the funeral director shall refill the grave to eliminate any depression. If the city shall give the funeral director and funeral home notice of the needed maintenance and filling and the funeral director or funeral home fails to properly restore the grave site within 72 hours thereafter, the city may refuse to allow any further interment services to be performed by said funeral director or funeral home until such time the grave site is properly restored.

**Sec. 22-9. Regulations for interments and disinterments.**

- (a) All interments and disinterments shall be made subject to state law, city ordinances, and operating rules and regulations of the cemetery.
- (b) Interments shall be permitted seven days a week.

- (c) Upon the death of the owner of any lot, ownership of the lot shall be determined as with any other property under the laws of the State of Florida. In the event of a dispute regarding ownership of the lot of a deceased owner, the City reserves the right to deny any burial permit regarding the lot until ownership of the lot has been agreed upon by all parties or determined by a Court of appropriate jurisdiction.
- (d) All disinterments shall be done under the supervision of the City of Palatka Cemeteries department.
- (e) When a lot cannot be opened where specified, the city may offer a space in another location, so as not to delay the funeral.
- (f) There may be four cremains or alternatively, one full burial and two cremains interred or inurned in a single adult or infant lot. Two cremains may be inurned in a single cremains-only lot.
- (g) No interment of any body or the cremated remains of any body, other than that of a human being, shall be permitted.
- (h) The vault company or contractor (gravedigger) shall remove all excess dirt from adjacent gravemarkers, monuments, etc., as he completes interment. Surplus dirt shall be hauled to the spoil site as designated by the sexton or other designated city official.
- (i) Hedges, ditches, etc., shall not be allowed around any in-ground interment sites. Earth mounds will not be permitted.
- (j) The vault company and/or contractor (gravedigger) shall exercise care to protect all gravemarkers, monuments, sprinklers, etc., and shall be held liable for any damage incurred

**Section V.** That all sections of Chapter 22 following the new Section 9 be renumbered accordingly

**Section VI.** That existing Section 8 (which shall be renumbered to Section 10) shall include following amendments:

- a. That the title of Palatka Municipal Code Chapter 22, Section 8, shall be amended to read as follows:

**Sec. 22-10.** Restrictions, permits other than burial permits, preservation standards, and hours of business operation;

- b. That the following provision be added:

(k) The city is not responsible for theft or damage to anything placed on any interment site.

c. That all other parts of this Section remain and are the same, except that following the new paragraph (k) of this section be relettered accordingly.

**Section VII.** That Appendix A to Chapter 22 of the Palatka Municipal Code is hereby amended to read as follows:

**1. Sec. 22-4. Prices for lots, vault liners and services- permits in city cemeteries:**

(1) Adult lot (5 ft. x 10 ft.)	\$750.00 */**
(2) Infant or <u>cremains-only lot</u> (2.5 ft. x 5 ft.)	\$375.00 */**
(3) Burial Permit	\$150.00 ***
(4) Burial Permit when permit is not obtained prior to burial	\$300.00 ****
(5) Titan Vault	\$450.00 plus tax
(6) Graveliner Vault	\$300.00 plus tax
(7) Vault Setting Fee	\$200.00
(8) Interment	
a. Monday – Saturday 9:00 a.m. – 5:00 p.m.*	\$650.00
b. Monday – Saturday after 5:00 p.m.	\$750.00
c. Sundays & City holidays 9:00 a.m. – 4:00 p.m.	\$1,000.00
(9) Cremation Interment ****	
a. Monday – Saturday (no setup), 9:00a.m. – 5:00 p.m.*	\$250.00
b. Monday – Saturday, (with setup) 9:00 a.m. – 5:00 p.m.*	\$400.00
c. After 5:00 p.m., or Sunday w/no set-up	\$500.00
d. Sunday (with set-up) 9:00 a.m. – 4:00 p.m.	\$650.00
(10) Mausoleum Interment	
a. Monday – Saturday 9:00 a.m. – 5:00 p.m.*	\$450.00
b. Monday – Saturday after 5:00 p.m.	\$550.00
c. Sunday 9:00 a.m. – 4:00 p.m.	\$750.00
(11) Other Interments/Services:	
a. Disinterment /Reinterment 9:00 a.m. – 5:00 p.m.*/**	\$500.00
b. Reinterment with set-up 9:00 a.m. – 5:00 p.m.*/**	\$650.00
c. Indigent interment 9:00 a.m. – 5:00 p.m.*/**	\$250.00
d. Additional set-ups include (1) one tent and (12) twelve chairs	– \$200.00

\* Funeral Services should be concluded by 5:00 p.m. at the cemetery. Any funeral not concluded by 5:00 p.m. will be billed at the after 5:00 p.m. rate.

\*\* Must be conducted Monday-Friday during normal business hours

\* Plus applicable doc stamps and recording fees, to be collected at time of lot sale

\*\* Cremains may be interred in an adult or infant lot or cremains-only lot, or in an existing adult or infant gravesite at the head or foot of the casket, or in addition to an existing urn in a cremains-only lot.

\*\*\* All burial permit requests shall be made at least one full business day prior to burial preparation during regular cemetery office hours.

\*\*\*\* Fee may be reduced by the city manager in emergency situations.

- ~~• Funeral Services may be conducted on City observed holidays; however, all “Other Interments” exclude City observed legal holidays.~~
- ~~• All funeral arrangements shall be scheduled two full business days prior to services~~

**Section VIII.** To the extent of any conflict between the terms of this ordinance and the terms of any ordinance previously passed or adopted, the terms of this ordinance shall supersede and prevail.

**Section IX.** A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

**Section X.** This Ordinance shall become effective immediately upon its final passage by the City Commission.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 24<sup>th</sup> day of September, 2015.

**CITY OF PALATKA**

**BY:** \_\_\_\_\_  
**Its MAYOR**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**CITY ATTORNEY**

Exerpt from the Adopted minutes of the September 24, 2015 City Commission meeting:

8. **ORDINANCE** amending Chapter 22, Cemeteries; creating provisions for the issuance of burial permits for burials in City cemeteries, and amending Appendix A, Fee Schedule accordingly to cease of City-provided burial services and vault sales – 2<sup>nd</sup> Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING CHAPTER 22 OF THE PALATKA MUNICIPAL CODE ENTITLED CEMETERIES; AMENDING SECTION 22-3, ADDING PROVISIONS FOR VAULTS INSTALLED BY BURIAL SERVICE PROVIDERS, SECTION 22-4, LOT PRICES, TO DELETE VAULT SALES AND INTERMENT SERVICES, SECTION 22-6, RECORDS; ADDING PROVISIONS FOR OPENING AND CLOSING OF GRAVESITES, PERMITS FOR BURIALS REQUIRED, REGULATIONS FOR INTERMENTS AND DISINTERMENTS, AND OTHER REVISIONS TO GENERAL RESTRICTIONS; PROVIDING FOR RENUMBERING OF CHAPTER SECTIONS WHERE NECESSARY; AND AMENDING “APPENDIX A – FEE SCHEDULE” TO DELETE VAULT SALES AND INTERMENT PRICING AND ADD BURIAL PERMIT FEES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on 1<sup>st</sup> reading as read. Commissioner Campbell seconded the motion.

Steve Overturf, Johnson-Overturf Funeral Homes, 111 Grassy Lane, Palatka, said he is on record as being in support of these changes. This is a good move for the City; this is what they as burial service providers do every day, and do it very effectively, in other cemeteries. As to vaults, in the past the City has provided vaults at wholesale prices. If they are no longer selling vaults, is the City going to forego the requirement of vaults for indigent burials, and if not, are they are going to offset the cost of opening and closing indigent burial sites.

Betsy Driggers, City Clerk, Cemeteries Administration, addressed vault sales and indigent burials. In the past the City has used vaults for indigent burials, but they could get “factory seconds” at a reduced cost from the manufacturer. They are no longer able to get those seconds. The ordinance tonight makes an exception for the vault requirement for indigent burials (Sec. 22-3(b)). She said they now bill the County \$250 for indigent burials, which covered the vault, opening and closing. That can be done by the burial service provider. The City will continue to provide the gravesite. Commissioner Campbell expressed concerns regarding the workmanship on burials performed by service providers in other cemeteries. Commissioner Brown said there are regulations in the ordinance that burial service providers must follow for burial in municipal cemeteries. Mr. Overturf said the ordinance clearly addresses standards for burials and states that if a burial service provider violates those standards they will be barred from further burials. Discussion ensued regarding contracted burial services versus burial services provided by funeral homes and mortuaries.

Regarding concerns over gravesites being placed, dug and located in an inconsistent manner, Mr. Holmes noted the ordinance states the city marks the burial site before the grave is opened. Mr. Overturf said this is no different from any other cemetery; they meet the cemetery sexton and mark the grave off. Then it is just a matter of digging within the confines of the marked area.

Mr. Suggs said he and Ms. Driggers took a tour of private cemeteries, and it is clear that the level of care at those private cemeteries is not satisfactory. The difference is that the City’s cemeteries are laid out in a grid system that shows the dimensions of each gravesite. They have someone that marks off the plot. The proposed ordinance dictates how graves are to be prepared and covered. He believes this ordinance will allow the City to get out of the burial business. Having had a cemetery in Keystone, as City Manager there was only once or twice

that they had to address an issue in that cemetery. Nothing is 100% foolproof, but this ordinance provides mechanisms to be able to address those concerns.

Johnny Brown, Lawson & Sons Funeral Home, 107 N. 9<sup>th</sup> Street stated the regulations state if a private cemetery is less than 5 acres, it is not governed by the State. The City puts all their vaults underground, so there is no issue with vaults protruding above ground. If the City contracts this service out, and the contractor sets the vault price at \$1,000, the City has then sent his cost out of the "ballpark." He has just spent a lot of money on burial equipment. This discussion centers around what could happen. If a grave doesn't meet City standards, the City won't allow that provider to come back and provide burial services. Those older cemeteries which were the subject of the tour have no marked gravesites; they just go in there and dig. The City's cemetery is laid out in plots. They could use some help in the form of a vault for indigent burials. The cost of gravesites at those private cemeteries is based upon what the family can pay.

Commissioner Brown said some of their customers paid only \$8.00 for a gravesite.

Commissioner Norwood provided digital photos of gravesites in private cemeteries with vault lids above ground, which were shown on the projector screen. Discussion ensued regarding quality of work. Commissioner Brown said they won't see vaults above ground because there are provisions in the ordinance that says vaults must be buried completely underground. As to the photos depicting above ground vault lids, over a period of time land shifts. Commissioner Norwood said he doesn't want the quality of work in those private cemeteries transferred over to city cemeteries. He is a proponent of hiring a contractor to dig graves in City cemeteries and wants the City to put out an RFP to hire one contractor.

Mayor Hill said it is clear they are not ready to adopt this ordinance. They may want to have more dialogue on what direction they want to take on setting parameters. The concept of getting out of the burial business seems more complicated than what they had anticipated. Commissioner Campbell said he is concerned with creating premise liability. They may want to hold orientation with the funeral homes. At his suggestion there was consensus to set up a Commission workshop with the local bereavement/burial service providers and to be certain that Darnell Brown from the Cemeteries Dept. attends. Commissioner Norwood withdrew his motion to adopt the ordinance and moved to table 2<sup>nd</sup> reading of this ordinance to October 22<sup>nd</sup>, and to hold a workshop prior to October 22<sup>nd</sup> with burial service providers and Mr. Brown in attendance. Commissioner Campbell seconded the motion, which passed unopposed.