

Wylie Cemetery Advisory Board Minutes

April 7, 2022 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Board Chair Sandra Stone called the regular meeting to order at 6:00 p.m. The following Cemetery Advisory Board members were present: Board Vice-Chair Keith Stephens, Board Member Gloria Suarez, Board Member Allison Stowe, Board Member Kimberly Summers, and Board Member Jami Lindquist. Board Member Juan Azcarate and Board Alternate Erin Williams were absent.

Staff present included: Assistant City Manager Renae' Ollie, Parks and Recreation Director Robert Diaz, and Parks and Recreation Administrative Assistant II Janet Hawkes.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

No Citizens came forward.

REGULAR AGENDA

1. Consider, and act upon, approval of the March 3, 2022 Cemetery Advisory Board meeting minutes.

Board Action

A motion was made by Board Member Suarez, seconded by Board Vice-Chair Stephens, to approve the March 3, 2022 Cemetery Advisory Board meeting minutes. A vote was taken and the motion passed 6-0 with Board Member Azcarate absent.

2. Consider, and act upon, approval of the Cemetery Rules and Regulations, Chapter 78-Parks and Recreation, Article IX Cemeteries.

Director Diaz addressed the Board advising that staff had incorporated the Board's recommended changes into the Rules and Regulations draft which was included in the April 7, 2022 Agenda Packet. Director Diaz said that staff was in contact with both Danny Allen of Allen Funeral Home and Richard Parker of the current cemetery board in regards to the existing cemetery rules and regulations that they currently adhere to. Director Diaz noted that in Sec 78-371 Cemetery Care item (b), Board Vice-Chair Stephens had expressed during the previous Board meeting, his concerns on the responsibility of grave marker/monument maintenance in the event families of the internment were unknown or were unwilling to assume responsibility. Director Diaz responded that Sec 78-371 item (b), as written, remains consistent with the current cemetery rules and regulations in place and therefore was not amended, as to which Assistant City Manager Ollie also recommended it remain as written. Assistant City Manager Ollie referred to a similar rule that the City of Wylie Code Enforcement officers adhere to, wherein a citizen in violation receives a warning or warnings, and if the violation is not addressed within a specific timeframe, City staff proceed in hiring a contractor to address the code violation, of which the homeowner is subsequently billed for.

Board Chair Stone recommended staff add verbiage to Sec. 78-371 item (b), stating that the City will assume maintenance responsibility for the marker/monuments, as well as the provision of small permanent markers for unmarked plots. Board Chair Stone also recommended staff visit the Wylie Cemetery and Kreymer Cemetery and walk throughout them both in order to access the current marker/monument and plot conditions. Board Chair Stone informed the Board that typically temporary markers are placed on plots at the time of burial, however, those markers typically only last up to 90 days. Board Chair Stone recommended the City instill a gate fee to plot owners, such as \$75, wherein a portion of that amount is designated to go toward a small and simple permanent granite marker if needed. Board Chair Stone stated, to which Board Vice-Chair Stephens agreed, that committee members are limited as to what they are able to volunteer for in regards to maintenance and repair of damaged grave marker/monuments. Board Chair Stone stated that volunteers could pull weeds and do minor enhancements to the plots, but the lifting or leveling of a fallen marker/monument and the repair of a damaged marker/monument must be contracted to an outside vendor. Assistant City Manager Ollie advised that operational expenses such as repairs, maintenance, lawn care, small permanent plot markers, etc., will be allocated out of the general budget. Board Vice-Chair Stephens recommended a local Wylie company that he knew of called Sunflower Cemetery Services, which can be contracted for grave marker/monument repair. Board Chair Stone recommended the Rules and Regulations should specify that no plot will go unmarked and that the City will assume responsibility for repair in the event the internment's family is unknown or unable or unwilling to assume responsibility. Assistant City Manager Ollie stated that when City ultimately takes over the two cemeteries, staff will hire a vendor to perform ground penetrating radar in order to confirm the possibility of existing unknown internments or empty plots throughout the two cemeteries. Board Chair Stone suggested the Board consider an "Adopt a Family" fundraiser wherein those participating periodically put flowers or similar on plots wherein there is no family contact.

Director Diaz referred the Board to Sec. 78-373 size of current plots. Director Diaz stated that current cemetery committee member Richard Parks advised staff that the plots at the Wylie Cemetery are as follows: the "old section" of a family of 12 burial plots has dimensions of 30'x20'; the "first new section" of single burial plots have dimensions of 4'x10'; and the "newest section" of individual burial plots have dimensions of 6'x12'. Director Diaz also advised that the Kreymer Cemetery "old section" of family burial plots of six have dimensions of 12'x24'; the new section of lot spaces are 4'x12'; and that there are no existing cremate-only spaces. Director Diaz advised that burial fees will be established and brought before the Cemetery Advisory Board prior to City Council's final approval. Internment limitations are set at two per standard space. Assistant City Manager Ollie advised that Sec 78-373 (c) and (e) as shown in the Agenda Packet will be amended as follows: referring to (c) the cremate-only space will be completely removed, and item (e) referring to the internment limitations per space will be amended to state "Internment limitations per space will remain in accordance with the State law." Board Vice-Chair Stephens added that currently, the state law limits cremation internments to four per plot. Assistant City Manager Ollie advised she would research and then forward this statute to the Board in an email. Director Diaz stated that Sec 78-378 (k), referring to allocated funds for grave leveling and provision of a semi-permanent grave marker, remain as written. Director Diaz advised that staff plan to hire a contractor who will dig the graves. Board Chair Stone advised the Board that the grave contractors who dig the graves do not include the particular maintenance of grave leveling in their contract and that it typically falls onto the responsibility of others, such as City staff.

Director Diaz noted that in regards to Sec. 78-379, staff removed the section noting the allowance of double-stacked burial, in order to remain consistent with the current cemetery board's policy. Sec. 78-381 was also amended to align with the current cemetery board's practice in regards to allowing only one individual container of flowers to be placed or affixed on each plot. Board Vice-Chair Stephens questioned staff on how they intend to enforce the flower container limitation with the family of internments, to which Board Chair Stone added that she has noticed that family of internments will commonly add other non-floral items to their plots, items of which include solar lights, PVC pipe for flowers, and other sentimental items such as stuffed animals, toys, and similar. Director Diaz noted that Sec. 78-381 (a) speaks to the concern of items being left on graves. Assistant City Manager Ollie responded that City staff will respectfully remove the items that are against the

rules and regulations, taking into consideration the items, where they are placed, and the possible reasoning for placement of the item thereof. Staff will also make attempts to contact family members in order to advise them of the potential item removal, giving an option for their retrieval. Board Vice-Chair Stephens noted that the military has a tradition of the placement of coins on military gravesites that should be considered as well.

Assistant City Manager Ollie advised the Board that the Division 4 Perpetual Care Fund section will not be included in the Rules and Regulations as an item that the Board is to consider for approval during the Board meeting. Assistant City Manager Ollie also stated that, at this time, the Perpetual Care Fund will be governed by the local government code, and that staff intend to consult with the City Attorney in regards to any amendments thereof. This item will be brought back to the Cemetery Advisory Board in a future meeting, and the Sec. 78-374 "Resale Options" must be reviewed and approved by the City Manager. Board Member Suarez asked staff to provide the final version of the Rules and Regulations to each plot purchaser. Board Chair Stone added that she recommends staff post some of the more specific cemetery Rules and Regulations, such as flower and object limitations, etc., on a permanent sign easily viewed by visitors, within the cemeteries. Board Member Suarez inquired about the City's legal obligation of posting a notification to notify citizens of the acquisition of the cemeteries, by way of a newspaper publication or other media sources. Assistant City Manager Ollie responded that this action of notification is not necessarily a legal requirement for the City, but that she feels it is indeed important for staff to notify citizens of this transition by way of newspaper notification as well as social media. Board Chair Stone inquired about the cemetery fees, to which Assistant City Manager Ollie responded that the cemetery fees will be researched by staff and then presented to the Board at a future meeting, with consideration that City Council will need to give final approval thereof. Assistant City Manager Ollie added that the approved cemetery fees will then be included in the City Fee Ordinance, and not included within the Rules and Regulations document.

Board Chair Stone stated she wanted additional clarification to be included in the Board's action for the Rules and Regulations, Sec. 378-71 (b), stating that the City will assume responsibility in providing permanent grave markers on unmarked plots, as well as maintenance responsibility for plot monuments and markers in need of repair, in the event that family members of the internment cannot be located or are unwilling to assume responsibility. Assistant City Manager Ollie disagreed with Stone's recommendation for this additional wording. She advised that Sec 78-378 (k) includes adequate wording conveying that funds would be allocated for grave leveling and small semi-permanent grave markers if the internments family members are unable or unwilling to do so. Assistant City Manager Ollie also stated that in regards to Sec. 78-371 "Cemetery Care" item (b), she does not recommend additional wording be added, as Board Chair Stone requested, stating that the City would assume responsibility in the event that internment's family members are unable or unwilling to do so. Instead, this specification for responsibility assumed would be addressed within the City policies. Assistant City Manager Ollie stated that the Rules and Regulations item, if approved for recommendation by the Cemetery Advisory Board, will go before City Council for approval on April 26, 2022.

Board Action

A motion was made by Board Vice-Chair Stephens, seconded by Board Member Stowe, to approve the Cemetery Rules and Regulations, Chapter 78-Parks and Recreation, Article IX Cemeteries as written, with the exclusion of Division 4. Perpetual Care Fund Sec. 78-435 and Sec. 78-436, the exclusion of Sec. 78-373 (c), and the amendment of Sec. 78-373 (e) to state internment limitations per space shall be in accordance with state law. A vote was taken and the motion passed 6-0 with Board Member Azcarate absent.

WORK SESSION

WS1. Board Updates.

Assistant City Manager Ollie told the Board that staff is working with the City Attorney in the drafting of agreements between the City of Wylie and Allen Funeral Home, allowing for Danny Allen to continue assuming his current responsibilities with respect to the management and operation of the cemeteries, until the City of Wylie is able to completely take over in all areas of management and operation.

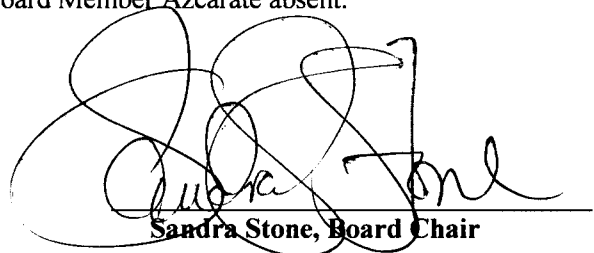
Assistant City Manager Ollie stated that the transition of ownership documents are currently being drafted by the City Attorney, with the projected finalization of transition to take place by October 1, 2022, which will be within the City's 2022/2023 fiscal year budget, allowing funds to be budgeted for operational expenses. This projected date of October 1, 2022, will also allow the necessary time needed for staff, along with the City Attorney, to work on the details of the Perpetual Fund and the transfer of existing funds from the current cemetery board to the City's potential new Perpetual Fund. Assistant City Manager Ollie expressed her and the staff's appreciation to the Board for their assistance in the process of the upcoming cemetery transitions.

Board Chair Stone inquired about the accessibility of current cemetery records, as well as a projected timeline that is expected for staff in regards to taking over the cemeteries completely. Assistant City Manager Ollie responded to Board Chair Stone that the information she inquired about cannot be confirmed until an agreement with Allen Funeral Home is executed. Assistant City Manager Ollie also advised the Board that staff does not definitively know when the City will completely take over the two cemeteries, adding that staff will continue to efficiently and effectively communicate with Allen Funeral Home's owner, Danny Allen, on issues regarding cemetery records.

Board Chair Stone inquired on who would become the cemetery sexton at the time of the transitions of the two cemeteries, to which Assistant City Manager Ollie responded would be assigned to Director Diaz. Board Chair Stone also inquired about potential cemetery record software. Assistant City Manager Ollie responded that staff was currently researching software for record maintenance but have not at this time selected a specific vendor. Board Chair Stone then inquired about the formation of various cemetery committees, to which Assistant City Manager Ollie instructed the Board to forward City staff the preferred names as well as committee types, and their objectives therein; all of which must gain final approval from the City Council.

ADJOURNMENT

A motion was made by Board Member Stowe, seconded by Board Member Lindquist, to adjourn the meeting at 6:55 p.m. A vote was taken and the motion passed 6-0 with Board Member Azcarate absent.



Sandra Stone, Board Chair

ATTEST:



Janet Hawkes, Administrative Assistant II