

City of Bastrop
Cemetery Advisory Board Meeting
January 11, 2017 4:00 p.m.
City Hall Council Chambers
1311 Chestnut Street
Bastrop, Texas 78602

- I. Call to Order
- II. Announcements
- III. Public Comments. [Note: Persons may address the Cemetery Advisory Board on any issue not otherwise listed on this Agenda. Please observe the time limit of three (3) minutes for general public comments. In accordance with the State of Texas Open Meetings Act, the Board cannot undertake discussion or take any action on Public Comments received at the meeting, but can: (1) recite Board/City policy on the points raised and/or (2) place items on an upcoming agenda for both discussion and action at that upcoming meeting.]
- IV. Consideration, discussion and/or approval of the Cemetery Advisory Board's October 19, 2016, meeting minutes. (Pages 2-9)
- V. Consideration, discussion and possible action on a recommendation by the Fairview Cemetery Advisory Board that the City Council either Grant or Deny a variance request to allow for the cemetery plots legally described as being Block 8, Row N, Lots 16-18 (3 spaces) to have fencing erected around the perimeter of the plots as prohibited in CHAPTER 15, "FAIRVIEW CEMETERY", Code of Ordinance of the City of Bastrop, Texas, Section 15.01.15 (a) "Prohibited Activities ". (Pages 10-16)
- VI. Presentation to Board by staff on financials for period October 1, 2016 through December 31, 2016. (Pages 17-18)
- VII. Informational update to Board, by Staff, on matters related to the Fairview Cemetery operations and maintenance. (Page 19)
- VIII. Discussion, consideration and possible action to confirm dates and times for next Cemetery Advisory Board meeting(s). (Pages 20-21)
- IX. Invitation for input from Board Members related to issues for possible inclusion on the next meeting agenda.
- X. Adjourn.

CERTIFICATE

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Bastrop, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on the 6th day of January, 2017 at 11:45. Copies of this agenda have been provided to those members of the media requesting such information.



Tracy Waldron, Chief Financial Officer

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: THE CITY OF BASTROP IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. BASTROP CITY HALL AND COUNCIL CHAMBERS ARE WHEELCHAIR ACCESSIBLE AND SPECIALLY MARKED PARKING IS AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE ARE REQUESTED TO CONTACT THE FINANCE OFFICE AT 512-332-8820. PLEASE PROVIDE FORTY-EIGHT HOURS NOTICE WHEN FEASIBLE.

Confirmed time posted:

AF

STANDARDIZED AGENDA RECOMMENDATION FORM

FAIRVIEW CEMETERY ADVISORY BOARD

DATE SUBMITTED: 1/6/17

MEETING DATE: 1/11/17

1. Agenda Item: **Consideration, discussion and possible action on approval of the minutes from the Cemetery Advisory Board meeting of October 19, 2016.**

2. Party Making Request: **Tracy Waldron, Chief Financial Officer**

3. Nature of Request: (Brief Overview) Attachments: Yes X No

8. Staff Recommendation: Approval of Minutes

City of Bastrop
Cemetery Advisory Board Meeting Minutes
October 19, 2016 4:00 p.m.

The Cemetery Board met in a regularly scheduled meeting on October 19, 2016 at 4:00 p.m., in the Council Chambers of the City Hall at 1311 Chestnut Street, Bastrop, Texas. Members present were Terry Sanders, Carl Spooner, Cheryl Long, and Ted Schaefer. Mary Williams and Tom Scott were absent. City staff in attendance were Tracy Waldron and Heather Ambrose.

I. Call to Order

Board Chair Terry Sanders called the meeting to order at 4:00 p.m.

II. Announcements

There were no announcements.

III. Public Comments [Note: Persons may address the Cemetery Advisory Board on any issue not otherwise listed on this Agenda. Please observe the time limit of three (3) minutes for general public comments. In accordance with the State of Texas Open Meetings Act, the Board cannot undertake discussion or take any action on Public Comments received at the meeting, but can: (1) recite Board/City policy on the points raised and/or (2) place items on an upcoming agenda for both discussion and action at that upcoming meeting.]

There were no public comments.

IV. Consideration, discussion and/or approval of the Cemetery Advisory Board's July 20, 2016 meeting minutes.

Carl Spooner made a motion to approve the minutes as written, seconded by Ted Schaefer. Motion carried unanimously.

V. Consideration, discussion and possible action on a review of Chapter 15 "CEMETERIES", Article 15.01 "FAIRVIEW CEMETERY" of the City of Bastrop Code of Ordinances and recommendation of revisions to the Bastrop City Council.

Chair Terry Sanders advised that a copy of the revisions was included in the packet. Chief Financial Officer Tracy Waldron added that Ms. Ambrose made copies of the revisions in a larger font if needed.

Ms. Waldron explained that at the last meeting the staff indicated that they would bring back suggested revisions to the current Cemetery ordinance as related to the questions and challenges staff frequently face in applying the ordinance.

Ms. Waldron explained that the Finance staff that work with the Fairview Cemetery on a daily basis met as a group and recommended changes. The revisions presented reflect the current language with recommended additions and deletions. Ms. Waldron explained that this is the Board's opportunity to give their input before the ordinance is presented to the City Council for approval.

Ms. Waldron explained some of the administrative clarifications and/or changes:

- Sec. 15.01.002, section (4) was somehow left out of the last ordinance. This is simply being added back in to clarify the role of the Advisory Board.
- Sec. 15.01.008, sections (b) and (e) of the packet include several administrative revisions such as adding a City Manager's or Chief Financial Officer's "*designee/s*" and/or correcting the title of Finance Director to Chief Financial Officer. These changes are being made to more accurately reflect the way administrative matters are currently handled.

- Sec. 15.01.009, Sec. 15.01.010 (a), (a)(1), and (a)(2), and Sec. 15.01.012 (b), (c), (d) of the ordinance have several changes to more accurately reflect current procedures such as what records are maintained and how they are kept. Ms. Waldron explained that a sentence was added to clarify that a minimum of two hours of time is required between scheduled funerals in order to allow families their time for grieving in private. Frequently, Ms. Waldron explained, there are multiple funerals on the same day.

Member Cheryl Long asked why burials are only permitted on weekdays. Ms. Waldron explained that they are allowed on Saturdays with written approval. Ms. Long inquired whether Sunday burials are allowed and Ms. Waldron clarified that would fall under the same special approval. However, Ms. Waldron explained, she cannot recall an occasion where she has been requested to approve a Sunday burial. Ms. Long said that she feels that Saturday and Sunday burials should be an option like any other day. Ms. Long inquired whether the family or funeral home has to make the request. Ms. Waldron said that the family, funeral home, and staff all work in collaboration.

- Sec. 15.01.013 (a), (b), (d), (g), and (i) have been revised to more accurately reflect what is required for insurance from the contractors that perform work in the Fairview Cemetery. Currently, a \$5,000 surety bond is required of contractors. However, virtually all contractors doing work are covered by an insurance policy with limits of \$500,000 - \$1,000,000. The recommended revision changes the requirement to a minimum of \$500,000.

Another small change was made to indicate the City prefers to receive 24-hours' notice prior to a permit being issued. Staff do try to work with families and contractors and sometimes must waive the requirement.

Ms. Waldron explained that the remainder of the ordinance is where most of the revisions occurred. The Finance Department staff agreed that the ordinance does cause confusion. There are many citizen requests for consistency, leniency, and/or variances to some of the requirements of the ordinance. City staff feel that clarification and some revisions are needed. The staff's main concern was that safety and maintenance be addressed when making revisions. Those should be the top priority. The very first added sentence states that objects that are hazardous or injurious are prohibited in Fairview Cemetery. Other than a few specifics, this is the only restriction.

- **Section 15.01.015**. The existing sections (a) and (d)-(e), are recommended for removal altogether. Additions to the ordinance focused on safety, security, and maintenance and will replace those sections. Ms. Waldron reviewed the areas that were recommended to be changed, keeping in mind that safety was the biggest concern.

Ms. Long asked why metal vases were not permitted in the cemetery as she feels they should be allowed. Ms. Ambrose said that she thought the reason might be related to the rusting of the metal and the hazards that might cause. Ms. Long and Mr. Schaefer said they have no problem with metal vases. Ms. Sanders agreed that he was fine with metal, but not glass for safety reasons. Mr. Spooner said that he believes there are already glass cases in the cemetery at this time and asking they be removed is going to be a concern. Ms. Waldron explained that glass was already prohibited. Mr. Spooner agreed that it could be a liability. Mr. Schaefer said that weed eaters throwing a rock would easily break glass. The Board agreed that they would recommend revising the ordinance to allow metal but keep the prohibition of glass.

The 4' height restriction was discussed in detail. Ms. Waldron said the staff discussed that there are no current height restrictions on objects in the ordinance at this time, except for monuments. She explained that it's important that the view not be obstructed from one area to another. Ms. Waldron said that a provision can be added that allows the City Manager to approve a variance to the height restriction. Mr. Spooner asked if there could be a requirement that the City Manager notify the Board so they would be aware. Mr. Spooner and Ms. Long agreed that they would like to be aware in case they are confronted with questions from citizens about why someone was granted permission to do something prohibited by ordinance. Ms. Waldron said that can be added.

Ms. Waldron asked Ms. Ambrose for an example of why the 4' height restriction was suggested. Ms. Ambrose explained that it was to add some clarity to virtually anything that can be placed on the gravesite, including fences, vegetation, and coping. After discussion, the decision was that height of individual objects placed on plots (aside from monuments) has not been a frequent issue and does not need addressed at this time.

Ms. Waldron said that if fencing is allowed there would need to be restrictions on the types of materials used and the height. In addition, the fence would have to be constructed so that it could be seen through, as opposed to some type of privacy fence. In order for regular maintenance to occur, there would have to be a way for the cemetery worker to have access to the plot.

Ms. Ambrose added that if fencing is allowed, it's also a concern that all adjacent owners of plots have the ability to see their loved one's resting place. In addition, having tall and obstructive fences can be a safety concern in that one cannot see what is occurring behind or within the fenced area (i.e. vandals). Mr. Spooner said there are several ladies that arrive at the cemetery as soon as the cemetery opens in the morning to visit their loved ones before traveling to work in Austin. Ensuring the safety of visitors is important.

Mr. Spooner asked how the staff is handling prohibited items that are placed on graves currently. Ms. Ambrose said that with the revisions pending, staff has been running matters through Ms. Waldron and using common sense best judgment. Ms. Waldron added that in many cases it is impossible to contact the lot owners or heirs to notify them of a problem or concern because of a lack of accurate records. Extensive restrictions are difficult to enforce and by having them it creates more work for the staff with little positive result.

Ms. Waldron said that she feels the City Council and Board have expressed their desire for the plot owners and heirs to be able to personalize their plots in their own way. However, Ms. Waldron added that by allowing more leeway to personalize, it adds to the burden of maintenance. With one cemetery maintenance worker, it's hard enough already to maintain the large Fairview Cemetery.

Ms. Waldron added that the topic of ground coverings will be discussed in a later section. However, she wanted to bring to the Board's attention that Ms. Ambrose had read on one of the historic preservation websites that the application of pesticides and herbicides is not recommended in cemeteries as it can damage the monuments, especially the older ones. The chemicals break down the materials.

Mr. Sanders asked for confirmation that the draft is recommending to allow fencing. Ms. Waldron said that is correct if the Board and Council agree and approve. Ms. Waldron said requests are coming in now and will likely come up again in the future.

Ms. Waldron said curbing has always been allowed in some areas and not others. This causes a lot of confusion and frustration because some plot owners cannot understand why curbing is prohibited in their areas and not others, and staff are not sure how to explain. Staff don't see a concern. Mr. Schaefer said it would make it harder on maintenance. Ms. Waldron agreed but added that the citizen could simply ask for a variance and likely have it approved anyway. By allowing this in the ordinance, it will take some of those requests away from staff, Board and Council.

Mr. Sanders asked for confirmation whether the Board wants to approve fencing. Ms. Long said she feels it should be approved. Mr. Sanders said that there needs to be a gate or opening where a lawn mower can get inside. Mr. Spooner stated that he doesn't think that would be possible with some of the smaller single plots. A fence would require the use of a weed eater which means more maintenance, which is time consuming. Mr. Sanders said that there are many areas that have to be cleared with a weed eater already. Mr. Sanders said he doesn't feel that the maintenance should be the deciding factor in whether fencing is allowed. He feels that the desires of the citizens should be the main concern while balancing the workload. Mr. Sanders said that he agrees that if fencing is allowed there must be a requirement for an opening to access the area. Mr. Spooner added that if fencing is allowed there will be many types of materials used. Ms. Waldron said the language in the ordinance can be worded to make special requests more flexible. Following this discussion, it was decided to leave in the section prohibiting fencing and other enclosures, and handle the matter on a case by case basis per the wording Ms. Waldron drafts.

Ms. Waldron reminded the Board that curbing is currently only permitted in some areas of the cemetery. The recommended revisions make this an option in all areas. Mr. Sanders asked whether there was a need for a height and width restriction for the curbing. Mr. Spooner said there are all types of curbing out there now including solid concrete, pavers, and rocks. After some discussion, Mr. Sanders said he wasn't concerned. Ms. Waldron advised that most of the curbing is consistent and appropriate as it is usually done by a professional contractor.

Mr. Sanders asked about the removal of the prohibition of having concrete over a grave. Ms. Waldron said that some cities actually prefer concrete over graves because it requires less maintenance from mowing. Ms. Ambrose added that some cities require it when a plot is curbed. Mr. Sanders said he thinks concrete is fine, especially since it results in less maintenance.

- **Section 15.01.016 (a), (b), and (e).** Ms. Waldron said the main changes in this area are very minor.

Mr. Sanders said that he doesn't feel a permit should be required to place a monument/headstone. Ms. Waldron stressed that it's actually very important because it puts the City on notice that work is being done. Mr. Spooner added that it also ensures that the work is done properly and the monument is placed accurately. Ms. Ambrose explained that when the permit is issued, City staff go to the cemetery and mark the boundaries of where the monument should be placed. Ms. Waldron said that by requiring a permit, the City also has the opportunity to check the contractor's insurance.

Mr. Sanders inquired if it matters where a monument is placed. Ms. Ambrose said that monuments are almost always placed at the head of the plot. However, as long as they are within the boundaries of a person's plot, the City allows placement anywhere.

Ms. Waldron said that an issue that seems to be of importance to the Board is the requirement that monuments be 4' in height or less. Mr. Spooner said that he knows that the issue will arise eventually

where someone wants to place a monument at a greater height. He reminded those present that there are currently monuments in the older sections that far exceed the 4' height allowed. Mr. Spooner said that he feels by allowing for an approval process when someone does make a request, it's easily addressed. Ms. Waldron explained that a variance to the 4' restriction can be approved by the City Manager. She feels that some restriction should be in place just so that safety can be ensured. For example, as the height increases, the base should also increase to ensure support. Mr. Schaefer added that when a larger base is placed, it can also leave less room for burial.

Mr. Spooner said he feels once the height starts to exceed 6' or 7' tall, the base is really increasing. Ms. Sanders said he feels that a higher monument doesn't need a wider base. Ms. Waldron said she thinks extremely high monuments would be a safety concern. Mr. Sanders said he's never heard of a monument falling over on someone.

Mr. Sanders suggested that the height be raised to 6' and that will lessen the number of requests that may be received in the near future for a variance. Ms. Waldron said this can be approved by the City Manager. The Board suggested that the maximum height allowed for a monument be revised to 6'. If anything higher is requested, it can be considered as a variance.

Section (f), related to the prohibition of mausoleums and crypts, is recommended for removal.

- **Sec. 15.01.017.** Ms. Waldron advised that this section is what explains what is permitted and prohibited to be placed on plots. Many changes have been made to this section in order to place the focus on safety and maintenance. Sections (a) and (c)-(g) have been recommended for removal from the ordinance. Section (b) is recommended for a revision to give the City the authority to remove certain items without notification to the owner.

New language is being added to allow materials or concrete to cover a plot with restrictions related to maintenance.

Ms. Waldron said that the ordinance has been drafted to remove most prohibitions about what is allowed on plots. Most things are allowed as long as it's not listed in the prohibited items. The City staff did recommend leaving in that items that have deteriorated may be removed from the plot without notice. The reason this is important is that most times, contact information is not up to date and it leaves City staff with a dilemma of who, and how, to contact someone. This takes a lot of City staff time and resources.

Ms. Waldron said there will now be no restrictions on flags or holiday decorations. If placed, they will fall under the same requirements already stipulated earlier in the ordinance for objects placed on plots.

Ms. Waldron said that the prohibition to allow coverings is being lifted and it will be allowed with restrictions such as a having a curbing or continuous border and a liner. Solid curbing is preferable but some owners have used long pavers, and that is acceptable. The goal is to keep the covering contained within the gravesite and not washed away. Gravesites that have these types of coverings must be maintained by the owners, or heirs, or the City may remove the covering. Unfortunately, removing the covering means more work for the cemetery maintenance personnel so hopefully it won't arise often.

Sec. 15.01.018, (a) is recommended for removal from the ordinance. New sections were added to allow for some planting.

Ms. Waldron said that this area was a topic of much debate amongst staff. The planting of trees, in particular, is more a problem of what is not seen (underground) than what is seen. Roots can cause a problem for plots and caskets. However, the staff wanted to allow a little leeway for plot owners to be able to plant on their plots provided it's maintained and contained.

Ms. Long said she doesn't agree with the prohibition of cacti. She explained she is aware of a grave that has cacti growing currently and she likes the way it looks. She doesn't understand why cacti would be prohibited. Ms. Ambrose said she doesn't think the City would remove any preexisting cacti. Ms. Waldron said that she feels the concern is for safety. Most cacti clearly have sharp spines that can injure people that get too close. Ms. Waldron said it can still say "hazardous or invasive" without specifically stating "cacti" and possibly people won't plant it anyway. Everyone agreed that bamboo is a concern.

Much discussion was held related to trees and how they could be planted by plot owners reasonably and safely. Some of the concerns was planting relative to how many plots were owned, what types of trees could be planted, what type of damage could occur from roots, and who would decide.

Ms. Long said she feels the new section at the rear part of the cemetery needs crepe myrtles planted. Ms. Long added she is in favor of trees being planted and feels the area can be planned for beautification.

Mr. Spooner said his concern is about the roots coming up in other people's plots, including curbing and monuments.

Ms. Ambrose suggested that the City develop a master plan for memorial tree planting. This would allow the City to control what type of tree is planted and where they are planted. Mr. Spooner said we would need to make sure we have someone to give guidance on the type of trees that would be best. Ms. Waldron said if this happens then there won't need to be a section on trees for now. Ms. Waldron stressed that the planting of trees may mean losing a few plots. After this discussion, it was recommended the sections allowing trees not be included in the revisions to the ordinance.

VI. Discussion, consideration and possible action on changing the established regular meeting dates and/or times for future Cemetery Advisory Board meeting(s).

Future meetings will be held on the second Wednesday of the month on a quarterly basis at 4:00 PM. The next meeting will be scheduled for January 11, 2017 at 4:00 pm.

VII. Informational update to Board, by Staff, on matters related to the Fairview Cemetery operations and maintenance.

Ms. Waldron advised that there is a portable restroom at the rear of the cemetery near the shed. This is for the convenience of the worker that is there daily as well as any visitors.

Mr. Spooner asked if there is a specific time the cemetery is closed. Ms. Waldron said it is typically at dusk but can vary depending on the Police Department's demands. Mr. Spooner said that sometimes people are still in the cemetery after dusk.

Mr. Spooner asked when the area near the east side would be prepared for sale in the future. He said he thinks more plots will be needed for sale in the near future. He added that he would like for the area on the east side to be cleaned up. Ms. Waldron said she would make some time to get out and take a look at the area.

Ms. Waldron said that the road maintenance is finished and looks very nice. The Board agreed.

Mr. Sanders said the shrubs in the area of the rock gazebo need trimmed badly. The Board agreed with that recommendation.

VIII. **Invitation for input from Board Members related to issues for possible inclusion on the next meeting agenda.**

The possible memorial tree planting program was suggested for the next meeting date.

IX. **Adjourn.**

At 5:19 PM, Ted Schaefer made the motion to adjourn the meeting. Seconded by Carl Spooner and carried unanimously.

STANDARDIZED AGENDA RECOMMENDATION FORM

FAIRVIEW CEMETERY ADVISORY BOARD

DATE SUBMITTED: 1/6/17

MEETING DATE: 1/11/17

1. Agenda Item: **Consideration, discussion and possible action on a recommendation by the Fairview Cemetery Advisory Board that the City Council either Grant or Deny a variance request to allow for the cemetery plot(s) legally described as being (A) Block 8, Row N, Lots 16-18 (3 spaces) or (B) only Block 8, Row N, Lot 16, to have fencing erected around the perimeter of the plot(s) as prohibited in CHAPTER 15, "FAIRVIEW CEMETERY", Code of Ordinance of the City of Bastrop, Texas, Section 15.01.15 (a) "Prohibited Activities ".**

2. Party Making Request: **Tracy Waldron, Chief Financial Officer**

3. Nature of Request: (Brief Overview) Attachments: Yes X No

Ms. Irma Carbajal has requested a variance to place fencing around either all three plots she owns, or only the plot where her son is interred. Ms. Carbajal has provided photos of similar fencing with two options of either enclosing concrete curbing or concrete only at fence post corners. The fence would be constructed of metal and be a height of 3'. The fence would be installed by a contractor. They indicate they will maintain the inside area themselves.

4. Staff Recommendation: Approval of variance as requested with the following requirements: Fencing must be around all three plots, curbing must be installed, fencing must be metal, fencing finials must not be sharp or pointed, there must be a gate installed for access to the plots.

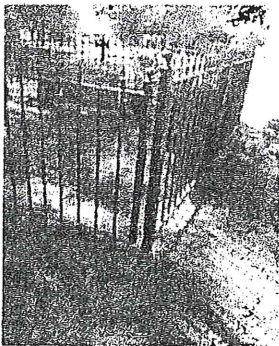
Dear chairman,

This letter is written to provide a typewritten statement as to the nature and intent of the variance being requested by Irma Carbajal. The variance request has been approved by the rightful owner of the Lots, Edgar Alviter. He is aware of this and supports Irma Carbajal's wish to request the variance to be done for all three lots or at least for her son's grave site. Reason Irma Carbajal is bringing forward this request to the board is so that Irma Carbajal can preserve her son's grave site intact. To make sure that no one steps over his grave site. Irma's request is solely out of respect for her son.

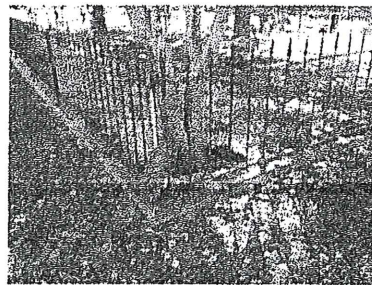
- I. The lots Irma is asking this request for are: Block 8, Row N, Lots 16-18, or
- II. The material for the fence would be metal. The size of the metal fence being requested would be (3ft) in height. Lot 16 only.
- III. All work will be done by a self-employed contractor. He will mix all concrete material and prepare the material in the streets of the Fairview cemetery as requested in the cemetery ordinance under section. 15.16 appendix (c).
- IV. The work will be completed in two weeks.

Irma Carbajal wants to do a variance similar to the ones already found at fair view cemetery. As shown below in picture (A) only the corner of the metal fence has the cement block. Shown in picture (B) the cement block is found surrounding the whole grave site. If the board approves the request Mrs. Carbajal is willing to do either or as shown on the pictures below as for the cement. If the board suggests that the corner is enough to secure the metal fence her contractor is more than able to complete this job. If the board approves the making of the whole cement Square block as shown in picture (B) her contractor will also be able to complete the job. Most important thing to Irma Carbajal is to be approved to put up a metal fence. Mrs. Carbajal's request is for the metal fence to be put up for her son's site or if possible to the whole lots purchased. The metal fence will help preserve the grave site plus all maintenance conservation of the site and fence will be done by Mrs. Carbajal and family. Including the inside and outside of metal fence. Maintenance includes keeping the grass cut, the corners of the fence cut, plus pickup up any litter stuck on the fence by the wind gust.

(A)



(B)

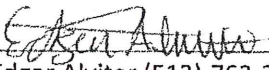


Color photos follow


As stated before Edgar Alviter has agreed to Irma's request to fence the grave sites. Edgar is the owner of the purchased lots as well as her older son Carlos Carbajal. For any question feel free to contact them. Irma's request will have no negative impact on the surrounding sites. If you have any further question Irma Carbajal will be attending the meeting scheduled for October 19th. To answer any question regarding this request.

Thank you for your consideration of this request.

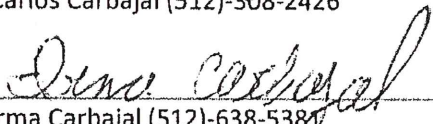
Sincerely,



Edgar Alviter (512)-762-3769



Carlos Carbajal (512)-308-2426



Irma Carbajal (512)-638-5384

- (f) *Grave depth.* Grave depth shall be in compliance with state law.
- (g) *Grave backfilling.* All graves shall be backfilled and force settled by hydraulics or mechanical means to the satisfaction of the city staff overseeing the burial.
- (h) *Grade level.* All graves shall be maintained at the same level as the surface of the ground surrounding the plot. Under no circumstances, shall a grave mound be permitted to remain after a grave has settled.
- (i) *Hand digging.* The hand/shovel excavation of a grave is prohibited in the Fairview Cemetery, except for cremation sites with an interment permit. This prohibition may be waived at the sole discretion the City Manager should extenuating circumstances arise.

(Ord. No. 2009-31, 10-27-09; Ord. No. 2010-27, pt. 1, § 15.13, 10-26-10)

Sec. 15.01.014 - Right of first refusal.

No sale, transfer or assignment of title of any plot in the Fairview Cemetery shall be valid without the written consent of the city. All cemetery deeds for plots sold by the city in the cemetery shall provide the city with the "right of first refusal" which permits the city to repurchase the plot in the event the owner of a burial site wishes to divest his/her interest. The plot may be repurchased by the city in the amount the plot was originally sold to the owner. If no records exist to evident the original price paid, the city may repurchase the plot for the percent to be determined of the current existing plot price.

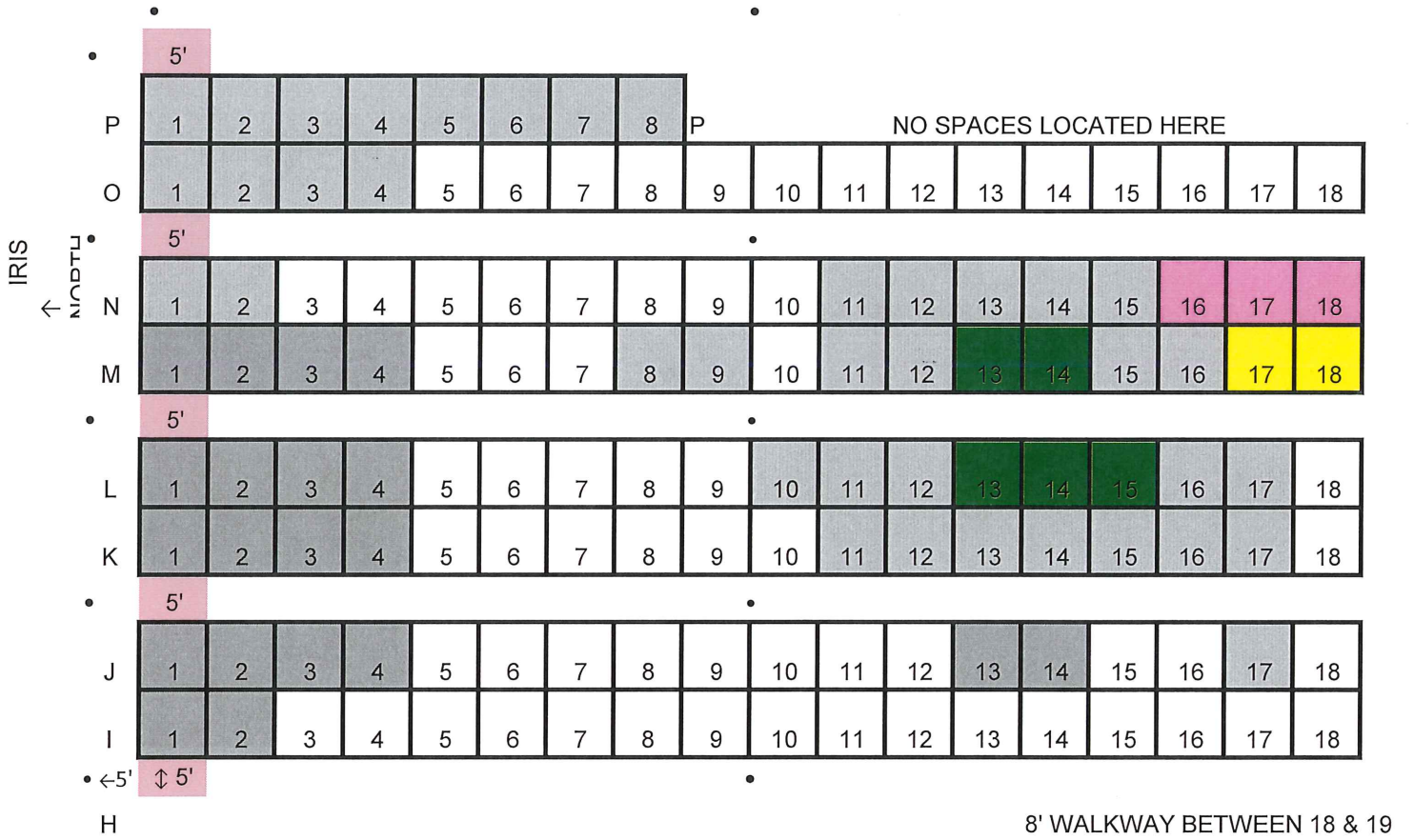
Sec. 15.01.015 - Prohibited activities.

- (a) Construction or reconstruction, including, but not limited to fencing, trellises, coping, or other enclosures, whether of vegetation or other matter, is prohibited around any plot within the Fairview Cemetery, except, however, as of the effective date of this article, nonconforming, permanently installed fencing, coping, trellises or enclosures of any kind may remain 'as is.' In the event the nonconforming improvement is removed or damaged, the improvement will be removed without a replacement permitted. This section shall not apply to fencing or other improvement that, at the discretion of the City Council, is historical in nature and replacement or repairs can be made safe and in a manner that preserves the original historical design or integrity of the grave site.
- (b) As of the date of this article, curbing is permitted in all areas of the Fairview Cemetery where lots are available for purchase after the obtainment of the required construction permit from the city through an application to the finance director, and shall comply with all city and cemetery construction rules, specifications and requirements. Curbing shall not be permitted, however, in any area of the cemetery not currently open for sale. This includes block 8, as well as any additional blocks established after the effective date of this article.
- (c) No party shall enlarge, reduce, replat or change the boundaries or grade of the cemetery or the location of any roads, drives, walks, parkways, or gardens, which shall be the exclusive right of the city. All grading, landscaping, planting, trimming, and cutting of trees and other vegetation shall be the sole responsibility of the city.
- (d) No maintenance, decoration or preparation of any kind shall be permitted on a burial site until the city has received payment in full for the plot.
- (e) No granite, brick, stone, wood, concrete, cornerstones or any kind of artificial walkways or walks are permitted on or adjoining plots in the Fairview Cemetery, except those existing prior to the passing of this article or installed by the city.
- (f) No graves in the Fairview Cemetery shall be covered with a concrete slab or other type of slab or covering.
- (g) Digging for the placement of potted plants, baskets or other items is strictly prohibited.

BLOCK 8, ROWS I-P, LOTS 1-18

SUNFLOWER
EAST ↑

ROW



HOLD FOR IRMA CARBAJAL TILL 10/5/16

5' X 11' LOTS

MARIGOLD
WEST ↓



Variance Spaces





STANDARDIZED AGENDA RECOMMENDATION FORM

FAIRVIEW CEMETERY ADVISORY BOARD

DATE SUBMITTED: 1/6/17

MEETING DATE: 1/11/17

1. Agenda Item: **Presentation to Board by staff on financials for period October 1, 2016 through December 31, 2016.**

2. Party Making Request: **Tracy Waldron, Chief Financial Officer**

3. Nature of Request: (Brief Overview) Attachments: Yes No

8. Staff Recommendation: _____

FAIRVIEW CEMETERY OPERATING FUND #525
FY 2017

As of 12/31/2016

	Budget	YTD Actual
Projected Fund Balance 9-30-2016	\$ 186,500	\$ 186,500
FY2017		
Proposed Revenues	\$ 72,800	\$ 20,761
Proposed Expenditures		
Personnel	\$ (44,835)	\$ (8,739)
Operating	\$ (59,995)	\$ (2,562)
Road Maintenance	\$ (10,000)	\$ -
Admin Support	\$ (12,000)	\$ (3,000)
Other	\$ (2,000)	\$ (250)
Total Proposed Expenditures	\$ (128,830)	\$ (14,551)
Proposed Fund Balance 9-30-2017	\$ 130,470	\$ 192,710

Lots sold **17** (12 outside, 5 inside)

FAIRVIEW CEMETERY PERMANENT FUND #526	
Audited Fund Balance 9-30-2016	\$ 383,649
FY 2016 Revenues	\$ -
Projected Ending Fund Balance 9-30-2017	\$ 383,649

The Permanent Fund is for the perpetual care of the cemetery. The interest portion of this fund can be utilized for maintenance & operation of the cemetery.

STANDARDIZED AGENDA RECOMMENDATION FORM

FAIRVIEW CEMETERY ADVISORY BOARD

DATE SUBMITTED: 1/6/17

MEETING DATE: 1/11/17

1. Agenda Item: **Informational update to Board, by Staff, on matters related to the Fairview Cemetery operations and maintenance.**

2. Party Making Request: **Tracy Waldron, Chief Financial Officer**

3. Nature of Request: (Brief Overview) Attachments: Yes No

8. Staff Recommendation: _____

STANDARDIZED AGENDA RECOMMENDATION FORM

FAIRVIEW CEMETERY ADVISORY BOARD

DATE SUBMITTED: 1/6/17

MEETING DATE: 1/11/17

1. Agenda Item: **Discussion, consideration and possible action to confirm dates and times for next Cemetery Advisory Board meeting(s).**

2. Party Making Request: **Tracy Waldron, Chief Financial Officer**

3. Nature of Request: (Brief Overview) Attachments: Yes X No

8. Staff Recommendation: Meet on regular date of 4/12/17 at 4:00 pm.

APR 2017

SUN	MON	TUE	WED	THU	FRI	SAT
						01
02	03	04	05	06	07	08
09	10 City Council Meeting	11	12 Regular Fairview Cemetery Bd Mtg - 4:00 PM	13	14 Good Friday Holiday	15
16	17	18	19	20	21	22
23	24 City Council Meeting	25	26 Hunters Crossing PID Bd Mtg	27	28	29
30						