



61st City Council

Mayor Chuck Burtcher

Ward I – Trey Ayers, John Wood **Ward II** – Mary Coffin, Patty Hazlewood

Ward III – Sheri Mueller, Gaylord Z. Thomas

SPECIAL CITY COUNCIL MEETING WORKSHOP

City Hall – 101 N. 2ND Street; Guthrie, Oklahoma

Third Floor Conference Room

May 15, 2012, 6:00pm

Agenda

The special meeting of the Guthrie City Council will convene at 6:00 p.m. at Guthrie City Hall, 101 N. 2nd Street.

CALL TO ORDER – This meeting is called to order on Tuesday, May 15, 2012 at 6:00 p.m. Mayor and Council members are present and declare a quorum present.

1. Discussion of revising rules and regulations on Cemetery Policy.
2. Discussion of additional lines related to CMOM Project, ORF-10-0008-CW (Loan).
3. Discussion of passenger rail priorities.
4. Questions and discussion regarding agenda items.
5. Request for future items of discussion.
6. Adjournment.

CATEGORY: General

SUBJECT: Rules and Regulations of Summit View Cemetery

I. POLICY STATEMENT:

This policy is to explain and clarify the rules and regulations of Summit View Cemetery, owned by the City of Guthrie, Logan County, Oklahoma. This policy shall supersede all other Cemetery Rules, except as may be provided by Ordinance, and shall remain in effect until amended by simple majority vote of the City Council.

II. DEFINITIONS:

Full Lot - In Section I of the Cemetery, a full lot shall consist of six (6) grave spaces measuring 12 feet by 20 feet. In Section II of the Cemetery, a full lot shall consist of eight (8) grave spaces measuring a total of 16 feet by 20 feet.

Half-Lot - In Section I of the Cemetery, a half-lot shall consist of three (3) grave spaces measuring a total of 12 feet by 10 feet. In Section II of the Cemetery, a half-lot shall consist of four (4) grave spaces measuring a total of 16 feet by 10 feet.

Infant Space - Grave spaces for children eighteen (18) months or less, such spaces shall measure 4 feet by 2 feet.

Marker - A marker shall be made of granite, marble or standard bronze, and measure under three feet in length.

Monument - A monument shall be made of granite, marble or standard bronze, and measure no less than three feet in length but not in excess of the size of the respective lot, half-lot, space, part or parcel of land.

Single Grave Space - A single grave space shall be any grave space over 52 inches in length; a single grave space is intended for one adult interment only.

III. REFERENCES:

City Code, Chapter 6, Sections 6-1, 6-2, and 6-3
Rules and Regulations of Summit View Cemetery, as approved April 4, 1984.

IV. GENERAL:

1. Lot Payment Plan. All purchases of Cemetery Lots must be for a full lot or one-half of a lot, except in designated areas where one-fourth of a lot or a single grave space may be offered for sale. Cemetery lots may be purchased on a time-payment plan as follows: Twenty-five percent (25%) down on purchase date with the balance to be paid in equal monthly installments up to twelve (12) months. Interest will be charged at the rate of one percent (1%) per month, based on the unpaid balance. Before a burial is made on a lot purchased on the time payment plan, the lot must be paid for in full. If lots purchased on the time-payment plan are not paid in full within one year after purchase, said lots will revert back to the City of Guthrie for resale. All funds prior paid shall be non-refundable.
2. Issuance of Certificates of Ownership. The City shall not issue a Certificate of Ownership for any lot, half-lot, space, part or parcel of land until same has been fully paid for. The City of Guthrie expressly reserves an easement upon each and every lot, half-lot, space, part and/or parcel of land in Summit View Cemetery for maintenance, repairs, interments, and disinterments, including the rights of full ingress thereon and egress therefrom and the City of Guthrie, its officers, elected officials, employees, contractors, agents and duly authorized authorities shall, in providing maintenance, repairs, interments or disinterments, bear no liability therefor except for gross negligence.
3. Inheritance of Lots. In the event the owner of a lot, half-lot, space, part or parcel dies intestate, his or her heirs, according to the laws of the State of Oklahoma, shall be recognized as the owner or owners of said lot(s). It is the duty of the property owner to notify the City Clerk's Office of any change in address and in the event of the owner's death, it is the responsibility of the heirs to notify the City Clerk's Office of the new owner in order for a transfer deed to be issued.
4. Rules and Regulations. The rules and regulations herein set out shall be a part of each and every Certificate of Ownership issued for any lot in the Summit View Cemetery, owned and operated by the City of Guthrie, Logan County, Oklahoma. The City Clerk shall furnish the purchaser of each lot with a copy of the rules and regulations. The City of Guthrie reserves the right, power, and authority to change or alter any of the rules herein set out and to add additional rules at any time with or without notice.
5. Pauper Graves. Pauper grounds are located in Block 100, Lots One (1) through twenty-four (24). Said spaces will be offered at such charge as is established by ordinance or resolution. Application for interment is to be made at the City Clerk's Office and application must be signed by the person requesting the burial space. The space will be assigned by the Sexton of Summit View Cemetery upon the approval of the City Manager.
6. Babyland. Spaces in Babyland are for children eighteen (18) months or less, and are considered the infant spaces in said cemetery.
7. Sub-Divisions. No lot, half-lot, space, part or parcel of any of the land constituting a portion of the Summit View Cemetery shall ever be divided into parcels or sub-divisions except as shown by the plot of the cemetery on file in the Office of the City Clerk.
8. Spoiling Lots. One-half Cemetery Lots or three (3) grave spaces may be spoiled for two graves only, if owner desires, upon written notice to the City Clerk.

9. Crypts and Mausoleums. No above-ground crypts, mausoleums or grave covers shall be allowed within the confines of said cemetery, except as otherwise provided herein for Individual Mausoleums under Section 10 of this Article IV.
10. Individual Mausoleums. Individual mausoleums (which are designed for and limited to one person only), shall be allowed if the following requirements are met and if pre-approved in writing by the City Manager or his/her designee. Individual mausoleum covers shall be made of single, solid pieces of natural granite or marble or single, solid pieces of man-made, poured terrazzo which is uniform in color and contains no designs, patterns, pictures or art-work. The individual mausoleums and covers shall measure not less than thirty (30) inches nor more than thirty six (36) inches in width by not less than seventy-two (72) inches nor more than ninety-six (96) inches in length by four (4) inches in thickness for natural granite or marble or not less than two (2) inches nor more than four (4) inches in thickness on the edges with a crown of not less than eight (8) inches nor more than twelve (12) inches for man-made terrazzo. Natural granite or marble head pieces shall be permanently attached and shall be not less than two (2) inches nor more than four (4) inches in thickness. Man-made terrazzo head pieces shall be permanently attached and shall be not less than two (2) inches nor more than four (4) inches in thickness. In addition, each individual mausoleum shall be placed upon a concrete pad or pads of sufficient size and thickness which is or are designed to support the weight of the individual mausoleum and be surrounded on all sides by a poured concrete border (gray in color) adjoining the individual mausoleum, six (6) inches wide, four (4) inches in depth, poured at ground level with a smooth, steel trowel finish.
11. Cremation. One cremation (meaning the ashes and final remains of one person) is allowed per single grave space (one sealed container or urn per single grave space).
12. Funeral Times. ***In order to maintain a well-balanced work schedule, funeral directors must arrange their funerals to clear the cemetery by 4:00 p.m., Monday through Friday, and by 3:00 p.m. on Saturday. Failure to do so may be subject to additional overtime charges.***
13. Holidays. There will be no interments on the following holidays:
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| New Year's Day | January as designated |
| Martin Luther King Day | January as designated |
| <i><u>President's Day</u></i> | <i><u>February as designated</u></i> |
| 89'ers Parade Day | April as designated |
| Memorial Day | May as designated |
| Independence Day | July as designated |
| Labor Day | September as designated |
| <i><u>Columbus Day</u></i> | <i><u>October as designated</u></i> |
| Veteran's Day | November as designated |
| Thanksgiving Day | November as designated |
| Friday after Thanksgiving | November as designated |

Christmas Eve
Christmas Day

December as designated
December as designated

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When an authorized holiday falls on Sunday, the following Monday shall be observed as the official City holiday; when an authorized holiday falls on Saturday, with the exception of 89'ers

Parade Day, the previous Friday shall be observed as the official City holiday. The City Manager shall have the authority to approve Funeral Directors' requests for services on the observed Friday before or Monday following holidays which fall on the weekend. Such interments will be charged the current "Saturday" interment fee as set forth in Master Fee Ordinance No. 2719, as amended. Absolutely no interments will be done on the above-named holidays or any other holiday specifically approved by the City Council, unless specifically approved by the City Manager. The "Saturday" interment fee will be charged for any interment that is done on the above-named holidays or any other Council-approved holiday.

14. Application for Interment. Application for Interments is to be made at the City Clerk's Office by a relative of the deceased, their agent, or the undertaker in charge of the burial. The application must be signed by the person requesting the interment.
15. Grave Openings and Closings. All graves must be opened and closed by the employees of the City of Guthrie. The opening of any and all graves shall be paid for in advance at the rate specified by the City Council of the City of Guthrie, Oklahoma in the Master Fee Ordinance No. 2719, as amended.
16. Cement Boxes and Vaults. All Burial Caskets shall be placed into a Cement Box, Cement Vault or Steel Vault, there being no exceptions to the regulation.
17. Disinterments. No disinterment shall be allowed without the consideration and written approval of the State Health Department. Disinterments will be conducted Monday through Friday only at such time as is in the sole discretion of the Cemetery Sexton or his/her designee.
18. Interment Fees. No interments shall be made on any lot or burial space until the space and the interment have been paid in full.
19. Grave Markers and Monuments. Grave markers and monuments shall be allowed if the following requirements are met and if pre-approved in writing by the Cemetery Sexton or his/her designee. All monuments or grave markers placed in said Cemetery must be either granite, marble or standard bronze. A six (6) inch thick concrete base is required on each marker and monument. No markers or monuments will be placed in the center of the half-lot, space, part or parcel of land. All markers or monuments must be facing the appropriate alleyway (walkway) for the half-lot, space, part or parcel; markers or monuments placed on the east half of the lot will face the east alleyway (walkway), markers or monuments placed on the west half of the lot will face the west alleyway (walkway). The procedure for the installation of a monument or marker is as follows: (1) **Pre-approved in writing by the Cemetery Sexton;** (2) Secure a permit from the City Clerk's Office; (3) Present permit to the Cemetery Sexton **before** installation begins; (4) **The setting of markers or monuments must be accomplished during normal Cemetery hours between 8:00 a.m. and 4:00 p.m. with the setting scheduled for completion by 4:00 p.m. Monday through Friday.**

20. Funeral Designs and Flower Pieces. The City of Guthrie reserves and retains the authority and right to remove from any and all graves, all funeral designs and flower pieces when the same

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become wilted and unsightly in the judgment of the Sexton of the Cemetery. In no case shall the employees of the City of Guthrie attempt to locate any design or flower pieces after it has been removed from the Cemetery. Neither the City of Guthrie, or any of its agents, servants or employees, including the City Council, shall be responsible for any such items so removed from the Cemetery. Artificial flowers that are placed in permanent vases that are integral parts of the family monuments will not be removed until their appearance is unsightly.

21. Walks. No walks shall be allowed in any of Section II or Blocks 33, 34 and 35 of Section I, unless authorized by the Community Planning and Development Committee, walks will be placed only around one full cemetery lot [six (6) grave spaces].
22. Ornaments and Decorations.
- a) No lot, part or parcel of such Cemetery lot shall be enclosed by any coping, curbing, fencing, hedging or other obstruction or structure, including the placement of rock, on any lot or portion thereof.
 - b) No enclosures of any kind shall be permitted. Grave mounds of any description are prohibited. No grave or grave space shall be raised above the established grade of surrounding terrain.
 - c) Wood or iron markers will not be permitted around lots or graves.
 - d) Chairs, settees and benches will only be permitted with special permission and approval of placement by the Cemetery Sexton.
 - e) Ornaments, glass caves, artificial flowers, toys, shells or other material shall not be placed on or around any grave. Seasonal artificial flowers are permitted.
 - f) Gravel, stone or other material or walks or steps of any kind shall not be placed or erected on or around graves.
 - g) The City of Guthrie, acting by and through the City Council, reserves the right to dismantle and remove from same anything placed on any lot or burial spaces in violation of this regulation.
23. Water Mains and Extensions. The City of Guthrie may from time to time place water mains in said Cemetery. No private extensions from the water mains shall be allowed.
24. Trees and Shrubbery. In the event that the City of Guthrie or any of its duly authorized agents grant authority to any person to plant trees or shrubbery on any of said cemetery lots, the City of Guthrie specifically reserves the right to prune, cut back or remove any such trees or shrubbery which may be deemed necessary. Nothing shall be placed in the trees to clutter or damage trees or that may be considered a safety hazard.
25. Weeds and Grass. Obnoxious weeds and grasses shall not be permitted in said cemetery. The City of Guthrie specifically reserves the right to mow, trim, cut or remove any such weeds or grasses which may be deemed necessary.
26. Cemetery personnel are not permitted to do any work for property owners except normal maintenance, but are expected to be courteous and helpful to all cemetery visitors.

27. The following are expressly prohibited:

- (a) Driving or parking any vehicle on a lot, half-lot, space, part or parcel of land is prohibited
- (b) Loud or boisterous talking

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- (c) Idling or loafing on the grounds, or in any of the buildings
- (d) Soliciting the sale of any product within the cemetery
- (e) Placing of sign, notices or advertisements within the cemetery

(f) Bringing any animals into the cemetery, *except those designated for disability service.*

28. Management will take all reasonable precautions to protect lot owners, and the property rights of lot owners, within the cemetery from loss or damage; but the cemetery and the City of Guthrie distinctly disclaim all responsibility for loss or damage from causes beyond its reasonable control, and especially from damages caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided. This policy shall be in full force and effect superseding all other rules and regulations bearing approval dates prior to the passage date of this policy and shall be in effect from the date of passage until amended by simple majority of the City Council for the City of Guthrie, Oklahoma. Originally passed by the City Council on the 18th day of March, 1986 and amended this 2nd day of April, 1996.

MINUTES

GUTHRIE TRANSPORTATION AUTHORITY

April 10, 2012

The regular meeting of the Guthrie Transportation Authority held on April 10, 2012 in the Guthrie City Hall Council Chambers.

Members Present: Van French, Justin Fortney, John Wood, Christopher Foote

Members Absent: Mildred Harding, Kay Wachtstetter

Staff Present: Rene Spineto

Chairman Fortney declared there was a quorum with four (4) Trustees in attendance.

1. **Discussion and action on transportation issues from the City Council's Strategic Plan**
 - a. **Provide financial support for Amtrak Service for Guthrie Festivals**
 - i. The Authority agreed to direct staff to draft a Resolution of Support to endorse funding of service of the Heartland Flyer in the amount of \$7,000 for festivals in October and December 2012.
 - ii. Events include Blue Grass, Art and Wine Festival, Pollard events and Territorial Christmas
 - iii. Priority events are the October Festivals
 - iv. Staff to meet with the Chamber of Commerce to contact ODOT for financial support.

Motion was approved unanimously.
 - b. **Collect information and cost estimate for a study to install a railroad wye.**
 - i. The Authority agreed to direct staff to draft a Resolution for submission to the City Council to support a feasibility study and definition of scope, and cost for installation of railroad wye in Guthrie. Issues should also include volume of use, and city and community support.

Motion was approved unanimously.
2. **Discussion and Action on Recommendation to the Guthrie City Council of Statement of Willingness regarding easement acquisition of a portion of an abandoned railroad right-of-way.**

- a. The Authority held a lengthy discussion concerning the acquisition of the abandoned railroad right-of-way. Several questions still need clarification from Montolff. The Authority directed staff to contact Montolff for further information. (The contact is out of the country until approximately April 20.)
 - i. Can Montolff share liabilities
 - ii. Have other towns been approached (Guthrie should consider partnering with those towns.)
 - iii. What is the scope of the Montolff project
 - iv. Are there bridges in the seven miles length. What is their condition?
 - v. What is the lease term
 - vi. On the seven miles will they salvage the track, if so, will they also clear the shrubs and growth
 - vii. What percentage of the salvage cost would be borne by the city, if any

The Authority agreed to table the topic until the next meeting. Staff was directed to contact Montolff, and they take back the answered items to the Transportation Authority, and then a recommendation will be made to Guthrie City Council.

3. Transportation Authority Goals - Update

- a. Bike Lanes
 - i. Justin and Rene to make appointment with Bill Walton at ODOT, regarding creating bike Lanes on Division. ODOT review and any approval by ODOT will be needed. Any proposed changes will also need City Council review and approval.
- b. Trolley Stop
 - i. Staff will meet with Melissa Fessler (First Capital Trolley) to define their needs for trolley and pedestrian use for curb cuts. All proposals will need to be reviewed by Municipal Services.

4. New Business:

- a. Authority directed staff to research possibility of extend membership requirements to residents of the 73044 zip code, not just city residents.



Justin Fortney, Chairman

RESOLUTION NO. 2012-01

A RESOLUTION SUPPORTING PARTIAL FUNDING OF SERVICE OF THE HEARTLAND FLYER FOR THE 2012 GUTHRIE FESTIVAL SEASON.

WHEREAS, The City of Guthrie has a long history of successful seasonal festivals supporting the Arts and Tourism, and,

WHEREAS, the first weekend in October celebrates the Oklahoma International Bluegrass Festival featuring Byron Berline and notable bluegrass artists from around the world, and,

WHEREAS, the first weekend in October also brings the Guthrie Escape, an outdoor festival of the arts, featuring fine art, food, wine and music to the Guthrie Historic District, and,

WHEREAS, the partnership with the Oklahoma Department of Transportation, Amtrak, BNSF and the City of Guthrie has successfully extended service of the Heartland Flyer Railroad line to Guthrie during its winter season, creating significant increases in tourism development, and,

WHEREAS, the first weekend in October has become a successful arts related festival weekend within the Guthrie community, and,

WHEREAS, the Guthrie Transportation Authority strongly endorses enhancing public awareness of alternative modes of travel which also provide an economic development benefit to the Guthrie community;

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND COMMISSIONERS OF THE GUTHRIE TRANSPORTATION AUTHORITY THAT,

The Guthrie Transportation Authority recommends that the Guthrie City Council appropriate \$7,000 to partially fund the extension of Heartland Flyer Railroad Service from Oklahoma City to Guthrie during the first weekend of October 2012 to support tourism, the arts, and economic development efforts during the Autumn Festival Season.

APPROVED AND PASSED, this _____ day of _____ 2012.



Justin Fortney, Chairman
Guthrie Transportation Authority

RESOLUTION NO. 2012-02

A RESOLUTION SUPPORTING DEVELOPMENT OF A FEASIBILITY STUDY FOR A RAILROAD WYE TO ASSIST IN FURTHER RAILROAD DEVELOPMENT SERVICING THE GUTHRIE REGION

WHEREAS, the Guthrie Transportation Authority was created to support all means of travel and transportation throughout the Guthrie region, and,

WHEREAS, the Guthrie Transportation Authority fully supports the extension of the Heartland Flyer from Oklahoma City northward through the City of Guthrie, and,

WHEREAS, a Railroad Wye is a triangular shaped arrangement of railroad tracks with a switch at each corner, which allows the direction of the locomotive or railway vehicle to be turned around, leaving it facing the direction from which it came, and,

WHEREAS, the construction of a Railroad Wye in the Guthrie area would likely make it conducive to extending the Heartland Flyer line to Guthrie, by providing a logical means of turning the locomotive and,

WHEREAS, a Feasibility Study to define the viability, location and economic requirements of that construction project is necessary for funding and development,

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND COMMISSIONERS OF THE GUTHRIE TRANSPORTATION AUTHORITY THAT,

The Guthrie Transportation Authority recommends that the Guthrie City Council appropriate funds to develop a Feasibility Study to define scope, timeline, cost and other needed requirements to support construction of a Railroad Wye in Guthrie which could assist in the extension of the Heartland Flyer through the Guthrie area.

APPROVED AND PASSED, this _____ day of _____ 2012.



Justin Fortney, Chairman
Guthrie Transportation Authority