



AGENDA ITEM REQUEST AND SUMMARY FORM

DATE SUBMITTED: 4/7/2025

SUBMITTED BY: Cemetery Director & Comm.

COUNCIL MEETING DATE: 4/17/2025

DATE ACTION REQUIRED BY: 4/17/2025

	Agenda Item No.	FC#1	
COUNCIL ACTION	(X)	INFORMATIONAL	()
FINANCE COMMITTEE	()	BID AWARD	()
PERSONNEL COMMITTEE	()	WAIVER BIDDING	()
RESOLUTION	(X)	SIGN AGREEMENT	()
ORDINANCE 1 ST READING	()	CHANGE ORDER	()
ORDINANCE 2 ND READING	()	BUDGET ADJUSTMENT	()
ORDINANCE 3 RD READING	()	FUND ADJUSTMENT	()
EMERGENCY CLAUSE	()	APPROPRIATION ORD.	()
PUBLIC HEARING REQ.	()	MOTION & ORDER	()

Subject:

Amending the Russellville Oakland Cemetery Code Commission Fee Schedule to increase the administration fee charge from 10% to 20%, to establish a discount for multiple grave space purchases and to increase the columbarium fee \$100.00

Background/Summary:

The Russellville Oakland Cemetery Commission met on March 18, 2025, and reviewed the current Fee Schedule for Oakland Cemetery which administration fee has been in place since 2021.

Discussion/Action:

This amendment to the Oakland Cemetery Code would help defray the costs associated with the day to day perpetual maintenance of Oakland Cemetery and its records.

RECOMMENDATION: Pass and approve the resolution replacing the Oakland Cemetery Fee Schedule

BUDGET/FINANCIAL IMPACT/SOURCE OF FUNDING: No financial impact from this Resolution.

Fund(s) Impacted { } GENERAL FUND { } STREET FUND { } SPECIAL FUND (# _____)
(Check all that apply) { } OTHER: _____

Funding for this item was:
{ } included in the current budget
{ } not included in the current budget
{ } other: _____
{X} N/A

RESOURCES: Not applicable.

ATTACHMENTS: Resolution replacing Fee Schedule of Oakland Cemetery

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the Mayor, City Clerk-Treasurer or Department Head at their earliest convenience.

RESOLUTION NO. 2317

A RESOLUTION ESTABLISHING THE FEES AND COSTS FOR THE RUSSELLVILLE OAKLAND CEMETERY AND FOR OTHER PURPOSES

WHEREAS, the City of Russellville, Arkansas (“City”) is a municipal corporation duly incorporated, organized and existing under the laws of the State of Arkansas and a city of the first (1st) class; and,

WHEREAS, the City has all powers that the constitutions, statutes, and common law of the United States and the State of Arkansas expressly or impliedly grant or allow a city; and,

WHEREAS, A.C.A. §14-43-602 allows a city of the first class to perform any function and exercise full legislative power in any and all matters of whatsoever nature pertaining to its municipal affairs; and,

WHEREAS, A.C.A. § 14-54-802, grants cities the authority to regulate the burial of the dead; and,

WHEREAS, A.C.A. §20-17-1001 *et seq.*, regulates cities that have a perpetual care or permanent maintenance cemeteries; and,

WHEREAS, the Russellville Oakland Cemetery Commission met on March 18, 2025, and recommended the following changes to the existing cemetery Fee Schedule currently in effect by the passage of Resolution No. 1976, which was passed on October 21, 2021, as set out below; and,

WHEREAS, the City Council finds that this Resolution is in the best interest and welfare of the residents of the City.

WHEREAS, the City Council of the City hereby approves of the proposed changes to the Fee Schedule.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF RUSSELLVILLE, ARKANSAS, OF THE FOLLOWING:

SECTION 1: REVENUES AND ACCOUNTS. (a) The following fees and costs for purchases and services in Oakland Cemetery are:

- (i) \$750.00 for regular grave purchases which includes perpetual care;
- (ii) \$550.00 for cremation grave purchases which includes perpetual care;
- (iii) Traditional ground burial-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (iv) Cremation ground burial-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (v) Infant ground burial-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (vi) To disinter-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (vii) To reinter-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (viii) Grave site fill in/Dress grave-Costs to be set by grave contractor;
- (ix) Removal of extra fill dirt-Costs to be set by grave contractor;

- (x) \$20.00 recoding fee payable to Pope County Circuit Clerk for recording of the deed;
- (xi) \$17.00 for deed preparation and administrative costs; and
- (xii) A transaction fee of seven dollars (\$7.00) per transaction shall also be charged with all grave and cremation purchases.
 - (A) The transaction fee of seven dollars (\$7.00) is the same amount regardless of the numbers of graves or cremation plots purchased in the transaction.
 - (B) The seven dollar (\$7.00) transaction fees collected in one (1) calendar year shall be remitted to the Arkansas Cemetery Board within seventy-five (75) days of the beginning of the successive calendar year.
- (xi) ~~\$700.00~~ ~~\$600.00~~ for one (1) columbarium niche which includes perpetual care and basic engraving on the shutter of the niche. Additional engraving beyond the basic engraving service shall be paid by the party wanting the additional engraving service.
 - (A) \$330.00 for opening and closing of columbarium niche.

(b) The following fees that shall be charged purchases and services in the Mary Rye Campbell Addition of Oakland Cemetery are:

- (i) \$50.00 for traditional grave purchases;
- (ii) \$913.00 for a perpetual care fee for the traditional grave;
- (iii) \$25.00 for cremation grave purchases;
- (iv) \$688.00 for perpetual care for the cremation grave;
- (v) Traditional ground burial-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (vi) Cremation ground burial-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (vii) Infant ground burial-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (viii) To disinter-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (ix) To reinter-Costs to be set by grave contractor plus 20% ~~10%~~ of the set price as an administration fee to be paid to the City;
- (x) Grave site fill in/Dress grave-Costs to be set by grave contractor;
- (xi) Removal of extra fill dirt-Costs to be set by grave contractor;
- (xii) \$20.00 recoding fee payable to Pope County Circuit Clerk for recording of the deed;
- (xiii) \$17.00 for deed preparation and administrative costs; and
- (xiv) A transaction fee of seven dollars (\$7.00) per transaction shall also be charged with all grave and cremation purchases.
 - (A) The transaction fee of seven dollars (\$7.00) is the same amount regardless of the numbers of graves or cremation plots purchased in the transaction.

(B) The seven dollar (\$7.00) transaction fees collected in one (1) calendar year shall be remitted to the Arkansas Cemetery Board within seventy-five (75) days of the beginning of the successive calendar year.

(c) All fees shall contained in this Resolution shall be paid at the Department of Finance for the City of Russellville, Arkansas, including fees for the Contractor's services, unless otherwise stated. Upon receipt of fees for the Contractor's services from the purchaser, the Department of Finance shall remit the amount of the fee the Contractor is due for the services procured by the purchaser as stated in Section 1 or if later amended by other Resolution.

SECTION 2: There shall be a discount on multiple grave spaces purchased at the same time based on the following:

(a) The purchase of two (2), three (3) or four (4) grave spaces shall receive a five percent (5%) discount on the total price point.

(b) The purchase of five (5), six (6) or seven (7) grave spaces shall receive a ten percent (10%) discount on the total price point.

(c) The purchase of eight (8), nine (9), ten (10) or more grave spaces shall receive a fifteen percent (15%) discount on the total price point.

(d) The discounts stated in Section 2(a), (b) and (c) shall not apply to:

(1) Any installment contract sales;

(2) Any columbarium or grave spaces sales in the Memorial Gardens Addition; or

(3) Any open, closing or other associated fees.

SECTION 3: The facts and statements contained in the recitals of the Preamble (the "Whereas" clauses) of this Resolution are hereby found, confirmed and ratified to be true and correct and are hereby adopted and incorporated into this Section of this Resolution by reference as if fully set forth in this Resolution as the findings, purpose and intent of the City Council upon adoption thereof.

SECTION 4: Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 5: The City Clerk-Treasurer and City Attorney are authorized to make necessary corrections to this Resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers, attachments, exhibits, heading, titles, tables, charts and any references thereto.

SECTION 6: Any prior resolutions in conflict with this Resolution, including Resolution No. 1976, are hereby repealed.

SECTION 7: This Resolution as now adopted shall be in full force and binding effect upon the City until modified, revoked, or replaced by subsequent resolution of the City Council.

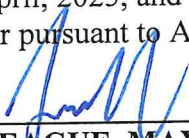
SECTION 8: That all past, present and future acts and doings of the officials and employees of the City that are in conformity with the purpose and intent of this Resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

SECTION 9: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the A.C.A. §25-19-106, a part of the Arkansas Freedom of Information Act, A.C.A. §25-19-101 *et seq.*

SECTION 10: All pronouns contained in this Resolution and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting.

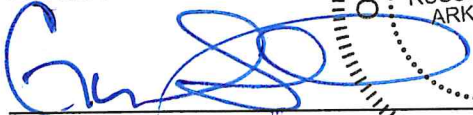
SECTION 11: This Resolution shall go into effect immediately upon and after passage or after the earliest period allowed by law, whichever is earlier in time, until modified, revoked, or replaced by subsequent resolution of the City Council.

ORDERED, APPROVED AND ADOPTED by the City Council of City of Russellville, Arkansas, at a regular meeting this 17th day of April, 2025, and signed and authenticated by the Mayor and City Clerk-Treasurer hereafter pursuant to A.C.A. §14-55-205.

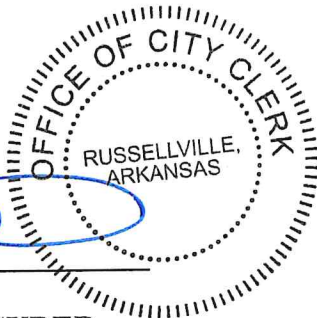


FRED TEAGUE, MAYOR

ATTEST:

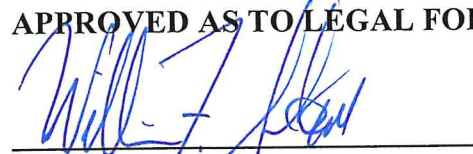


**GINA SKELTON,
CITY CLERK-TREASURER**



I, Gina Skelton, City Clerk-Treasurer of the City of Russellville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Resolution No. 2317 passed by the City Council of the City of Russellville, Arkansas, on the 17th day of April, 2025.

APPROVED AS TO LEGAL FORM:



**WILLIAM F. SMITH III,
CITY ATTORNEY**