

ORDINANCE NO. 286

AN ORDINANCE AMENDING CHAPTER 13 OF  
MONTICELLO CITY CODE, CONCERNING  
MUSEUMS; ESTABLISHING A MONTICELLO  
CEMETERY BOARD; AUTHORIZING THE  
EXPENDITURE OF FUNDS; AND  
PRESCRIBING THE POWERS AND DUTIES  
RELATED THERETO.

BE IT ORDAINED by the City Council of the City of Monticello, Arkansas, that Chapter 13 of Monticello City Code, concerning museums, is amended to as follows:

Section 1. Amend the title of Chapter 13 of the Monticello City Code to read as follows: "Chapter 13: MUSEUMS AND CEMETERIES."

Section 2. Amend Chapter 13 of Monticello City Code to include a title for Section 13-01 et seq. to read as follows: "ARTICLE I. MUSEUMS."

Section 3. Amend Chapter 13 of Monticello City Code to read as follows:

**"ARTICLE II. CEMETERIES.**

**Sec. 13-30. Establishment of a board.**

(1) There is hereby created and established a board consisting of five (5) members, to be known as the Monticello Cemetery Board. No more than two members shall be owners or directors of a business in the funeral industry.

(2) The functions of the board are to develop and maintain in an attractive and safe manner public cemeteries owned, controlled, or leased by the City of Monticello. The Monticello Cemetery Board may be administered by the Director of the Monticello Cemetery Board.

**Sec. 13-31. Appointment of members.**

The member of said Monticello Cemetery Board shall be recommended by the Mayor for appointment by the City

Council. The city attorney may be appointed as ex-officio members without voting powers.

**Sec. 13-32. Compensation**

All of the members of said Board shall serve without compensation. Members may be reimbursed for their actual expenses, including travel, lodging, and meal expenses incurred while on official business of the Board, which had had prior approval by the City Council.

**Sec. 13-33. Terms.**

The terms of the members first appointed shall be determined by lot at the first meeting of the Board with one member serving two years; two members serving three years; and two members serving four years. Terms of office thereafter shall be for four years. All vacancies shall be filled for the unexpired terms of the member whose office is vacant in the same manner as such member received the original appointment.

**Sec. 13-34. Organization of the board.**

Immediately after appointment and qualification, or until their successors qualify, the Board shall organize a chairman, vice-chairman and a secretary who shall serve for one (1) year.

**Sec. 13-35. Meetings.**

Regular meetings shall be held at a regular date and time to be fixed by the members, and special meeting may be held upon the call of the chairman. Any three (3) members of the Board may call a meeting after giving seven (7) or more days notice of such meeting to all members.

**Sec. 13-36. Quorum.**

Three (3) members of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time.

**Sec. 13-37 Lapse of membership.**

After a member of the Board fails to attend three (3) consecutive meetings, unless excused by the vote of said

Board, his membership shall automatically terminate, and his successor shall be appointed in the same manner as his predecessor. A member of the Board may be removed from office by two-thirds (2/3) vote of the City Council.

**Sec. 13-38. Powers and duties.**

The Board shall have the following powers and duties:

(a) Act in an advisory capacity to the City Council in prompting, aiding, encouraging and involvement, including the development of public cemeteries within city limits;

(b) At the request of City Council, recommend to the Council the names of candidates who are qualified in the administration of public cemeteries for appointment by the Council to the Board;

(c) Adopt by-laws related to the operation of the Board;

(d) Formulate and administer general policies, rules and regulations related to the planning, management, development and operations of all public cemeteries owned, controlled, or leased by the City of Monticello;

(e) At the request of City Council, cause a budget to be prepared and submitted to the Council annually providing for the costs of maintenance and operation of the public cemeteries owned, controlled, or leased by the City of Monticello. The budget shall contain estimates and recommendations for such long term capital outlay projects as may be necessary to provide for an orderly development of public cemeteries owned, controlled, or leased by the City of Monticello.

**Sec. 13-39. Expenditure of funds.**

(1) The City Council may appropriate and expend funds from the city general fund and/or levy and collect tax in the same manner as taxes are levied for other public purposes to operate a program to acquire, develop, maintain and operate cemeteries and for the payment of salaries of person employed for said work.

(2) A Monticello Cemetery Board Fund may be established as a depository for all monies received for Monticello Cemetery Board purposed for the procedure from all gifts, legacies or bequests and all monies derived by the City from fees for service administered by City Council and/or under the management of the Director of the Monticello Cemetery Board.

**Sec. 13-40. Director of the Monticello Cemetery Board.**

(1) The position of Director of the Monticello Cemetery Board is hereby established.

(2) The Mayor may appoint a Director of the Monticello Cemetery Board to administer general policies, rules and regulations related to the planning, management, development and operations of all public cemeteries owned, controlled, or leased by the City of Monticello.

(3) The Director of the Monticello Cemetery Board shall attend meetings of the Board and shall make such reports to the Board and to City Council, as shall be required.

(4) The Director of the Monticello Cemetery Board, upon request, shall advise with city officials and community organizations in the City of Monticello concerning the expenditure of public funds for the Monticello Cemetery Board; acquisition, design and development of all public cemeteries; and shall maintain effective and cooperative relations with officials of the county and special interest organizations.

(5) The Director of the Monticello Cemetery Board shall:

(a) With the approval of the City Council and in accordance with civil and/or city service procedures, employ required personnel, such as assistants, supervisors and leaders, maintenance and clerical personnel; and supervise them in the performance of their various duties.

(b) Administer, operate and maintain existing public cemeteries owned, controlled, or leased by the City of Monticello and facilities and plan for the acquisition, development and operation of proposed

facilities in accordance with polices formulated by the Monticello Cemetery Board and approved by the City Council.

(c) Prepared an annual budget, with the advice of the Monticello Cemetery Board, for presentation to the City Council.

(d) Inform the general public of the services and facilities being provided by the Monticello Cemetery Board; address professional, civic and lay groups on public cemeteries owned, controlled, or leased by the City of Monticello subjects; solicit suggestions from the general public increasing the effectiveness of cemetery services; cooperate with governmental and voluntary organizations and agencies in the furtherance of problems; and provide, upon request, assistance of the technical natural to community agencies and organizations on problems related to public cemeteries owned, controlled, or leased by the City of Monticello and programs."

**EMERGENCY CLAUSE.**

BE IT ALSO ORDAINED by the City Council of the City of Monticello, Arkansas, that:

The City Council having determined that there is a great public need for a Monticello Cemetery Board in the City of Monticello, Arkansas, and that a large number of public are desirous and in need of such board and the public welfare, safety, and morals being in jeopardy because of the lack of said organization an emergency I s herby declared to exist and this ordinance shall be in full force and effect and after its passage and publication.

Vieha T. New  
Finance Director

Andrew Chambers  
acting Mayor  
City Clerk