

Park University  
Master of Public Affairs Program  
Community-Based Project with the  
City of Parkville, Missouri Spring 2015:  
The Old Parkville Cemetery



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# Contributors



## Spring 1 2015 PA 511 Class

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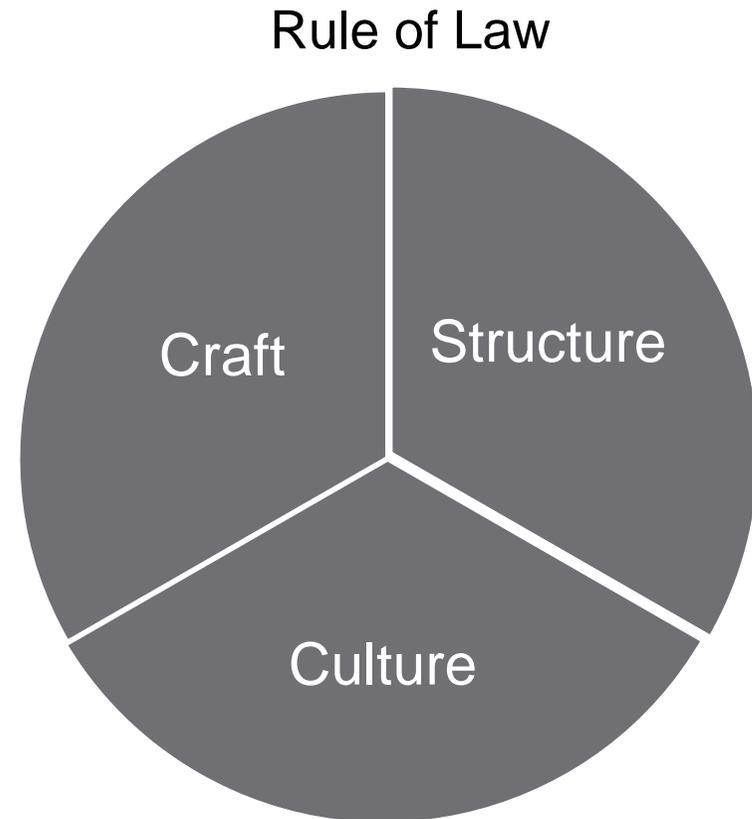
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*Special thanks to Tim Blakeslee with the City of Parkville, MO for his assistance with this project.*

# The Academic Framework

## Carolyn J. Hill's and Laurence E. Lynn Jr.'s Public Management: A Three-Dimensional Approach

- Spring 1 2015 the Park University Master of Public Affairs (MPA) Public Management (PA 511) class partnered with the City of Parkville, Missouri on a community-based project regarding the Old Parkville Cemetery.
- Online class with students from different locations throughout the United States and the world, including California, Kansas, Kentucky, Missouri, New Mexico, Texas, Washington, and Indonesia.
- Used Carolyn J. Hill's and Laurence E. Lynn Jr.'s book *Public Management: A Three-Dimension Approach* to examine the laws, structure, culture and craft involved in managing a cemetery.



# Rule of Law

# Local Ordinances and State Laws: Constraints

## **Parkville Municipal Code, Chapter 155**

**Ownership and Cost of Lots:** The ordinance should be updated to reflect that plots can no longer be purchased since it is believed that the cemetery is full. Cremations of blood relatives of current occupants may be considered, but other burials may no longer be possible due to space limitations (Elwess 2015). The ordinance should be updated to clarify this limitation.

**Cemetery Board:** The section of the ordinance regarding the composition of the Cemetery Board does not require revision, but it does need to be implemented. This can be accomplished by appointing the requisite seven members to the Cemetery Board, and by appointing an Alderman from either Ward 1 or Ward 2, which are the wards in closest proximity to the Old Parkville Cemetery.

**Duties of Cemetery Board:** The Cemetery Board is unable to perform its duties of “care and custody” (City of Parkville Municipal Code 1991) due to budgetary constraints. Recommendations regarding the costs associated with maintaining the cemetery and for locating additional funds are addressed in the full report.

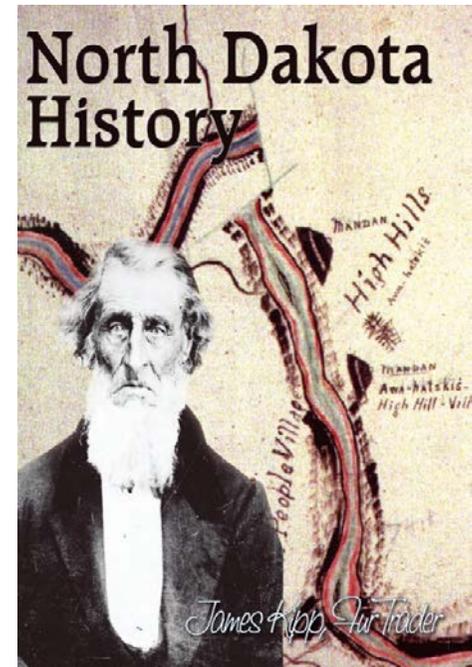
## **Missouri Revised Statute, Chapter 79**

This statute explains the roles and responsibilities of Fourth Class cities in the State of Missouri with regard to public cemeteries. The statute grants the Board of Alderman the power to own cemeteries, and explains the City’s responsibilities for surveying, maintaining, regulating, protecting, and funding the cemetery.

# State Laws: Opportunities

## State and Federal Opportunities

- Placement on the National Register of Historic Places through the State Department of Natural Resources.
- Possible eligibility based the criteria of “persons of transcendent importance” and “from age” (MO Dept. of Natural Resources 2015).
  - James Kipp, a historical fur trader, and some of his family members are buried at Old Parkville Cemetery. James Kipp founded Fort Clark in North Dakota, which is on the National Register of Historic Places.
  - Burials dating as far back as 1840, 18 years before Parkville was incorporated.



# Cemetery Court Cases

## **Cemetery Recordkeeping**

*City of Gladewater v. Pike*

- The City may need to be concerned with the condition of their recordkeeping and their knowledge of which plots are filled.
- With “regards to the claim of negligence, the courts found that because the city failed to keep proper records regarding which plots were filled and by whom, there is no way to know where the boy’s body was, thus providing the inference of negligence. Additionally, the courts found that for this reason, the Pike family was “entitled to actual damages from the city” (City of Gladewater v. Pike).

## **Cemetery Maintenance and Safety**

*Suzanne K. Ogborne v. City Of Trenton*

- The court held that the City of Trenton was liable for the injuries of the plaintiff due to the dangerous conditions of the publically operated cemetery.
- This court found this case to be exempt from sovereign immunity due to the dangerous conditions.
- The plaintiff was awarded \$1.6M in damages from the city.
- The State of Missouri has similar language in its tort legislation regarding the exemption from sovereign immunity due to dangerous conditions on public property.

# Rule of Law Recommendations

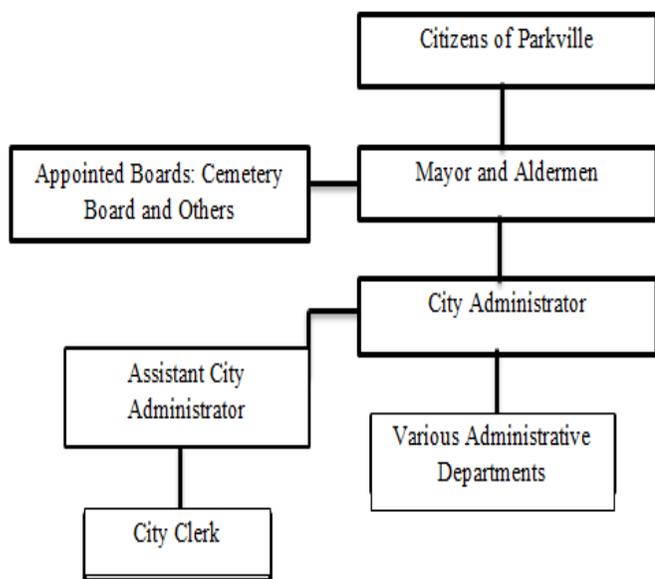
- Update the Parkville Municipal Code to reflect that the cemetery is inactive.
- Reconstitute the Cemetery Board with the full seven member board, and appoint an Alderman Liaison from Ward 1 or Ward 2.
- Increase funding by adding the cemetery to National Register of Historic Places.
- Seek additional sources of funding to address maintenance and recordkeeping issues. Court cases show that there are potential legal consequences for dangerous conditions or the poor recordkeeping at cemeteries.
- Address recordkeeping concerns by mapping the cemetery, and comparing the information with available records. Ground-Penetrating Radar (GPR) may be needed to properly map the grave sites within the Old Parkville Cemetery.

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# Structure

# Organizational Structure

## Organizational Structure



(Adapted from the City of Parkville. <http://parkvillemo.gov/organizational-chart/>)

- The Cemetery Board should be added to the City of Parkville’s organizational structure and website.
- The City should consider assigning some duties for the cemetery, such as maintenance oversight, to one of the existing City departments.

## Positions, Functions, and Tasks

	Mo Revised Statute Chapter 79, Section 79.430	Parkville Municipal Ordinance, Chapter 155
Mayor and Aldermen	Purchase, receive, and hold real estate for a cemetery (80 acres or less). Provide for the surveying platting, grading, fencing, and improving of the cemetery grounds. Pass ordinances to regulate and protect cemeteries.	Appoint and remove Cemetery Board members.
Cemetery Board	Not applicable.	“Care and custody” of the cemetery. Ensure enclosures and grounds are in good repair. Assist City Clerk with recordkeeping. Make recommendations to the Board of Aldermen regarding improvements and repairs. Advise the Board of Aldermen on other matters related to the cemetery.
City Administrator and Administrative Departments	Not applicable. Recommendations discussed in narrative report.	Not applicable. Recommendations discussed in narrative report.
Citizens of Parkville	Not applicable. Recommendations discussed in separate narrative on citizen participation in full report.	Not applicable. Recommendations discussed in separate narrative on citizen participation in full report.

- The Cemetery Board should be reconstituted, and the functions outlined in state and local laws should be performed, as applicable.

# Citizens of Parkville: Participation

- Inform citizens through newspapers, and the City website in order to get them involved.
- Contact the families of those who are buried in the cemetery to solicit their help.
- Conduct hearings and meetings regarding the cemetery near the cemetery.
- Follow up with citizens regarding actions taken at the cemetery such as cleaning headstones.

# Budget/Expenses

(Updated from 1998 Cemetery Board Budget)

Item / Task	Description	Phase 1 (2016)	Phase 2 (2017)
<b>Turf Mowing and Trimming</b>	Annual reoccurring costs	\$3,500	\$3,500
<b>Repair and Reset Tombstones</b>	70 (approx.) @ \$100/each*	\$3500 35 headstones	\$3500 35 headstones
<b>Repair, replace and Reset Iron Fencing</b>	1 LS	\$1,500	\$0
<b>Probing and Mapping**</b>	Ground penetrating radar rental (2 days) \$175 checkout \$110 per day	\$395***	\$0
<b>Earth work (fill holes, grade uneven areas)</b>	1 LS	\$550	\$0
<b>Top Soil</b>	33 yards @ \$30 /yd	\$990	\$0
<b>Grass seed, starter fertilizer and matting</b>	1 LS	\$450	\$50 (Overseeding)
<b>Brush Clearing, stump grinding and site Clean up</b>	Volunteers or city staff could perform this work.	\$0	\$0
<b>Total</b>		<b>\$10,885.00</b>	<b>\$7,050.00</b>
<b>Optional New Items</b>			
<b>Educational / Interpretive Signage for Cemetery</b>	2 @ \$500 per sign	\$0	\$1000
<b>Tuck Pointing of stone wall</b>	1 LS		\$450
<b>Website Development &amp; Maint.</b>	1 LS	\$600	\$0
<b>Total</b>		<b>\$600.00</b>	<b>\$1,450.00</b>

\*Estimated.

\*\*Utilization of volunteer labor through Park University

\*\*\* According to Geographical Applications Incorporated

# Contracting or In-House Services

## “Make or Buy Decision”

- The first step in deciding to keep a project in-house or contract it out is called the “make or buy decision” (Hill and Lynn 2009, 163).
- “At least four separate but related frameworks provide insight into the make or buy decision for public managers: the transaction costs in the relationship, whether the activity is ‘inherently governmental,’ the presence or absence of market failures, and the extent and consequences of incomplete contracts,” (Hill and Lynn 2009, 163).

## Success Stories

- The City of Liberty, MO owns three of their cemeteries. Besides contracting out the lawn mowing (\$30,000 total for all three cemeteries per year) they handle the rest of the work in-house.
- Chicora, a nonprofit heritage preservation organization, may be able to assist with in-house restoration activities.

## City of Parkville

- In the City of Parkville, most of the restoration may be done in-house or with volunteers, with the exception of the iron fence work.

# Organizational Form: Creating a Nonprofit

## Cemetery Group versus Non-Profit 501(c)(3)

Both entities may perform some of the same services:

- Public relations to keep the cemetery relevant to people.
- Maintenance and repair activities.
- Host special events.

## Disadvantages and Advantages of Forming a 501(c)(3)

Disadvantages:

- Initial start up activities which include forming the board; preparing by-laws, articles of incorporation, and an application; and paying appropriate fees.

Advantages:

- All donations are tax deductible, thus people are more likely to make financial donations.
- Businesses are more likely to make “in-kind” donations.
- Stronger accountability since financial information must be made available, board meetings must be held, etc.
- 501 (c )(3) status lends credibility to an organization.

# Structure Recommendations

- Reconstitute the Cemetery Board, and perform the functions outlined in state and local law.
- A sexton would be desirable, but it is acknowledged that this is not feasible with the current budgetary constraints.
- Add the Cemetery Board to the City of Parkville's organizational structure and website.
- Consider assigning some duties for the cemetery, such as maintenance oversight, to one of the existing City departments. In some communities, these functions are handled by the Parks and Recreation Department. Since Parkville does not have a Parks and Recreation Department, the Public Works Department may be able to assume some oversight. (Note that this recommendation was supported by some students, but not by others.)
- Inform citizens and other interested parties about the Old Parkville Cemetery through newspapers and the City website.
- Conduct public hearings and meetings at a location near the cemetery, and give people significant advance notice.
- Ensure follow up on issues that may be critical to citizens such as cleaning headstones.
- Budget \$11,485 in 2016 and \$8,500 in 2017 for mowing, tombstone repair, fencing repair, probing/mapping, earthwork, grass seed, brush clearing, signage, tuck pointing the stone wall, and website development/maintenance.
- Seek additional sources of revenue from the National Trust for Historic Preservation and CDGB.
- When the City of Parkville decides whether to handle cemetery operations in-house or contract them out they should check with their previous contractors. The City should solicit competing bids to make sure the previous contractors are giving a fair price.
- The iron fence work will need to be contracted out but the rest of the restoration may be done in-house.
- The Old Parkville Cemetery Board may want to attend preservation workshops and learn how to do restoration in-house with the help of volunteers.
- Form a 501 (c)(3) organization to allow donors to receive a tax write-off, to enable the cemetery to seek additional grant funding, and to enhance credibility and accountability.

**Culture**

# Culture and Values in Cemeteries

## Burial Culture

- The culture of preserving the dead has existed for millennia as evidenced with the discovery of cave in Qafzeh, Israel (Smithsonian Institute, 2015; NIH nd)
- American society has always refrained from publicly discussing anything related to death and dying, but there has been a shift from this view in recent years (Samuel 2013).

## Important Values



# Culture: The City of Parkville & The Cemetery Board

## **The City of Parkville**

The City administration must seek out effective ways to communicate and inspire a “sense of mission” for the project (Wilson 1989, 109-110), such as using social media to appeal to people in their 20s and 30s. They must remind the people of the value of preserving the cultural heritage.

## **The Cemetery Board**

The Cemetery Board must develop a culture of looking outside the immediate surroundings for assistance restoring the site. Restoring the cemetery should be viewed as an opportunity to bring the community together, and to develop a richer understanding of Parkville’s past.

# Culture Recommendations

- Communication regarding restoration of the cemetery should take into consideration the population of 20 to 30 year old individuals, and communication regarding the cemetery should be tailored to encourage their participation in this project.
- Plans to improve the cemetery must be connected to the culture and history of the Parkville community to recreate a “sense of mission” (Wilson 1989, 109-110) and to make the project personal for city employees and citizens.
- Develop a culture of looking outside the immediate surroundings for resources and support.
- Create a code of ethics to ensure accountability.

**Craft**

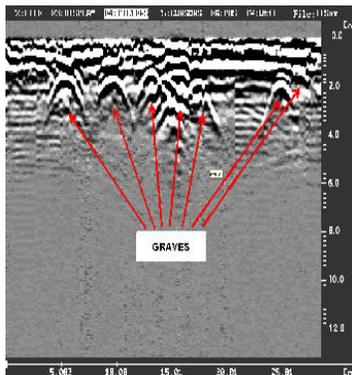
# Leadership Responsibilities and Opportunities

- Understand the laws associated with the Cemetery.
- Ensure accountability and transparency in recordkeeping, financial management, and consultation with the public.
- Promote change, flexibility, and creativity.
- Develop a Code of Conduct.
- Revisit cemetery priorities, and create solutions.
- Develop a leadership communication plan.
- Utilize social media.
- Educate city officials and citizens on the importance of the cemetery.
- Learn from other public administrators.

# Best Practices

## Inventory of Gravestones

- The Park University Geography Department is mapping the cemetery, but additional cataloging and recording may be needed. Each plot should be assigned a unique identification number (MD National Planning Commission 2015)
- Ground Penetrating Radar may be needed to locate graves.



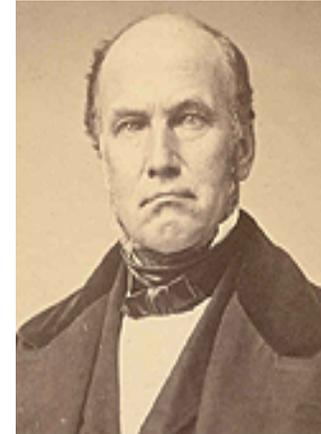
## Maintenance and Restoration

- It is beneficial to maintain the lawn and properly clean the headstones. Chicora Foundation, Inc. (2015) explains that these practices:
  - Reduce downtime for repairs.
  - Reduce cost on equipment purchases.
  - Save time and money on supplies.
  - Reduce damage caused by drought (landscaping issues).
  - Reduce weeds, pruning, insects and other pests.

# Best Practices

## Introduce a “Park-like” Atmosphere

- Fosters a natural attitude toward death.
- Increases interaction with the past.
- Decreases vandalism.



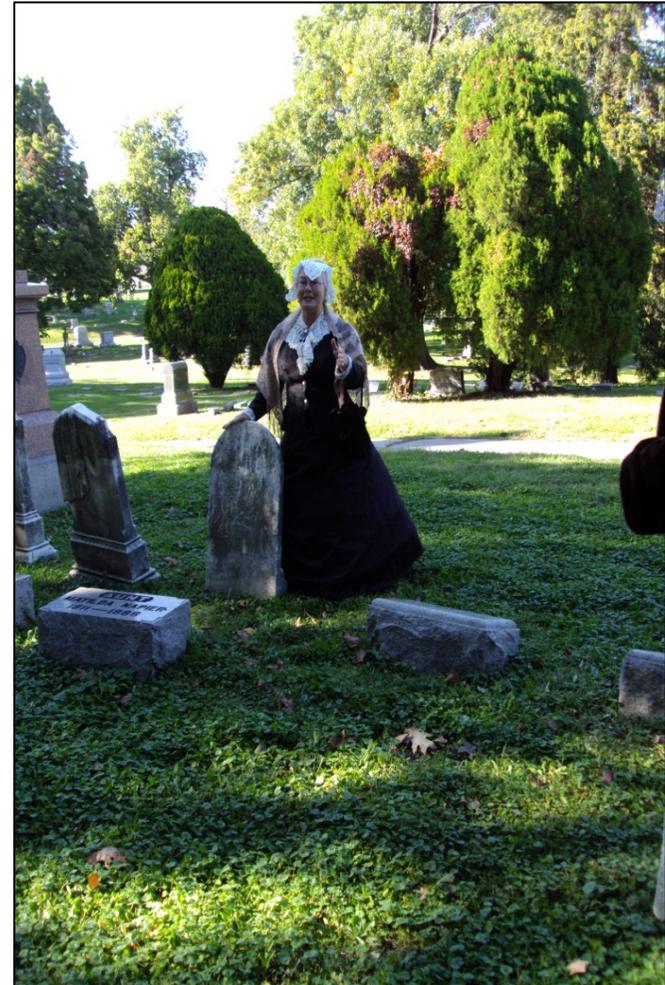
*“... The place where the earthly remains of our friends repose, should have its own characteristic expression; in all its adornment there should be a fitness and a harmony ... .”*

*“Old Cemetery.” Industrial Luminary. Parkville, Mo. (August 22. 1854).*

Picture of George S. Park from [www.park.edu](http://www.park.edu).

# Strategic Initiatives

- Promote service-learning projects related to the cemetery for students of all ages.
- Conduct historical reenactments and tours of the cemetery.



Elmwood Cemetery, Kansas City , MO.

# Craft Recommendations

- Establish and publically promote the cemetery's historical significance.
- Provide educational opportunities to the local community.
- Place information regarding the cemetery on the City of Parkville and State of Missouri websites.
- Implement best practice techniques and guidelines to clean and restore gravestones.
- Implement best practice lawn maintenance.
- Consider the park-like atmosphere to engage the community.
- Promote elementary/secondary education service-learning projects to build community interest in Old Parkville Cemetery.
- Promote historical reenactments of notable persons buried at Old Parkville Cemetery.

# Conclusion

The City of Parkville faces a number of challenges related to the Old Parkville Cemetery; however, the cemetery also provides an opportunity for the citizens of Parkville to embrace the community's heritage. The analysis conducted by the Park University MPA Public Management Class shows that in order to restore the cemetery the City will need to:

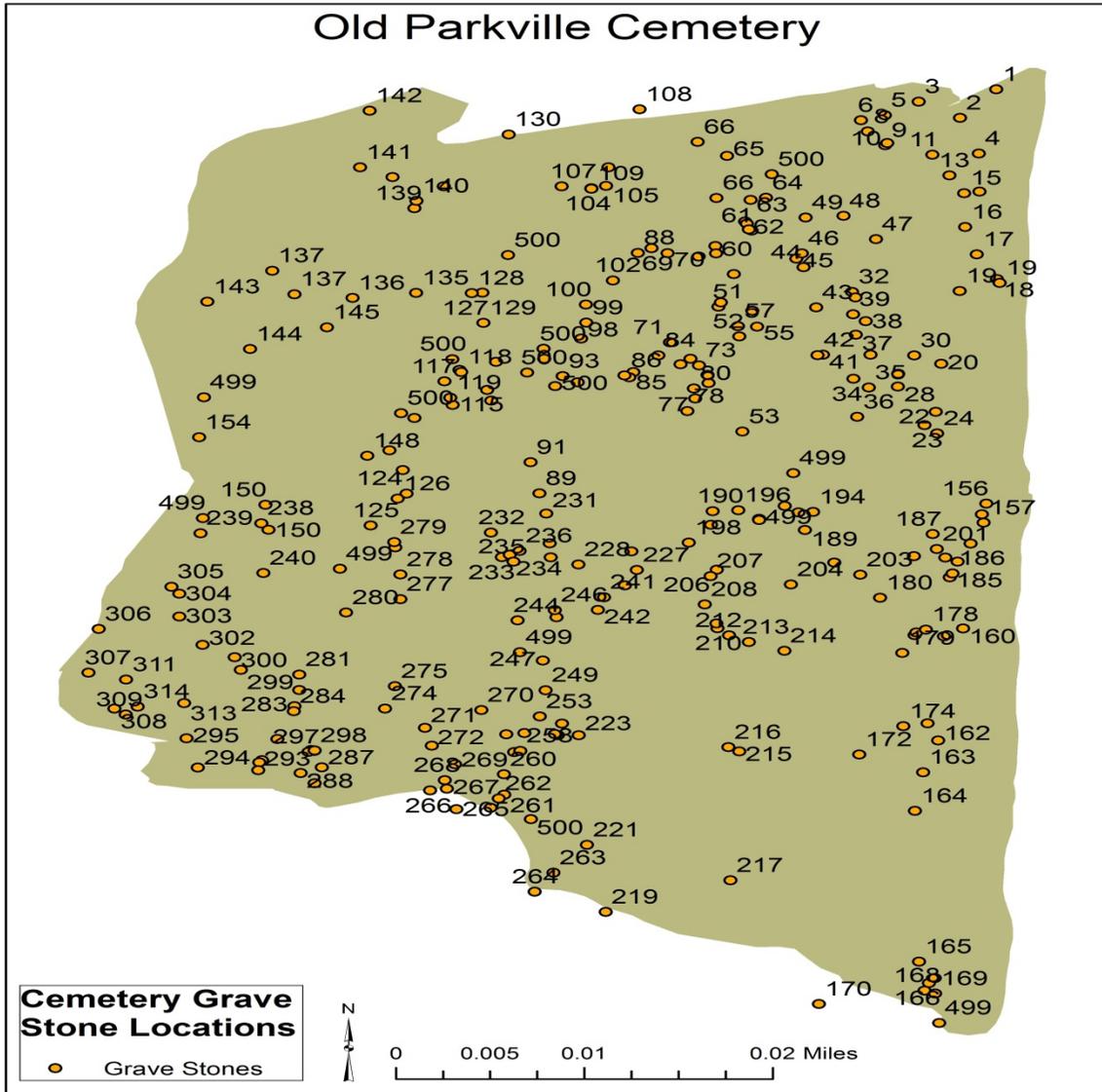
- Reestablish the Cemetery Board.
- Revisit Parkville Municipal Code, Chapter 155.
- Provide additional funds for cemetery maintenance, restoration, and recordkeeping.
- Allocate additional funds from the City budget, and possibly perform some of the functions associated with the cemetery with in-house staff and volunteers.
- Consider establishing a 501(c)(3) nonprofit, or the City may perform some of the same functions.
- Consider grant opportunities that may also be available if the cemetery is placed on the National Register of Historic Places.
- Keep the citizens of Parkville informed and involved throughout the process of restoring the cemetery. Citizens may become engaged through service-learning activities, cemetery tours, and historical reenactments at the cemetery.

If restored, the cemetery may be viewed as a community asset, and a place for citizens to learn about Parkville's rich past.

# Mapping Project



# Old Parkville Cemetery



Full Name	Scout Map #	Latitude	Longitude
Cora Lee	11	39.200867759	-94.682572604
Sarah E. Avery	13	39.200844991	-94.682559434
1st. Sgt. Jas. A. Avery	14	39.200827038	-94.682536465
Herbert A. Son of Jas & Sarah	15	39.200825424	-94.682548283
Unknown	16	39.200787940	-94.682547361
Mary Alice Zollars	17	39.200757811	-94.682538539
Griffith	18	39.200730527	-94.682523007
Hill	19	39.200717561	-94.682551540
M.A.C	19	39.200726405	-94.682520959
Unknown	20	39.200637076	-94.682565700
Dziubon	22	39.200584040	-94.682569905
Louise Dziubon	23	39.200569379	-94.682578568

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