

MAR 01 2010

ORDINANCE NO. 2768

**AN ORDINANCE ESTABLISHING A WARDERMAN TRUST  
COMMISSION IN THE CITY OF COLUMBIA, ILLINOIS  
AND ADOPTING PROTOCOLS FOR ITS OPERATION**

*J. Ronald Colyer*  
City Clerk

WHEREAS, the City of Columbia, Illinois is in control of a cemetery located within the corporate limits of the City which is commonly known as the Warderman Cemetery (the "Cemetery" or "Warderman Cemetery") and is authorized to operate the same in such manner as the corporate authorities of the City shall deem necessary under and by virtue of Section 11-52-1 of the Illinois Municipal Code (65 ILCS 5/11-52-1);

WHEREAS, the Illinois Cemetery Care Act authorizes the City to accept funds for the care of the cemetery and to establish a trust fund to hold the same in perpetuity (760 ILCS 100/3);

WHEREAS, the Columbia City Council adopted Ordinance 2700 in December, 2008 to authorize a Warderman Cemetery Escrow/Trust (the "Trust") to pay for burial of paupers, said internment being funded through a donation from Charles Todd, Jr. of Columbia;

WHEREAS, the City Council of the City shall have the right to delegate to the Columbia Heritage & Preservation Commission ("CHPC") or another or other agency of the City the responsibility for the operation and maintenance of the cemetery and/or the Trust (or for the rendering of advice and assistance to the City with regard to the maintenance and operation of the cemetery and/or the Trust), as the City shall decide and determine; and,

WHEREAS, the CHPC has recommended a protocol for operation and maintenance of the Trust as well as establishment of a separate commission for this purpose:

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** The City Council of the City of Columbia, Illinois does hereby delegate operation of the Trust to the Warderman Trust Commission (hereinafter "The Commission"), which will meet as needed with staffing from the City as required. The Commission will have five (5) members, including two (2) representatives of local funeral homes, a representative from the Heritage & Preservation Commission, and two other citizens of Columbia.

**Section 3.** Upon notification of the Commission, its members will

review application(s) for individuals meeting the criteria outlined in the attached protocols. The Commission will be authorized by the City Council to approve said applications and authorize disbursement of expenses from the Trust.

**Section 4.** The City Attorney shall record a duly authenticated copy of this ordinance in the Office of the Monroe County, Illinois Recorder, for and on behalf of the City as soon as practicable after the enactment of this ordinance.

**Section 5.** This ordinance shall be in full force and effect from and after its passage, as provided by law.

Alderman Row moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Hejna, and the roll call vote was as follows:

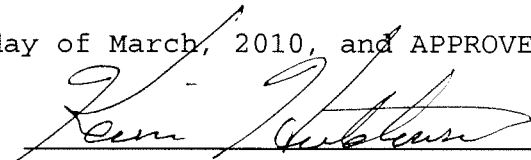
YEAS: Aldermen Ebersohl, Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler.

NAYS: None.

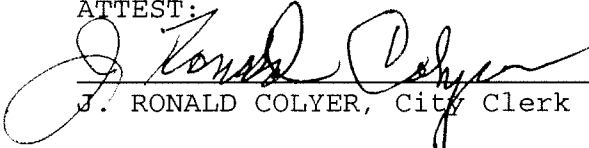
ABSENT: None.

ABSTENTIONS: None.

PASSED by the City Council this 1st day of March, 2010, and APPROVED by the Mayor.

  
\_\_\_\_\_  
KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
\_\_\_\_\_  
J. RONALD COLYER, City Clerk

(SEAL)

## **Protocols of the Warderman Trust Commission**

The City of Columbia has established a Warderman Trust Commission, which will meet as needed with staffing from the City as required. The Commission will have five (5) members, including two (2) representatives of local funeral homes, a representative from the Heritage & Preservation Commission, and two other citizens of Columbia.

Upon notification of the Commission, its members will review application(s) for individuals meeting the criteria outlined below. The Commission has been authorized by the City Council to approve said applications and authorize disbursement of expenses from the Trust under the following guidelines:

1. The Memorial Fund will cover the cost of cremation for any deceased individual who was a legal resident of the Columbia Unit School District 4 and whose estate assets were less than ten thousand dollars (\$10,000) with no other funeral or burial benefits, such as insurance or veteran benefits, available;
2. If the surviving family members wish, the remains may be placed in an available niche of the Charles Todd Memorial Columbarium in Warderman Cemetery, and the Trust will bear the cost of placing the name of the deceased, date of birth, and date of death on the niche door;
3. The Trust will not provide funds for embalming or other traditional funeral expenses such as coffins, vaults or grave openings & closings;
4. These limitations are not to be interpreted as denying the deceased to have a religious service or wake at the surviving family's expense;
5. Funds held in the Trust will not be used for cemetery care or any other purpose except providing a final resting place for needy individuals or maintenance to the Charles Todd Memorial Columbarium.

*Recommended by the Heritage & Preservation Commission 2/22/2010*