

**Administrative & Judiciary Committee
of the City of Onalaska**

Wednesday, August 8, 2018

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1 The meeting of the Administrative & Judiciary Committee of the City of Onalaska was called to
2 order at 6:15 p.m. on Wednesday, August 8, 2018. It was noted that the meeting had been
3 announced and posted at City Hall.

4
5 Roll call was taken with the following members present: Ald. Jim Binash, Ald. Diane Wulf,
6 Ald. Ron Gjertsen

7
8 Also Present: City Administrator Eric Rindfleisch, City Clerk Cari Burmaster

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10 **Item 2 – Approval of minutes from the previous meeting(s)**

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12 Motion by Ald. Gjertsen, second by Ald. Wulf, to approve the minutes from the previous
13 meeting as printed and on file in the City Clerk’s Office.

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15 On voice vote, motion carried.

16
17 **Item 3 – Public Input (limited to 3 minutes/individual)**

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19 Ald. Binash called for anyone wishing to provide public input.

20
21 **George Tabbert**
22 **809 Rachel Place**
23 **Onalaska**

24
25 “I am not in favor of having a stone bench gravestone installed in the Onalaska Cemetery. [Here
26 is] a little bit about me. Five generations of my family are buried in the cemetery. I was on the
27 Cemetery Committee. I am a cemetery walker. I’m the author of a small report on the history of
28 the Onalaska Cemetery. A few years ago, I had my own gravestone installed in the cemetery.
29 [This is] why I feel the bench should not be installed. It is unsafe and will not last as long as a
30 regular gravestone. We have granite gravestones in our cemetery that are well over 100 years
31 old, and they look brand new. It does not fit in the overall look of the cemetery. Quite frankly, it
32 is industrial looking. It would stick out like a sore thumb. We have tried to beautify the place
33 and not give it a cluttered look. Thirdly, it would hamper maintenance operations, like mowing.
34 I think there are options for something like this, [such as] install a smaller, garden-type
35 gravestone bench over the graves. Secondly, donate money so that traditional park benches can
36 be purchased for the cemetery, with small plaques attached. Then these benches can be placed
37 along streets or trails in the cemetery, or near the maintenance shed. I have walked in many
38 cemeteries, and I have never actually seen a bench with a backrest over a grave. Traditionally,
39 what you see are these garden-type benches on the grave if they are there in the cemetery at all.
40 Like I said, the reason they don’t have these in cemeteries is they are not stable and they tend to
41 collapse. I have never seen one in a cemetery. I’ve seen one inside a building. I’ve seen one
42 outside a building, but never in a cemetery. I think there are rules and regulations in cemeteries

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43 for a reason. If we didn't have those rules and regulations, the cemetery would have a cluttered
44 look about it anyplace, whether it would be in the United States or Canada. You have to have
45 rules and regulations. As a living person, if I would move to a new neighborhood or a new city
46 or a new apartment complex, I would have to obey the rules. I can't start changing the rules just
47 because I don't like something that's already on the books. And likewise, in a cemetery I can't
48 just start changing rules because I want a certain type of gravestone attached ..."

49

50 Cari informed George he had reached his three-minute speaking limit.

51

52 **Brenda Netwal**
53 **606 11th Avenue North**
54 **Onalaska**

55

56 "I'm not trying to bend the rules. I just want an option. My dad and mom went in to look at the
57 graves, and they've traveled many places, and they've always sat on a park bench. There's a
58 bench with no back on it at the Onalaska Cemetery; it's just a flat bench to sit on. There's also a
59 big ... it looks like a pool table [and] it's large. ... I was figuring some reasons why it wouldn't
60 be allowed in the past. Number one, maybe it wasn't strong enough. I just went to La Crosse
61 Memorial, and they said if that was a reason we could make it thicker. Also, [regarding] the
62 concrete below it, I'm sure mowing might be an option. But if the concrete below it ... I have it
63 listed on there what the size would be, and then the dimensions of the concrete underneath so the
64 mower could go around it. I don't know if that was one of the options. There are two of them in
65 the cemetery in Caledonia, Minnesota. My parents would love it, and being their kid I would
66 like to do what they wanted. I'm just curious if it would help it was thicker and that made it
67 stronger. We would pay more. ... Do you know the reason why the city said 'no' to the ones in
68 the past?"

69

70 Ald. Binash told Brenda this is the public input portion of the meeting and that committee
71 members are not allowed to comment.

72

73 Brenda said, "We're willing to pay more money to make it stronger, if that would be the case. I
74 believe the mower would be able to go around the concrete below it. And there are different
75 sizes. We would be willing to purchase a larger one to make it stronger. The one sheet lists the
76 sizes. My parents would really like it, and it's just the history for them."

77

78 Ald. Binash called three times for anyone else wishing to provide public input and closed that
79 portion of the meeting.

80

81 **Consideration and possible action on the following items:**

82

83 **Administrative**

84

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85 **Item 4 – Approval of Operator’s Licenses as listed on report dated August 8, 2018**

86

87 Cari noted she had distributed a new listing this evening and said it is current with everything
88 that has been submitted through August 7. Cari added the applicants have undergone
89 background checks and have met the approval of the Police Department.

90

91 Motion by Ald. Binash, second by Ald. Gjertsen, to approve the Operator’s Licenses as listed on
92 report dated August 8, 2018.

93

94 On voice vote, motion carried.

95

96 **Item 5 – Review and consideration of installation of a nonstandard monument in City**
97 **cemetery**

98

99 Motion by Ald. Binash, second by Ald. Gjertsen, to approve installation of a nonstandard
100 monument in City cemetery.

101

102 Cari noted she had distributed to committee members for their reference a memo prepared by
103 City Engineer Jarrod Holter.

104

105 Ald. Binash read into the record Jarrod’s memo regarding the Bolger request for a nonstandard
106 monument: *“Staff has reviewed the request for a larger bench-style monument to be placed on*
107 *the Richard and Mary Bolger gravesite. In looking at the size of the proposal, it will not hinder*
108 *the mowing or maintenance operations of the cemetery. Staff has confirmed it will fit on the*
109 *proposed gravesite. It is noted in Section 8-4-9 that monuments are only allowed to be 12 inches*
110 *in width. The city as allowed special requests in the past, but has never approved a bench as a*
111 *grave monument. My concern is, where does the request for increased size and stature of*
112 *monuments become too large for maintenance or context in the cemetery?”*

113

114 Ald. Gjertsen said, “As long as they’re doing things for the long-term maintenance and life ...
115 That means the substructure, meaning you have to put a significant footer underneath it to keep it
116 from tipping. The second is the mowing. The way they’re talking about doing it, as long as we
117 draft it and make sure that the footer is thick enough and has reinforcement in it, I would be for
118 it. The other thing is, that is privately owned real estate. They should be able to do certain
119 things with it as long as it fits the scope. [Regarding] the size of things, that’s something that
120 we’re not dealing with tonight. I think gravesites are historical to the people who put them there
121 and the people who are going to read them down the line. It tells a story, and the family is
122 entitled to a story. It also gives individuals a chance who might not be able to stand to take a sit
123 when they visit. And it may not even be somebody who is visiting that gravesite who would
124 utilize it.”

125

126 Ald. Binash noted the proposed bench would measure 36 inches long, 20 inches wide, and 30

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127 inches tall, and he also noted there is a 24-inch limit. Ald. Binash said, “It does say that when
128 two gravesites are put together it will allow for 36 inches in length [and] 12 inches in width. At
129 20 inches, that’s 8 inches larger than what we have in the ordinance. But what I noticed in the
130 ordinance is that it does not give a height. We talk about length and width, but I did not see
131 anything in the ordinance regarding how high it can be. Thirty inches in height does not appear
132 to be too much of an issue. The question comes down to a bench that is something that hasn’t
133 been in the city cemetery before. As far as the questions that came up earlier [regarding] how is
134 it unsafe, I don’t have any statistics before me to indicate that this would be unsafe. [Regarding
135 the fact] it will not last, again, I don’t have anything to prove to us that this will not last.
136 Secondly, [regarding whether it will] fit in, a monument is just that: it’s a monument. It’s an
137 individual’s [monument]. We do know that a city cemetery is considered a park in a way. And
138 Ron is correct that this is property that the family bought for the family. I don’t know if the
139 family has considered etching something on a gravestone regarding a bench, or if this is
140 something that would be more to the family’s liking, having a bench over the two gravesites. As
141 read by the letter from Jarrod Holter, it won’t be a maintenance problem. There does not seem to
142 be any issues that would prevent a monument like this being in the city cemetery.”

143
144 Ald. Wulf said she has not yet an opportunity to speak with Jarrod and stated she typically does
145 not abstain from voting at a committee level. Ald. Wulf said she will abstain from voting on this
146 item this evening because she wishes to discuss it with Jarrod in greater detail. Ald. Wulf said
147 she will vote on this item at the August 14 Common Council meeting after she has gathered
148 more information.

149
150 City Administrator Rindfleisch noted he has seen garden benches in many other cemeteries
151 during his travels, and he also noted he has not seen a bench back, per se. City Administrator
152 Rindfleisch said he has seen several different types of gravestones that memorialize family
153 members, including sculptures of family pets. City Administrator Rindfleisch said he believes it
154 is the family’s choice on how to honor loved ones who are interred in the cemetery. City
155 Administrator Rindfleisch referred to Jarrod’s memo, which states the bench will fit as located
156 where the gravesite is, and said the committee will need to approve the monument exceeding 12
157 inches in width. City Administrator Rindfleisch also said, “I think a major concern long-term
158 isn’t this particular spot, but is once we’re creating those exceptions on a frequent basis, maybe
159 to the point where it does become difficult to maintain that area. ... That’s not to say this
160 particular request would cause that. I think it’s a request Public Works just wants to notify to
161 this committee that long-term that could become an issue.”

162
163 Ald. Gjertsen noted the cost of a very small gravestone – for example, 16 inches wide, 8 inches
164 deep, and 2 feet tall – is \$1,000, adding, “That’s nothing special. Most people are not willing to
165 talk about issues you’re going to have down the line to spend much more than that. When they
166 do spend more than that, it usually is something that is layered. They have a footer, they have
167 granite, and they have it upright. That is always going to fit the bid and the bill. If you go into
168 the older cemeteries where you have the larger monuments, nobody can afford that. It’s just an

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169 astronomical amount of money. One hundred thousand dollars doesn't get you a lot when you
170 go into these old cemeteries what these guys paid. We're not going to see it. It's just not going
171 to happen. The law of averages on money that is going to be spent is going to solve that
172 problem. We're just not going to have very many people ask for this."

173

174 Ald. Binash said, "I guess it comes down to the monument and the choice of the family. I agree
175 with Ron that moneywise it's very expensive for a gravestone. Secondly, there is a change in the
176 funeral industry that we are going to more cremation and other ways of housing remains."

177

178 On voice vote, motion carried, 2-0, with one abstention (Ald. Wulf).

179

180 Cari noted this item will go before the Common Council at 7 p.m. on August 14 and said the
181 Council will take the recommendation of the Administrative and Judiciary Committee under
182 consideration.

183

184 Brenda noted the monument in the cemetery that resembles the pool table exceeds 12 inches in
185 width.

186

187 City Administrator Rindfleisch said the family with the aforementioned monument needed to
188 obtain an exception.

189

190 **Item 6 – Approval of Special Events Permits for:**

191

192 a. Knight Gallop 5K Run/Walk on September 8, 2018 from approximately 8 a.m.-noon
193 starting at Luther High School

194

195 Ald. Binash noted this item has been removed from this evening's agenda as the applicant has
196 pulled the request.

197

198 **Item 7 – Miscellaneous licensing reporting**

199

200 Cari noted she had distributed to committee members a list of Recreational Burning Permits as
201 well as two additional Solicitor Permits.

202

203 Motion by Ald. Binash, second by Ald. Wulf, to approve the miscellaneous licensing reporting.

204

205 On voice vote, motion carried.

206

207 **Judiciary**

208

209 **Item 8 – Ordinance 1619-2018 – to amend Title 10 Chapter 1 Section 12 of the Code of**
210 **Ordinances of the City of Onalaska relating to Through Streets Designated (Abbey Road)**

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211 **(Third and Final Reading)**

212

213 Motion by Ald. Wulf, second by Ald. Binash, to approve Ordinance 1619-2018 – to amend Title
214 10 Chapter 1 Section 12 of the Code of Ordinances of the City of Onalaska relating to Through
215 Streets Designated (Abbey Road) (Third and Final Reading).

216

217 On voice vote, motion carried.

218

219 **Adjournment**

220

221 Motion by Ald. Binash, second by Ald. Wulf, to adjourn at 6:35 p.m.

222

223 On voice vote, motion carried.

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225

226 Recorded by:

227

228 Kirk Bey