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PUBLIC COMMENTS REGARDING
PROPOSED CEMETERY RULES AND REGULATIONS
Wednesday, June 18, 2014

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The above-entitled meeting was held, on the record, from 6:24 to 7:55 p.m., at Zilker Botanical Garden Auditorium, 2220 Barton Springs Road, Austin, Texas 78746, and the following proceedings were reported by RABIN' MONROE, Certified Shorthand Reporter in and for the State of Texas, Travis County.

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A P P E A R A N C E S

SMITH/ASSOCIATES STAFF

TIM SUELTFUSS, Facilitator
LEAH SOTTLE, Timekeeper
SHAE FREEMAN-HICKS
AMANDA GANGAWER

CEMETERY STAFF

GILBERT HERNANDEZ
PATRICIA JACOBSON
VICTOR OLIVARES
KIM MCKNIGHT

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P R O C E E D I N G S

(Opening remarks from 6:15 to 6:24 p.m.)

(Public comment at 6:24 p.m. as follows:)

SHARON WEINTRAUB: First I'd like to point out that nowhere in the second revised rules was it ever mentioned that there will be no grandfathering of existing plots. This was mentioned at the June 5th meeting, but nothing was concluded [sic] in the Speak Out [sic] Austin survey itself. The very fact that there was no mention that existing memorials would not be grandfathered and would come under these rules throws the whole survey into question, as well as its validity. The people of Austin did not have a right or a chance to speak up on that.

Second, I will again state that I believe retroactive reinforcement of the rules is . . . illegal. These are proprietary. They are not a police power. They are not part of the City ordinances. This is similar to an -- a homeowners association having bylaws they have not enforced. If the bylaws are not enforced, and there is open and notorious violation of them, a new homeowners group cannot come in and say, "Okay, everybody. We were letting you build 8-foot fences, but . . . our bylaws say only 6-foot fences, so you gotta tear them all down." Once it's waived, it is

1 unenforceable.

2 Also, it's my understanding we pay for
3 those plots, we own them. And considering the amount of
4 money we pay for those plots and the size, it's probably
5 some of the most expensive square footage in Austin. If
6 the City's gonna come in after all this time and insist
7 that it has a right to remove things from that property
8 or place things on that property, I think that comes
9 under a taking of private property for public use, and I
10 think there might be compensation and other
11 constitutional issues.

12 And while I'm going through some of the
13 legal issues, there is a part in there where it says
14 that if anybody feels that a religious tradition is not
15 being allowed to be practiced in the cemetery, they have
16 to go to I believe it's the cemetery administrator, and
17 the cemetery administrator then makes the decision
18 whether or not to allow that. That is unconstitutional
19 under both the Texas Constitution, the Federal
20 Constitution, and Federal law. A government body has to
21 reasonably accommodate any religious beliefs. And just
22 simply giving the cemetery administrator that power will
23 bring you all sorts of legal issues.

24 And I would also like to point out that
25 anywhere in here where it says the cemetery

1 administrator has the right to make a decision or
2 approve a request, it should say that it should not be
3 unreasonably denied. Because otherwise, it will just
4 simply be arbitrary, it will be unfair, and every time a
5 new cemetery administrator comes in, the way the rules
6 are gonna be enforced are going to change.

7 What is my time?

8 TIM SUELTFUSS: Thank you, ma'am. And
9 certainly please do sign up for more time, if you like.

10 Ms. Weintraub, I just noted a few things.
11 It sounds like one of the concerns you had were: The
12 plots that do not conform to these rules should be
13 grandfathered in was one thing I heard.

14 SHARON WEINTRAUB: Yeah.

15 TIM SUELTFUSS: Concerns that these
16 rules constituted taking. And concern about the amount
17 of power and discretion awarded to the --

18 SHARON WEINTRAUB: Right.

19 TIM SUELTFUSS: -- cemetery
20 administrator.

21 SHARON WEINTRAUB: Yes. And -- well, the
22 main thing is you're trying to retroactively enforce
23 something that was not enforced. The City no longer has
24 power --

25 TIM SUELTFUSS: Okay.

1 SHARON WEINTRAUB: -- to do that.

2 TIM SUELTFUSS: All right. Okay. And
3 again, please do -- we have certainly all the time we
4 need available until 8:00 p.m., I believe. So feel free
5 to continue to sign up.

6 Ms. Mills, I believe you were next.

7 MEREDITH MILLS: I won't take much time.
8 The primary issues that I have is that wooden benches
9 aren't allowed. I believe last -- or two weeks ago at
10 the last meeting the reasons stated were that it is not
11 a sturdy material or something like that. I -- I . . .
12 think that's false. I'm -- I'm really not understanding
13 why wooden benches wouldn't be allowed when the City
14 constructs things out of wood all the time that are left
15 out to be rained on and still considered sturdy
16 and . . . are -- are all throughout the city. So . . .
17 I'm just not understanding that argument.

18 The other part that I would second . . .
19 would be the discretion that's allowed to the cemetery
20 administrator. As far as the approving the inscriptions
21 and the approval of other things, it should more . . .
22 it should read something more like, "If you meet these
23 requirements, the City [sic] administrator shall approve
24 this plaque or this inscription or the planting of this
25 tree."

1 I understand that we're still working on
2 the master -- the cemetery master plan, and it's gonna
3 outline some things that the City envisions for the
4 cemeteries to look like. But I think that putting that
5 as a requirement that it be in compliance with that plan
6 is enough of a requirement. That way it takes out some
7 of the discretion that a lot of people have concern
8 with. So. . . .

9 That's it.

10 TIM SUELTFUSS: Great. Thank you.

11 So just a couple of things that I heard
12 Ms. Mills mention. That wooden benches should be
13 allowed. You consider them very sturdy material, and
14 used in other locations. Seconding the concern about
15 too much discretion being afforded to the cemetery
16 administrator. And I think I heard you say the -- the
17 rules themselves should in some ways constrain that
18 discretion on areas where subjectivity is -- is needed.

19 MEREDITH MILLS: Especially without the --
20 I mean, within the rules it talks about requirements
21 that must be met or "you can't do this," "you can't do
22 that." Well, if a rule already says you can't have
23 profanity or obscene language, why does he have to
24 approve the inscription, as long as it doesn't contain
25 that.

1 TIM SUELTFENFUSS: Okay.

2 MEREDITH MILLS: So little things like
3 that.

4 TIM SUELTFENFUSS: Great.

5 MEREDITH MILLS: Where the rules already
6 touch base or already says that it has to be in
7 compliance with something else, there shouldn't be
8 discretion.

9 TIM SUELTFENFUSS: I see.

10 MEREDITH MILLS: I forgot to say
11 grandfathering in. I . . . I would like to grandfather
12 in current benches and other --

13 TIM SUELTFENFUSS: So seconding of the
14 desire to grandfather in current plots, as well. Okay.

15 MEREDITH MILLS: Yeah. Plots or
16 conditions that aren't hazardous --

17 TIM SUELTFENFUSS: Exactly. I see.

18 MEREDITH MILLS: -- I would say.

19 TIM SUELTFENFUSS: Thank you.

20 Shae, who do we have next?

21 SHAE FREEMAN-HICKS: Mr. Eiland.

22 TIM SUELTFENFUSS: Mr. Eiland, floor is
23 yours. Thank you.

24 STEVE EILAND: I'm gonna follow up really
25 what Miss Weinstat [sic] was talking about. My dad was

1 a surveyor, land surveyor, so I'm real familiar with
2 survey plats; everything that goes along with 'em.
3 And . . . Section 12 and Section 14 were re- -- were --
4 were filed in about 2007. And it says on both plats:
5 "Deed re- -- or restrictions: None." No mention of
6 rules, of nothing.

7 When -- when you have rules, they should
8 be filed with the plat when the plat is filed. If
9 you're gonna have a . . . gonna change the rules of --
10 of existing plat, let's say Austin Memorial Park, it
11 really could go for any of 'em, to -- when a subdivision
12 is done, and they come -- a homeowner comes in and wanna
13 do -- they have to get the sub- -- they have to get the
14 permission of the exis- -- of every existing . . .
15 landowner. If they do not get their permission, they
16 are not subject to the new rules. Only those that sign
17 off are subject to the new rules when you wanna change
18 restrictions in a subdivision.

19 And a cemetery is the same thing as a
20 subdivision. Because we buy this -- this plot is
21 bought. It is owned by the public. I mean by the
22 person, not by the public. So I don't see how you can
23 have new rules on existing cemeteries. Without the
24 permission of everyone who's ever bought a plot. And if
25 they don't sign off, they're not subject to the rules.

1 And the rules should be filed in the
2 County Clerk's Office under "Cemetery Memorial Park:
3 Restrictions," not in some . . . City office that says
4 "This is a -- these are the rules." It should be --
5 public should be able to see these rules all the time.
6 Whether I give you a copy or not, I should tell you, "It
7 is filed under the --"

8 So I -- I'm -- I'm with you. I don't see
9 how they can enforce rules on existing plot owners.

10 Then when you get into the area of where
11 you have a cemetery like -- well, Austin Memorial Park,
12 we have two sets of rules: One for the existing owners,
13 and one for the new ones. That is very confusing to the
14 operator of it, 'cause he needs to know legally what's
15 what for each plot. And that can be very confusing.

16 It says in here that you can't have a
17 gravestone over -- of 42 inches. Okay? Mayor Roy
18 Butler's is probably about 5 foot tall. At . . . and --
19 and . . . so you're gonna . . . you can't get those
20 people to remove their headstones and conform to these
21 rules unless you do it for everybody.

22 Austin . . . Oak Creek -- no, what's what?
23 Oakwood. You got monuments all over the place there.
24 Okay? Large. And they don't conform to any of these
25 rules right here. 'Cause I have a real hard time with

1 these rules being enforced . . . when the subdivision
2 has already -- other sections at Memorial Park that are
3 new, throw these rules on there and see if you can sell
4 the plots. But . . . having two sets of rules is gonna
5 be very . . . it's gonna be a problem.

6 TIM SUELTFUSS: Well, sir, I can feel
7 that there's more there, so please do sign up, 'cause I
8 know that you have . . . really thought through this
9 issue and been a very active part of this process, so I
10 appreciate it.

11 A couple of things I noted from Mr. Eiland
12 was that . . . you know, your comment that in Section 12
13 and 14 the plats show no deed restrictions. And in your
14 opinion, that any new restrictions should apply only if
15 the owners agree. And also that some of the existing
16 memorials exceed the dimensions indicated in the
17 proposed rules.

18 So thank you for your comment. I know you
19 have some more to . . . to comment on.

20 Ms. Weintraub, we'll go to you next.

21 And then also if anyone would like to sign
22 up to speak, feel free to stop by Shae's office over
23 there, or just wave your hand in the air.

24 So back to you. Thank you, ma'am.

25 SHARON WEINTRAUB: Well, while we're

1 speaking about grandfathering, it's already apparent
2 that the City is going to grandfather in all
3 nonconforming headstones.

4 My niece died in 2006. When we buried my
5 father next to her, in 2012, we were told by Stasswender
6 that his gravestone would have to be a little smaller
7 and a little shorter, because the City was making sure
8 that all the headstones now conformed with their rules
9 and regulations. But the City's not going to make us go
10 and take out all the nonconforming headstones. So if
11 the City's going to be willing to grand- -- to
12 grandfather in nonconforming headstones, they should
13 also be willing to grandfather in all other
14 nonconforming memorials.

15 I also wanna mention that my brother,
16 Steven Weintraub, and his wife, Tina Huckabee, who are
17 actually the people who instigated this whole process,
18 could not be here tonight because of other issues. And
19 I find it cruelly ironic that the two people who have
20 waited for over six months to take part in this process
21 cannot do so now.

22 I'm looking at the memorial space, and
23 frankly the whole thing looks to me like, you know, the
24 old . . . a camel is a horse designed by committee. I
25 mean, it might be workable for new graves, but I'm not

1 seeing how it's actually going to make maintenance
2 easier or cut back on maintenance. You're going to have
3 a top section with memorials, maybe a bottom section
4 with a bench, and then you're gonna have a swath
5 in-between. So the City's going to have to sod that,
6 they're gonna have to plant grass there, they're going
7 to have to mow, and somehow work between the memorial
8 and the bench without damaging anything?

9 I think would just simply be better to
10 give people the option of . . . blocking off the whole
11 grave and then taking care of it themselves. Than
12 trying to . . . as I say, sort of this compromise that's
13 not gonna please anybody.

14 I'd also like to mention not
15 grandfathering in graves. For example, my -- my
16 sister-in-law is a master gardener. She's a xeriscaper.
17 My niece's grave has beautiful, native,
18 drought-resistant flowers on it. Right now the cone
19 flower's in full bloom. It's surrounded by hand-cut
20 limestone bricks. Tearing those out -- they've been
21 there since 2006. And a lotta those memorials have been
22 there much earlier. Tearing those out, you're going to
23 force people to desecrate the graves. You're going to
24 damage those graves.

25 Is the City going to spend the time and

1 effort to immediately truck in dirt and truck in more
2 sod, and are they going to be willing to water that
3 grass in the middle of a drought when there's already
4 water restrictions limiting them to once a week? I
5 don't think so. I think what would happen is they're
6 gonna make people tear up those graves, and then they're
7 going to have to sit and watch them all summer while
8 they crack, the dirt -- the topsoil blows away, the soil
9 collapses.

10 Am I --

11 Okay.

12 TIM SUELTENFUSS: Yes, ma'am. Thank you.

13 So just a couple things I noted from
14 Ms. Weintraub's comments were that the -- if the City
15 is -- I believe a comment of hers, if the City is
16 grandfathering in nonconforming memorials, then they
17 should grandfather in other items that do not conform to
18 these proposed rules. Ms. Weintraub also mentioned that
19 the memorialization space might work for new spaces, but
20 would cause maintenance difficulties, as well.

21 And also the comment that in your opinion
22 tearing out vegetation that does not conform to these
23 would desecrate those graves, as well?

24 SHARON WEINTRAUB: And also, it -- either
25 the City's going to have to put forth a tremendous

1 amount of manpower and expense to immediately correct
2 those, because otherwise you're just going to have the
3 graves sinking; you're going to have the topsoil blowing
4 away; you're going to have erosion.

5 TIM SUELTFUSS: Okay.

6 SHARON WEINTRAUB: And you're going to
7 have people coming every week to watch a grave
8 deteriorating while they can't do a thing to stop it.

9 TIM SUELTFUSS: I see. Okay. Thank
10 you, ma'am.

11 Mr. Amon Burton is next on our list.

12 And sir, I think Mr. Eiland had signed up
13 after you, so I might make -- ask for you to run about
14 three minutes, then we'll sign you back up next.

15 AMON BURTON: Sure, sure.

16 TIM SUELTFUSS: Thank you.

17 AMON BURTON: I can't speak to all the
18 things -- I sent in over ten pages of single-spaced
19 comments on the proposed rules. They need serious work.
20 Definitions are messed up. There's no clear definition
21 of "lot." It refers to multiple names of -- of "lots,"
22 "niches," "burial space," "full space," "full-size
23 burial space." There are definitions that are not
24 included in any definition section. And some of 'em
25 need to get -- we need to get rid of 'em.

1 This has already been mentioned, memorial
2 space, which is just a very defined area that limits
3 where you can put items. I see no -- no reason for that
4 definition to be in here at all.

5 The -- there are provisions, and you all
6 have mentioned, about grandfathering, that involve . . .
7 the maintenance involving the benches, to move 'em to
8 the back. I'll tell you, for example, some of us have
9 done this, is there was not room for a bench to go to
10 the -- to the foot of the space, burial spaces, that we
11 had, so we bought and paid over \$5,000 to get two spaces
12 on the -- on the side of ours so that we could have a
13 bench. And now the proposal is that we would have to
14 remove that. And so I've already spent over \$5,000 for
15 those lots that I bought solely for the purpose of a
16 bench. And I'm sure other people the same thing has
17 happened.

18 The . . . the -- their definition of or
19 comments about monuments can't be wider than 18 inches.
20 Obviously most of them are. It's because people own
21 more than one lot. There are just technical problems in
22 these rules.

23 And I'm . . . the area of Section 6, which
24 has so many nonconforming provisions, I mentioned the
25 provision of a young boy named -- four-year-old

1 Willingham in my comments, who has a little sandbox
2 attached to their memorial. And I said: I wanna know
3 who in the City is going to go and call those people and
4 tell them after 13 years that has to be removed. And
5 I've seen children playing there.

6 You go into the nursery area, they're --
7 they're . . . stuffed animals and dolls there.
8 Expecting to remove all those? Just for the convenience
9 of the maintenance people? For families who have
10 infants or young children that have been buried.

11 But the final thing I wanted to say is
12 that it's the process. I've asked the question last
13 week of what is the process for this revision. And I
14 ask: How is the public going to be involved in the
15 actual drafting of the rules? Of the revision to the
16 rules. And I -- and I hope Tim or someone will give me
17 an answer to that tonight, because members of the public
18 should be able to attend the sessions for reviewing the
19 revisions, for participating in the revisions. If this
20 is a public process, the public needs to participate in
21 the drafting of the rules.

22 TIM SUELTENFUSS: Great. Thank you, sir.

23 So Mr. Burton, just a few things that I
24 had jotted down as you were talking, what I heard from
25 you, were: The definition in the proposed rules are

1 unclear. That the memorialization space is too limited.
2 That benches should not be limited to simply the foot of
3 the space. You pointed out that monuments -- existing
4 monuments are wider than the 18 inches specified here.
5 You pointed out Section 6 has many nonconforming
6 provisions, and asked who is going to remove those
7 items, especially, in your opinion, that's just for the
8 convenience of maintenance activities.

9 AMON BURTON: And I don't believe they
10 should be removed.

11 TIM SUELTFUSS: Exactly. Yes, sir.

12 And -- and asking the question of how the
13 public would be involved in the development of the rules
14 themselves.

15 So thank you for your comments, sir.
16 And -- and . . . thank you for the comments you
17 submitted on -- via email exchanges and SpeakUpAustin,
18 too. Those are all very helpful.

19 Mr. Eiland, please come on back down.
20 Thank you.

21 STEVE EILAND: My son Heath died three
22 years ago. He was 16 years old. And I'm -- I'm really
23 representing parents who have lost their children. If
24 you go out and look at the cemeteries -- and I've --
25 I've walked every one of these cemeteries, and. . . .

1 Most of -- overdecorations, more flowers, are for
2 parents who have . . . who overdecorate for their kids
3 who are 35 and under, I'm gonna say. People who are 35
4 and under. Their parents still want to give to that --
5 their child. And they will place toys, they'll do
6 everything.

7 There's one close to Heath, the
8 mother . . . the baby was born in -- well, today was the
9 baby's birthday. They had "Happy Birthday." Was born
10 June 18th. It lived 9 -- 11 days. And that was 11
11 years ago, 2003. Now, they're still wanting to give to
12 that child that lived 11 days 11 years ago today. They
13 had Easter eggs sprinkled around the grave in
14 Eastertime.

15 Most of the overdecoration is by the
16 parents of children they have lost. And . . . it only
17 goes on for about 30 years. You go into the older
18 sections, and . . . you won't see that. Because it's --
19 it's -- time has passed. It's been 30/35 years. And
20 those graves are . . . very simple. Very simple.

21 And I don't think Austin cemetery problem
22 is overdecoration. I think the -- the problem with
23 Austin cemeteries is neglect. Neglect of the headstones
24 that have fallen down. There's 158 in -- in Austin
25 Memorial Park, believe it or not, that are down. And

1 those should be picked up -- speak of hazards, you have
2 a head -- you have a base and then you have a headstone.
3 The problem with the cemeteries is not too many flowers
4 or old flowers, even; the -- the problem with Oakwood is
5 that all that concrete . . . that they have -- they have
6 blocks. For each block, they're concreted and they're
7 raised. Well, the concrete is broken. The City needs
8 to go in there and do work on every one of those plots
9 so they can maintain 'em better.

10 There are so many headstones down at
11 Oakwood, it's . . . and -- and these are down old --
12 they're really supposed to take care of ones that are
13 leaning too much. And there are some that are off the
14 base, you can see 'em. They're still up, but they're
15 not where they're supposed to be.

16 And they're supposed to take care of that,
17 too. And they're not supposed to charge for that.
18 Their job is to fix the problem, and get it done.

19 Now, if Heath's headstone is done in the
20 next 30 years and it falls, I'll pay for it. No
21 problem. I'll do it before the City does it. Okay?
22 But the City's here to take care of people who aren't
23 there to maintain their . . . headstones years later.

24 And the . . . so . . . I'm
25 representing . . . parents who have lost their children.

1 Believe me, about -- I'll say 50 to 60 percent of the
2 overdecoration is on children. When I say "children,"
3 I'm saying 35 years and younger. That's where most of
4 it is. It's not on their grandparents or even their
5 parents. It's on children.

6 TIM SUELTFUSS: Thank you, sir. Few
7 things I heard from you in your comments just now,
8 Mr. Eiland, that . . . toys, you point out, are a way
9 that loved ones really can still give to the children
10 that they've lost. That the overdecoration is not the
11 problem in the cemeteries; you -- you point out that the
12 problem is neglect, and specifically headstones that
13 have fallen, for example at Oakwood. And you point out
14 that the City should pay for the repair of those
15 when . . . when family is no longer available.

16 Okay. Thank you for your comments.

17 Ms. Burton, your -- your name had been
18 there.

19 CAROL BURTON: Actually, I was gonna give
20 my time to Amon, but I think he said what he wanted to
21 say. So if I can please come up.

22 TIM SUELTFUSS: Yes, ma'am.

23 Then we'll go to Gail Foster after that.

24 CAROL BURTON: I certainly don't have
25 anything profound. And I thought the meeting started at

1 6:30 tonight, so we missed the first half of the
2 meeting. First part. Sorry about that.

3 But I just wanted to sort of . . . echo
4 what Ms. Weintraub said and -- and what Steve said,
5 about the . . . the individual quality of -- of . . .
6 the remembrances that people bring. We -- and also what
7 Amon said, about our buying land for the bench.
8 We . . . our -- our plot, our area, started with a
9 stillborn grandchild in 2008, I believe. 2006. I can't
10 remember. No. 2006, I think. And then he was joined
11 by our daughter-in-law, who died of breast cancer at the
12 age of 40, leaving a three-year-old. And we've recently
13 added my mother-in-law's ashes.

14 All of ours are cremains. And so we
15 bought . . . you know, full burial spots, and can do
16 four cremains in each. But we ended up buying a good
17 deal of property, because we wanted our bench to be on
18 some of it. We . . . we planted small bushes at the
19 corners. I tried to plant a small bush recently and was
20 asked not to, until these rules are -- are . . . are
21 codified. But it was only going to be a small bush.

22 And we've -- we've left -- we don't have
23 any actual real markers, stone markers. We've done very
24 eclectic, different things, and -- and I've planted
25 native plants. And -- and it's . . . very low

1 maintenance. But I do the maintenance. And as long
2 as -- as we're alive -- and I hope it's another 30
3 years -- what Steve -- we will do that. And when we're
4 no longer there to do that, then the City can remove
5 those things and plant grass and mow it.

6 But we chose Area 6 because it was so, so
7 eclectic, and there was so much love, individual
8 personalization shown there.

9 Steve's son has solar lights. We met
10 Steve and Becky because they were sitting on their
11 bench, and we were coming to sit on our bench. And I so
12 often meet people sitting on their benches. And the
13 benches are eclectic. They're -- they show individual
14 personality. I think that that's how it should be.

15 Again, you know, maybe I'm just talking
16 Area 6, but . . . I suspect other areas have individual
17 character that the people who are there chose it for
18 that, as well.

19 So . . . I just . . . hate the idea that
20 Austin is becoming a city with one stamp, one -- one
21 stamp for all. I was out at Area 6 one day and there
22 was a filmmaker, and I said, "What are you -- what are
23 you doing? Are you filming this for you? Or what are
24 you doing?"

25 He said, "I was hired by a funeral home to

1 come and photograph this area, film this area, because
2 they want -- they keep hearing that they -- the funeral
3 homes can't get business in their lots because people
4 want to be in Area 6." So he says, "That's why I'm
5 here, trying to see what makes Area 6 special." So.

6 TIM SUELTFUSS: Thank you. So thank you
7 again, Ms. Burton. You really pull out some of
8 the . . . just the . . . those individual qualities of
9 remembrances, I think you had mentioned, and the
10 eclectic nature of that area which drew you to it. Just
11 the personality of that specific area. Obviously it was
12 a -- very important to you, and continues to be very
13 important to you.

14 So . . . I -- I . . . noted also that --
15 that you had purchased additional property to place
16 benches and plant small bushes and so on, and I guess a
17 concern about whether that would be permitted within the
18 proposed rules. That you'd also planted native plants,
19 and that you do the maintenance, and if that were ever
20 to stop, then you would -- you would be comfortable
21 with -- with those items being removed.

22 But thank you for -- for those comments.

23 Yes, sir.

24 MIKE POWERS: To which cemetery was she
25 referring?

1 AMON BURTON: Austin Memorial.

2 TIM SUELTFUSS: Yes, sir. Thank you.

3 Gail Foster I believe is next.

4 GAIL FOSTER: I just recently lost my
5 husband, and hope I can get through this. And have just
6 recently purchased a space at Austin Memorial Park, next
7 to my grandparents and . . . just catty-corner to the
8 foot of my brother.

9 It's unfortunate to me that we're here
10 tonight, because the current rules have not been
11 enforced. And while I appreciate that there are people
12 who like the eclectic and the "Keep Austin Weird"
13 attitude, I am more of the opinion that things need to
14 be a little neater and tidier.

15 The plot just next to my brother was
16 purchased two weeks after my husband passed away, and
17 they have a flush-mount . . . memorial, but they have
18 come in and put a two-foot-tall plaster of Paris cross
19 with Magic Marker . . . writing on it, with little tiles
20 that have begun to fall off. There's solar lighting.
21 There's little spinners on it. There's all sorts of
22 things that do not appeal to me. And . . . those things
23 will all fit in the newly designed memorial, 36-inch
24 space. Solar lights, all -- all sorts of stuff.

25 But one thing that is really distressing

1 to me in these new rules . . . is that the permanent
2 memorials that have to be granite, marble, bronze, are
3 allowed to be 42 inches tall. The . . . memorials that
4 people can put in their space are allowed to be 48
5 inches tall. Now, who on the committee came up with
6 that craziness? I cannot conceive. That makes no sense
7 to me, that people can -- can bring in whatever kind
8 of . . . stuff that can be six inches taller than what
9 somebody pays thousands and thousands of dollars for.
10 There are so many things wrong with these rules. So
11 many things wrong.

12 TIM SUELTFUSS: So Ms. Foster, thank you
13 for your comments. I -- I just jotted down a few items.

14 You pointed out that the -- the current
15 rules have not been enforced, and feel that things need
16 to be neater and tighter [sic] than you see written in
17 the proposed rules that you have in front of you. You
18 mentioned that some of the nearby ornamentation and --
19 and that that's not appealing to you, necessarily, but
20 your concern is that that would be permitted within the
21 memorialization space. And it sounds like a specific
22 concern you have about the height of that
23 memorialization space, simply that that should not
24 exceed the height of the 42-inch memorials themselves.

25 Thank you.

1 Ms. Weintraub, I believe you were -- you
2 were next.

3 And again, if anyone else would like to
4 sign up to make some additional comments, please feel
5 free to do so.

6 Yes, ma'am.

7 SHARON WEINTRAUB: I would just like to
8 point out I don't think anybody here has problems with
9 limitations on the types of materials that can be placed
10 on the memorial sites. I mean, in fact, I am the one, I
11 admit it, I came up with the 48 inches, when back in
12 February of last year, because I was concerned that
13 things were not moving on -- I mean February this year,
14 when I was concerned that things were not moving on, I
15 just basically sat down and drafted my own very rough
16 proposal. I'm the one that came up with no paper, no
17 non-weather-proof, no glass. And just trying to come up
18 with measurements. I said not higher than 48. You
19 know. I don't -- I'm not -- I have no pride of
20 ownership in that. But . . . you know, I just came up
21 with it because I was trying to put something on the
22 table to talk about, because nothing was happening.

23 I would like to mention about the benches
24 here. I -- I -- people have already addressed one of my
25 concerns, is that people bought property, they've placed

1 benches on it, they should be allowed to leave them
2 there.

3 Under the current rules, it's -- under the
4 proposed rules, it's my understanding that you're
5 actually going to be placing the bench or chair within
6 the gravesite, on top of the gravesite. And I think a
7 lotta people are gonna have problems with that. They
8 wanna sit by their beloved one and contemplate or
9 commune with them; they don't want to sit on top of
10 them. And I don't think they want strangers sitting on
11 top of them.

12 I don't know why the bench can't be placed
13 directly at the foot instead of on top of the grave. I
14 mean, we are not planting people head to toe. There is
15 an easement there.

16 The other thing I want to address is . . .
17 there's no grass there. Yeah, I mean, it's green now,
18 'cause we've had some rain. But if you look at it
19 carefully, a lot of it's weeds, a lot of it is various
20 types of grass, and there's still a lot of bed -- bare
21 space. This is not Arlington Cemetery. This is not
22 Forest Lawn in Los Angeles. We do not have a rolling
23 green lawn there. We are not going to have a rolling
24 green lawn there. We are in severe drought. We're
25 gonna continue in severe drought probably for years.

1 Already they can only water once a week. It's time to
2 give up this obsession with lawns and grass and look to
3 xeriscaping.

4 We should allow people -- and that was in
5 my proposals -- to plant xeriscape gardens within the
6 boundaries of the Austin GoGreen program. I even
7 suggested barring certain plants of certain heights that
8 have spines, that have thorns, that will grow by root
9 systems or ribosomes. It would actually save the City
10 maintenance if you allowed people to plant xeriscaping.

11 And I would recommend instead of even
12 concerning about the grass, the City look at xeriscaping
13 the entire . . . cemetery. I think it would be a lot
14 more attractive to have nicely arranged rocks with red
15 yucca and mountain laurel and local drought-resistant
16 plants than the current bare patches, weeds, and
17 fire-ant mounds.

18 I also would like -- one more thing.

19 Oh. Okay.

20 Just one short thing. I notice nothing
21 addresses the ornaments or the wind chimes or anything
22 in the trees.

23 TIM SUELTENFUSS: Thank you.

24 So Ms. Weintraub, I -- I had just jotted
25 down a few items that you had mentioned. I believe I

1 heard you say that no one really had problems, from your
2 standpoint, with the materials allowed in the
3 memorialization space. You pointed out that you had
4 come up with some of those initial recommendations about
5 items that should not be permitted. You did point out
6 that if people bought property, they should be allowed
7 to place benches there. And your comment was that those
8 benches should be allowed at the foot of the grave, not
9 on top of the grave.

10 SHARON WEINTRAUB: Right.

11 And I forgot to mention one thing. I
12 think -- this is a city park. There should be places
13 for people to sit. And I think there may be some
14 Americans with Disabilities compliance issues for the
15 very fact there is no place for people to sit in that
16 cemetery.

17 TIM SUELTFUSS: Okay. Thank you.

18 And your last point that I jotted down was
19 just to give up the obsessions with lawns and -- and
20 yards and use xeriscaping.

21 SHARON WEINTRAUB: It's never gonna look
22 like Pebble Beach Golf Course.

23 TIM SUELTFUSS: Well, thank you again
24 for your comments.

25 And I believe next we have Ms. Zoila Vega.

1 ZOILA VEGA: Shall we identify ourselves
2 as a speaker?

3 TIM SUELTFENFUSS: If you like. We'll also
4 be commenting there. But go ahead.

5 ZOILA VEGA: Okay. I'm Zoila Vega with
6 the Austin Heritage Tree Foundation. I have not read
7 the rules yet, but my concern is with the trees.

8 The trees need watering in the cemeteries.
9 The trees are dying by the hundreds. The irrigation is
10 cut off. The irrigation is for the grass, but a little
11 bit that goes for the grass goes for the trees. So I'm
12 okay with having xeriscaping, as long as the trees get
13 some kind of water.

14 The rule specifically that I was concerned
15 with that I read on one of the questions, I don't know
16 if it's included in this, is the -- there shouldn't be
17 any water hoses or sprinklers left on the ground at AMP,
18 or maybe the other cemeteries. And I'm against that,
19 because people need to be able to water their trees that
20 they own, that they plant there in their plots. Or help
21 with the other trees that need some watering.

22 So the hoses should be placed somewhere so
23 that they don't -- they're not a safety hazard for
24 people. But some people that are elderly cannot really
25 pick them up and put 'em somewhere, like hanging from a

1 post. So the rule needs to be flexible. And hoses and
2 sprinklers should be allowed on site.

3 And if anybody can help water more trees,
4 we would really appreciate it. Thank you.

5 TIM SUELTENFUSS: Thank you, ma'am.

6 So Ms. Vega, just jotted down a couple of
7 comments that you made. One was a concern about the
8 trees dying, and they need water, and that should
9 certainly be permitted. You also pointed out that hoses
10 should be allowed. Hoses and sprinklers. And that
11 there needs to be some flexibility in that rule.

12 So thank you for your comments.

13 ZOILA VEGA: Okay. Thank you.

14 TIM SUELTENFUSS: We next have
15 Ms. Patricia Jacobson. Let's come on down.

16 PATRICIA JACOBSON: Well, I hadn't really
17 planned on being up here, so . . . I don't have but just
18 a couple of notes jotted down. But after Miss Foster
19 spoke, I felt like I needed to . . . at least support
20 her, because I feel the same way she does.

21 I have a number of family members that are
22 buried at Austin Memorial Park, as well as at Oakwood,
23 and I also prefer the nicer, neater look to the
24 cemetery. And I don't know . . . of any other cemetery
25 that allows some of the decorating that goes on, and

1 like Ms. Foster, I . . . prefer the neater look.

2 I'm a seventh-generation Austinite. And
3 like I say, I have a ton of history here in Austin. And
4 I enjoy telling people that we have family members
5 buried at the -- at two different cemeteries here.

6 And although I work at the cemetery, for
7 the City of Austin, I'm frequently walking around,
8 cleaning things up that blow off of gravesites, you
9 know, things that people are well intentioned, with
10 their decorations. Someone mentioned Easter eggs that
11 are on graves. They unfortunately don't always come
12 back and clean them up. It's not intentional. It just
13 happens.

14 And we -- because I care about the
15 cemetery, and where my loved ones are buried, I go out
16 and walk the grounds on my breaks and my lunch hours --
17 sometimes I get there at 7:00 a.m. in the morning and
18 I'm driving around and I'm picking things up that just
19 get blown, abandoned, whatever.

20 So I'm here really kinda supporting
21 Ms. Foster. I didn't really wanna speak, because I do
22 work there, too, but I have family there, and I do care
23 about the cemeteries. So I just wanted y'all to know.

24 TIM SUELTFUSS: Thank you.

25 I think that's one of the hallmarks of

1 this topic, is that it -- it really is a matter of . . .
2 a lot of interest and concern and importance to all the
3 folks that are engaged in this. So I appreciate
4 everyone --

5 SHARON WEINTRAUB: And I don't think
6 anybody here has a problem with, as I say, limiting the
7 type of materials or requiring that things be anchored
8 in the memorial -- you know, in the gravesite so they
9 don't blow around or blow away. I don't think anybody
10 here has any objection to that.

11 TIM SUELTFUSS: Thank you.

12 Yeah, and so Ms. Jacobson, you just
13 mentioned that you prefer the nicer, neater look. And
14 you pointed out that sometimes even those
15 well-intentioned decorations can deteriorate and blow
16 and -- and -- and . . . leave the -- the -- the space
17 itself and need to be picked up, as well. Also just
18 mention the history that you have, seventh-generation
19 Austin native here, and. . . .

20 Again, just very important matter.

21 So next we have Mr. Mike Powers.

22 Yes, sir.

23 MIKE POWERS: This is my first time here.
24 And I wasn't even planning on speaking, but hearing the
25 other comments has motivated me to make a few statements

1 here.

2 My family has two plots at Oakwood, and we
3 also help with distant relatives, two other plots there,
4 as well. I'm a professional landscaper. I have a small
5 gardening and landscaping company here in Austin. And
6 so my relatives have asked me to do this for them.

7 We have tried to maintain a more rustic
8 appearance to the . . . two principal plots. Some
9 people might call it semi-wild. It's certainly
10 eclectic. But it -- mostly here to support what
11 Mrs. Weintraub said about . . . xeriscaping.

12 In my practice, I've been doing this
13 for -- I -- I'm a professional biologist. I managed
14 Wild Basin Nature Preserve for years. Since then, as I
15 said, I've got a small company of my own to do
16 landscaping. And I'm a firm believer in using native
17 plants. It will reduce water needs to about . . . 10 to
18 20 percent of what our standard ideas/concepts about
19 lawns and so forth at our homes or in the cemetery.

20 Last week I went out and did some work on
21 those plots, and I have noticed there's great diversity
22 in our plot, because I keep it in a sort of a semi-wild
23 state, with only natives, as far as I can. And I -- but
24 this time I actually surveyed them. I counted 17 native
25 species, different native species, in both the principal

1 plots, and only four nonnative species, and they were
2 all grasses, which I removed, because if we -- if I
3 don't, they will completely take over everything.

4 So . . . also in relation to the comment
5 about hoses, I always carry my own hose out there. It
6 only requires about a 20-foot section. I have a really
7 light plastic hose so it's easy for me to move and so
8 forth.

9 Our family's in the enviable position of
10 having me here and being able to tend to the plot. My
11 heart goes out to the families who no longer really have
12 any living members here. There's no one to care for
13 these plots.

14 And I know that this is a very complex
15 problem and -- which we're all dealing with, and I . . .
16 thank the City for trying to address this as well as
17 they can.

18 Thank you.

19 TIM SUELTFUSS: Thank you, sir.

20 Mr. Powers, I just jotted down that --
21 that you have family plots at Oakwood and -- and that
22 you really like that rustic, eclectic appearance to
23 those plots. Obviously supportive of xeriscaping and
24 the use of native plants. And just pointed out that you
25 always carry your own hose. And . . . just some of the

1 challenges that might exist for -- for those who do not
2 have family members present.

3 Okay. So next, Carol Burton, I believe.

4 CAROL BURTON: I just have to come back to
5 say that I'm one who definitely opposes the limitation
6 to marble and granite or whatever the limitations are.
7 In our area, we took out all the grass. We did
8 xeriscape it. It has very low-water-maintenance
9 planting in it. Very low.

10 It's bordered by broken tile, so that
11 there's no question about where our area is, so the City
12 doesn't have to bother about coming in to mow ours.
13 They don't have to have any question about where ours
14 is. It's -- our area must be about . . . I don't know,
15 16 inches by 12 inches -- 16 inches. 16 feet by 12
16 feet. Something like that. With -- with all of them.

17 And we don't have a single standard --
18 my -- my . . . our son carved a limestone wave for his
19 wife, because she had been a lifeguard as a young woman,
20 and swam every day of her life, including all through
21 the winter. And she had a little -- long before they
22 were popular -- tattoo on her ankle of a wave. So when
23 Shanda died, Scott carved a limestone wave. It's about
24 this tall [indicating] and this wide [indicating]. And
25 that is on her cremation.

1 My mother-in-law, we just buried her
2 ashes. She died 12 years ago, and she was on our
3 dresser until very recently. And . . . my husband's
4 brother and our sister-in-law came down for a little
5 ceremony, and we buried her cremains and had our family
6 there. And her little headstone is about this
7 big [indicating], and it's a ceramic little church.
8 Little steeple. Ceramic. It's about this
9 tall [indicating]. And it's on a . . . it's on a tile
10 base. And it's not going to blow away or fall over.
11 But it's not permanently anchored. And it is not
12 marble. And it's not granite. And it's not going to be
13 permanently anchored.

14 I . . . in addition to the colorful
15 flowers, have little pieces of broken tile, very sort
16 of . . . mm . . . to add to the color, I guess. It adds
17 to the color. So that even in the winter there is color
18 there.

19 There are monuments throughout 6 that are
20 wooden crosses; iron crosses. Our stillborn grandchild,
21 who . . . has a -- has an iron cross. Anyway. I have a
22 definite opinion about materials.

23 Also I actually have a question. The next
24 meeting is the 26th, I think, at Northwest Recreation
25 Center? Is that right?

1 WOMAN: For the master plan.

2 CAROL BURTON: We're gonna go to all
3 those. But I wondered if there is . . . how long does
4 this process continue?

5 TIM SUELTFENFUSS: Well, actually, we've
6 got some information right there in which kinda --

7 CAROL BURTON: 'Cause I'm getting nervous
8 about transparency, that my husband is worried about,
9 too. And I'm wondering . . . I sent in a form on the
10 Web site filling out all -- all of these, and it
11 disappeared before I could do screen shots or anything.
12 I would love to have a copy of what I took a lot of
13 time, and I don't know how to get a copy.

14 TIM SUELTFENFUSS: Absolutely. I believe
15 that we have that. But why don't -- if you have a
16 second to catch up with Shae, then we can confirm that
17 we have that information.

18 Yeah, I think -- I appreciate your
19 comments. I think they kinda reemphasize what you had
20 pointed out earlier, about the individual quality of
21 remembrances.

22 CAROL BURTON: Right.

23 TIM SUELTFENFUSS: You mentioned your
24 opposition to limiting memorials to marble and granite,
25 and your preference for other types of materials. You

1 mentioned limestone wave and ceramic steeple, wooden and
2 iron crosses, and -- in the area. And how you had
3 bordered the space with tile to designate that, too.

4 So thank you for your comments.

5 Mr. Burton, I think you were next on the
6 list.

7 AMON BURTON: I just wanted to add a
8 couple of things. One of the comments with respect to
9 anchoring, one of the problems in these rules when you
10 really get down and look at details, is that on . . .
11 generally no one has a problem with being -- things
12 being anchored. There's not a -- I have walked through.
13 There's not a single bench that's anchored. They don't
14 need to be anchored. It takes two people to move most
15 of 'em. And so when we draft these kinda rules, we've
16 gotta be careful about that.

17 Anchoring with respect . . . cremations.
18 I mentioned in my comments I think there are two
19 mentions of cremation in all these rules. When these
20 rules were adopted in the '70s, very few people were
21 cremated. I don't know what's happened -- I can find
22 out later from Gilbert what the percentage is happening
23 right now at Austin Memorial Park and the other Austin
24 cemeteries.

25 But I called Cook-Walden, and right now

1 city-wide, 40 percent of all funerals they handle are
2 cremations. And therefore -- and these rules basically
3 are all based on casket burials. They were all created
4 that way, and they've been carried and slightly modified
5 here. And it has all kinds of implications.

6 Memorial space. What does that mean in
7 connection when you've got four . . . cremains on
8 particular space?

9 What . . . what does it do for the bench
10 when you got -- if it's at the base when you've got four
11 places ending up with a bench would basically be on the
12 fourth one, on the one at the -- at the end.

13 There are other implications through here.
14 I won't go through them. About cremations. But serious
15 thought needs to be given to how these rules apply to
16 cremations. And it's clear there's very little thought
17 has gone into that. And I haven't thought through it
18 all. But it clearly needs to be thought through.

19 The -- on the materials, today the
20 materials are completely different. There are so many
21 strong, different types of materials other than just
22 granite and -- and . . . concrete and marble. The --
23 the way they're being used in building materials, I
24 don't think we need to limit the materials in that way.

25 But the balance here is that if things

1 deteriorate, if things get blown away, that the -- there
2 needs to be weekly -- the staff goes by and picks them
3 up. Just like with respect to -- to stuffed animals and
4 toys that parents put for nursery, the children that
5 died very, very young, if they are terribly faded and
6 are deteriorated, they just need to be picked up. But
7 that's the balance I think needs to be done with a lot
8 of these where the City can -- doesn't require daily
9 maintenance for picking up things, but once every week
10 or once every two weeks they go through and pick up
11 things that are deteriorated. And -- and if broken.
12 That's the best way to handle that, rather than trying
13 to create rigidity about various things.

14 And finally, with respect to the
15 cremations, is like -- memorial space, as my wife
16 mentioned, some of the markers are very small in
17 cremation spaces, because you've got four of them there.
18 And there is -- there's no need for a concrete base for
19 something that's 18 inches wide and is not terribly
20 heavy, like it is critical if you've got a large
21 monument out of granite.

22 So there needs to be some flexibility in
23 these rules depending on the type of markers that exist.

24 TIM SUELTFUSS: Thank you.

25 So Mr. Burton, I just jotted down that --

1 that you mentioned that specifically benches do not need
2 to be anchored; that they're anchored by the weight of
3 the bench themselves. You pointed out that 40 percent
4 of funerals are cremations, and these rules seem to be,
5 in your opinion, based on casket burials and should be
6 more focused on cremations.

7 AMON BURTON: They just need to account
8 for that. They don't need to be focused solely on that.

9 TIM SUELTFUSS: To accommodate those.
10 Okay.

11 AMON BURTON: Yes.

12 TIM SUELTFUSS: You mentioned that
13 specifically memorialization space and benches should be
14 considered in relation to cremations.

15 AMON BURTON: Yes.

16 TIM SUELTFUSS: As well. That new
17 materials should be allowed from a standpoint of
18 construction materials. But that a weekly or biweekly
19 cleanup should occur of deteriorated items.

20 So thank you for your comments.

21 I believe we don't have anyone else
22 listed. Who else would like to speak?

23 Ms. Vega. Okay.

24 ZOILA VEGA: Do you need to sign in first?

25 TIM SUELTFUSS: No. She'll just jot it

1 down. Thank you.

2 ZOILA VEGA: Okay. Zoila Vega again. Now
3 I had a chance to read the rules.

4 I agree there should -- with the previous
5 speakers, there should be flexibility. I see a lot of
6 these rules as a way to reduce maintenance, don't do
7 this or don't do that or don't do this. I mean, all
8 that matters is, like you said, have somebody go and
9 pick it up. Every two weeks. It's not a big deal.

10 I don't wanna see a cemetery that's become
11 those -- administrator is a tyrant that says, "You shall
12 not do this and you shall not do that." We have our
13 rights in the cemetery. So it's a matter of flexibility
14 and accommodating everyone.

15 I see that sprinklers will not be allowed.
16 There's older people that cannot hold a hose by hand all
17 the time for the half an hour that it needs to water a
18 tree. They go in there and put a sprinkler, they sit,
19 they look, they get their memories, they visit with
20 their relatives that are dead, and then they pick things
21 up. They cannot be standing there holding a hose. Some
22 of us are landscapers. I have the strength to carry
23 hoses. But some people are older and they cannot.
24 That's the flexibility that's needed.

25 So sprinklers should be allowed on site.

1 The benches. I saw that there should be
2 only iron cast benches and marble and stone and all
3 that. Those are very expensive. I think the idea is
4 for not having those wooden benches that deteriorate.
5 There's some metal benches that are modern that are not
6 iron, cast iron, and they're cheaper, more affordable.
7 Not everybody can afford those expensive benches. So
8 maybe a metal bench would be a much better word than an
9 iron cast -- or cast iron.

10 Then the final one with the decorations
11 again. Some people lose their babies, their infants,
12 like the previous speaker said, and the best remembrance
13 that they have is that toy, that stuffed toy, for the
14 child. And they leave it there to accompany the child.
15 And now we're saying, "No, you cannot do that, because I
16 don't wanna pick it up." You know, that's not right.
17 It's not a human thing to do. It may be practical, but
18 doesn't a cemetery manager have a heart? You know.

19 I mean, think of everybody. And
20 accommodate everybody.

21 Thank you.

22 TIM SUELTENFUSS: Thank you.

23 So Ms. Vega. . . .

24 ZOILA VEGA: I'm sorry.

25 TIM SUELTENFUSS: I was just gonna . . .

1 mention what I had jotted down that -- that you saw that
2 these rules, in your view, are kind of designed to
3 reduce maintenance; that you felt like they should be
4 more flexible. Specifically sprinklers should be
5 allowed, especially for older folks to -- to use who
6 might have difficulty just with a hose. Mentioned that
7 metal benches, not just cast iron, should be permitted.
8 And toys should be allowed, as well. So. . . .

9 ZOILA VEGA: And those stuffed toys.

10 TIM SUELTFUSS: Stuffed -- stuffed
11 animals, as well.

12 ZOILA VEGA: Right. Okay.

13 TIM SUELTFUSS: Thank you.

14 ZOILA VEGA: Thank you.

15 TIM SUELTFUSS: Do we have anyone else
16 signed up? Is there anyone else?

17 Yes, ma'am.

18 GAIL FOSTER: Just a couple of more
19 things, since this is probably our last time for any
20 input. Since you are drafting some pretty hard and fast
21 rules, it seems like, for the memorialization spaces on
22 what can and cannot be within those spaces, so making a
23 list of what's gonna be in there, I would recommend that
24 no solar lights be in those spaces, because I have never
25 seen solar lights that stay erect for any period of

1 time. They don't seem to be anchored well.

2 If there's gonna be a height limit, I
3 would like to see it be 24 to 28 inches.

4 I would like there to be no wind chimes.
5 I know there are people that love wind chimes. But
6 there are also a equal number of people that don't like
7 the sound of wind chimes.

8 And I would like to see in the
9 memorialization space a limit of three to four items
10 within that space.

11 Thank you.

12 TIM SUELTFUSS: Okay. Thank you, ma'am,
13 for -- I appreciate those specific comments. You just
14 mentioned that your preference would be that if
15 memorialization spaces were to -- to occur in the final
16 rules, that they should not permit solar lights,
17 specifically because they're -- you don't see those
18 being anchored well oftentimes; that the height limit
19 should be 24 to 28 inches; that wind chimes should not
20 be permitted; and then limit to three to four items
21 within those.

22 Okay. Thank you.

23 GAIL FOSTER: Thank you.

24 TIM SUELTFUSS: Are there others who
25 would like to speak?

1 Ms. Weintraub.

2 SHARON WEINTRAUB: I just want to -- to
3 make sure that it gets on the transcript to mention that
4 I believe the lack of benches at the cemeteries, because
5 they're city parks, do present a possible violation of
6 the Americans with Disabilities Act.

7 I also want to reemphasize that we need to
8 make sure that any rules fully allow different religious
9 traditions or observances. If you go to the Jewish
10 section of the cemetery, you will see lined up often on
11 top of the gravestones, or at the base of the
12 gravestones, all sorts of different rocks of different
13 sizes. It's a Jewish tradition when you visit a grave,
14 you don't bring a flower; you bring a stone. Because a
15 stone is -- represents the permanence of love and
16 memory, and it shows that that person has been visited.

17 I'm sure lots of people find these stones
18 not very attractive, because they're not nicely lined up
19 and all that, but they're very important to the Jewish
20 tradition.

21 If you go to my niece's grave, you will
22 see probably several hundred stones that have been left
23 by family and friends since she passed away in 2006.
24 Those stones are not supposed to be removed.

25 And I just want to -- and I'm sure there's

1 other religious traditions I may not be familiar with,
2 but . . . any rules have got to take those into account.

3 TIM SUELTFUSS: Thank you.

4 So Ms. Weintraub just reiterated that
5 the -- the comment stated for the record -- the comment
6 you had made previously, that -- that lack of benches
7 could be a possible violation of the Americans with
8 Disabilities Act. And you mentioned also the rules need
9 to allow for the various religious traditions, for
10 example placement of stones, as well as others.

11 Are there others who have signed up to
12 speak? No?

13 Anyone else who would like to make a
14 comment? Anyone?

15 Okay. Well, it is now just before 7:30, I
16 believe. Let me suggest that we go ahead and break now.

17 If anyone would like to make a verbatim
18 comment, but would not like to do that at the podium at
19 the microphone to a group, certainly stop by and visit
20 with our court reporter. You can also write comments
21 and drop them in that box there.

22 Ms. Weintraub, do you have a question?

23 SHARON WEINTRAUB: Yes. Is it possible to
24 get a transcript of today's meeting?

25 TIM SUELTFUSS: Those will be available,

1 yes. I think it was I believe a two-week time frame or
2 so. But . . . those will be available.

3 And certainly at --

4 I'm sorry. Go ahead.

5 MAN: No, you're fine.

6 TIM SUELTFUSS: I was just going to
7 point out that the transcript of the comments made
8 tonight would be presented as these proposed rules go to
9 the Parks and Recreation Board, as well.

10 (Gilbert Hernandez addressed the audience
11 off the record from 7:29 to 7:32 p.m.)

12 PATRICIA JACOBSON: Memorialization of our
13 loved ones should be what's in our heart, in our
14 memories, photographs, not by balloons and pinwheels and
15 solar lights and . . . stuffed animals and things of
16 that nature on the gravesites.

17 (No other public comment from 7:33 to
18 7:55 p.m., at which time the meeting was
19 concluded.)

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C E R T I F I C A T E

I, RABIN' MONROE, Certified Shorthand Reporter in and for the State of Texas, hereby certify that the above transcript is a true and correct transcription of the audio recording, done to the best of my skill and ability;

And I further certify that I am neither counsel for, related to, nor employed by any of the parties in the above-listed action, and, further, that I am not financially or otherwise interested in the outcome of this action.

Certified to by me this 30th of June, 2014.


RABIN' MONROE, RMR, CRR, CCP
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Expiration: 12/31/14
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