

**MINUTES OF
THE ELOY CEMETERY COMMITTEE
CITY OF ELOY
628 NORTH MAIN STREET
ELOY, ARIZONA 85131
JULY 6, 2011
5:15 P.M.**

Staff Present: Mary Myers- Committee Secretary; Paul Anchondo-Parks and Recreation Director; John Jayne-Parks Supervisor; Lorena LaSalde-Rios-Administrative Assistant

I. CALL TO ORDER

Chairman J.W. Tidwell called the meeting to order at approximately 5:18 p.m.

II. PLEDGE OF ALLEGIANCE

Chairman Tidwell led the Committee and the public in the Pledge of Allegiance.

III. ROLL CALL

Committee Members Present: Chairman J.W. Tidwell, Vice Chair Marie Botello; Member Elva Lile; Member Natasha Tidwell; Member Etta Ruth Amerson; Member Belinda Akes

Committee Members Absent: None

IV. APPEARANCES FROM THE FLOOR

1. Yolanda Baeza, 203 E. 9th Street, expressed concern about the removal of flowers and solar lights from her parents graves. She was told by cemetery staff that it was taken to storage and was very upset when she found everything thrown in plastic bags under an awning. Ms. Baeza wanted to know does she have to do to be able to put something on her family's headstones without it being thrown away. She was told that nothing was allowed in the ground, yet she sees other graves with lights and statues on the ground. He sister-in-law had little angels on her daughter's headstone that were also removed. Ms. Baeza said she does not see what the problem is with these angels placed around the headstone.

Chairman Tidwell conveyed this issue is on tonight's agenda for discussion.

2. Jerry Warren from J. Warren Funeral Services conveyed his concern is that the current rules and regs for the cemetery needs to be reviewed and amended. Headstone sizes, removal of items from graves and prohibition of burials on holiday weekends all need to be reviewed.

When he sat on the Committee, there was approximately \$100,000 in the perpetual care fund to maintain the cemetery after it became full. The Committee was able to use the interest earned from the principal amount to purchase things for the cemetery. He agrees the headstone height got out of hand and the city has rules and guidelines, but it's hard to reflect back and look at some of the headstones that are out there now and out of compliance. Mr. Warren mentioned a situation where he ordered a headstone that exceeded the five feet height requirement by four inches. He felt his integrity was questioned when he was told he would have to remove the marker.

Mr. Warren also expressed concern about permissible documents proving place of residence when purchasing a plot. Mr. Warren said he was also on the Committee when the residency requirement was implemented. The purpose of this was to give residents a cheaper price to purchase plots because they lived in the city and would have to pay to keep the cemetery maintained after it became full. However, he feels this has gotten way out of hand. He understands staff are following the rules that were set forth by the Committee and does not blame the staff, but the city needs money and by imposing strict residency requirements, it only discourages people from buying from the city.

3. Josie Robles, 208 W. 6th Street conveyed she was not allowed to purchase two plots at the Eloy rate simply because she could not produce anything with her name and physical address. Mrs. Robles said she explained to the staff that all of the utility bills are in her husband's name and they used a post office box to receive their mail, but because the utility bills were not in her name she could not buy any plots. She produced a property tax bill, car insurance and house insurance statements with her and her husband's name and address, but was told she could not use these because they were dated more than 45 days. She told staff these were the only three items that came to her street address because she works in Casa Grande and has had problems with her mail which is why she got a post office box in Casa Grande.

Mrs. Robles said she was told that if she obtained a letter from her clergy verifying that she was a member and lived at 208 W. 6th Street in Eloy, they would accept it. She went to her church for a letter, but unfortunately she could not get a letter because the church only had her post office box. Mrs. Robles said she was very disappointed; she had just lost her brother who was buried last Friday. She said she was finally able to purchase the plots but it was very frustrating.

Mrs. Robles conveyed that her second issue deals with opening and closing fees. She pointed out that people can make monthly payments on plots, but cannot pay the opening/closing and liner fees in monthly payments. She said it's difficult for some people to save all the money at one time to pay opening/closing and liner fees at one time. She wanted to know why these fees could not be set up like the plot purchases. People should be able to set up a payment plan for these fees after their plot(s) is (are) paid in full.

Member Akes asked staff if it is true that only Eloy residents are allowed to be buried at the cemetery.

Mr. Anchondo said no this is not true. Anyone can be buried at the cemetery, however the fees varies based upon residency. If the person is a non resident or out of county, the fees are higher.

Mrs. Myers explained the documents Mrs. Robles produced were not current (documents were dated 2010). Current rules and regulations require proof of residency at the time a plot is purchase which she could not produce at that time. Staff told Mrs. Robles they would accept any document that was recent and showed her name and address.

Member Akes asked would staff not allowed her to come back at a later date with the required documents.

Mrs. Myers said yes she could have held it for her, but not for a long period of time.

Member Akes said she understands this, but if someone comes in wanting to purchase a plot and doesn't know what is needed, staff should allow people time to come up with the proper documents.

Mrs. Myers explained staff will sell plots to individuals at the residential rate and give them time to bring in the proper documents. Mrs. Robles issue was that she could not produce anything that was current to prove residency. Mrs. Myers said she believed Mrs. Robles when she said was a resident, however, according to the rules she had to show proper proof of residency.

Member Akes did not agree with this. If staff knows she lives in Eloy, she should be allowed to be buried in Eloy at the resident rate.

Member Liles agreed with Member Akes. She has known Mrs. Robles for years and knows she is a resident of Eloy.

Member Akes said the city should not make it difficult for citizens to purchase plots. She suggested that the Committee may want change this so that it is not so stringent.

Chairman Tidwell also agreed.

Mrs. Myers said there is an item on tonight's agenda regarding amendments to the rules and regulations. The Committee may be able address this issue as well.

V. DIRECTOR'S REPORT

Mr. Anchondo communicated the following information to the Committee:

- Signs approved by the Committee earlier this year have been installed at the cemetery. The signs (in both English and Spanish) lists some of the city's more pertinent rules when it comes to visiting the cemetery;
- Last night's huge dust storm inflicted a great deal of damage at the cemetery. Mr. Jayne reported broken tree branches and scattered flowers throughout the cemetery. Cemetery staff is working diligently to get the park back up to par; and
- Since April 1st, cemetery staff has conducted 15 burials and performed 14 headstone work orders

Member Amerson asked a question in regards to Mr. Warren's comment about having to remove a headstone that exceeded the height limit. Member Amerson wanted to know if there was any staff present when the headstone was set. And if so, why didn't staff say anything to Mr. Warren at the time of the setting.

Mr. Jayne said he was there when it was set, but did not say anything because the family was present and he did not want to upset them. Also, the headstone would have had to been remove at that moment if he had said anything. Mr. Jayne stated he notified J. Warren Funeral Services the next day of the headstone violation.

Mr. Warren said he received a letter from the city about a month after the headstone was put in stating the headstone would have to be removed. The marker was removed and the four inches shaved off and reset.

Mr. Anchondo conveyed it is not his staff's intent to cause undue stress on any family who have loved ones buried at the cemetery. Staff works extremely hard to adhere to the rules that have been set forth by the Cemetery Committee.

Chairman Tidwell pointed out staff has to go by the guidelines which state five feet as the

height limit. If the city approved the headstone, the city would have to make allowances for other headstones that exceed the five foot limit. Approval of the proposed amendments on tonight's agenda should make the dimensions very clear so there won't be any misunderstandings in the future.

Member Akes wanted to know if families are made aware of the headstone requirements when they come into city hall.

Mrs. Myers said every family is given a handbook that states the measurements.

VI. APPROVAL OF MINUTES

Motion by Mrs. Akes, seconded by Mrs. Amerson to approve the minutes of 3/9/11, as presented, passed unanimously.

VII. BUSINESS

A. DISCUSSION ON ELOY MEMORIAL PARK RULES AND REGULATIONS

Cover sheet discussion: At the December 15, 2010 Cemetery Committee meeting, staff discussed the need to enforce current cemetery rules in accordance with the Eloy Memorial Park Handbook. After an informative discussion, the Committee agreed with the recommendation to implement current cemetery guidelines. A notice was published in the local newspaper and posted at the city's four posting locations for several weeks, informing the public of the city's intent to implement rules (see attached notice).

Since the enforcement of these guidelines, a number of concerns have been expressed by members of the public regarding the removal of items deemed non-compliant. At the request of Chairman Tidwell tonight's Cemetery Committee meeting was scheduled to discuss these concerns.

Mr. Anchondo conveyed that in addition to placing the notice in the local newspaper and the four posting locations, a letter was sent to the Ministerial Alliance and St. Helen's Catholic Church informing them of the city's plan to remove items that were in violation. The workers began removing items on January 18th and stored them in labeled bags under an awning next to the cemetery office. As of this date, Mr. Anchondo said his department has collected over 100 bags. Since starting this process, there has been a number of questions from the public regarding enforcement

of the cemetery policy as well as two letters that were published in the *Eloy Enterprise and Casa Grande Dispatch* newspapers. Mr. Anchondo said staff wants to give the Committee an opportunity to ask questions of staff regarding the removal process.

Member Akes asked Mr. Warren what does he allow on the graves at his cemetery.

Mr. Warren conveyed that in the grass area, flowers have to be in a proper container or placed on the base of the headstone off the grass for mowing purposes. Families are allowed to put whatever they want in the non-grass (dirt) area of the cemetery.

Member Lile inquired about removal of ornaments from grave sites. She said she has received a number of complaints about ornaments being removed even though they are off the ground and on the monument. She wanted to know if they are being removed by the city or is it vandalism.

Mr. Anchondo said it could either one or both. If the ornament is not made of the same material as the headstone or sits on top of a headstone, it is removed even if it's on the headstone. Mr. Anchondo said there is also the possibility the graves are vandalized which is a common occurrence at the cemetery.

Vice Chairman Botello wanted to know if this includes solar lights that are placed in marble vases and installed with the headstone.

Mr. Jayne answered yes. The item has to be made of marble, granite, bronze or shatterproof plastic according to regulations.

Member Akes asked Ms. Baeza what she would like to see the Cemetery Committee do to make it better for her.

Ms. Baeza explained she wants to be able to put flowers down without having them thrown away because she was a week late removing them. She also wants solar lights on her parents graves without them being removed. She said she cannot afford to buy lights that are made from the material that Mr. Jayne referred to. Items are thrown into bags; the writing is so small and faded that it's virtually unreadable. Bags are ripped opened and items scattered. Ms. Baeza said it hurts to see items removed from her parents graves when she goes out to visit. She said there are some graves in the park that have solar lights hanging on hooks in the ground and nothing is done, yet her lights and hooks have been removed.

Mr. Jayne conveyed as of last Thursday, the entire cemetery has been completely

cleaned. The lights Ms. Baeza referred to has been removed, tagged and bagged. He stressed that staff is not picking on anyone, but just following the rules and regulations.

Vice Chairman Botella suggested placing a label on the bags for identification purposes.

Mr. Jayne explained that when items are bagged, a piece of masking tape is place on the top of the bag and labeled with the name on the headstone or the plot. The bags are placed under the awning according to the section they were removed from. Mr. Jayne said staff did its best to notify everyone and put the bags in the safest place they could, but there are bags out there that have been there for six months.

Ms. Baeza said when she was looking for her dad's items, the bags were labeled with masking tape and written in pencil and small letters. She suggested using a marker so people can see the names.

Chairman Tidwell asked Mr. Anchondo how many bags are under the awning now and what are the chances staff can recover the identification on the bags.

Mr. Anchondo said there are an upwards of 100 bags, some that have been there for six months and have become damaged due to the inclement weather. He said he can certainly understand the public's concern and would be more than happy to re-evaluate the bag and tag process, but there is only so much his department can do with limited resources. As far as recovering bag identification, he said about 50% of the bags can probably be recovered.

Mr. Jayne asked Mr. Warren how long does he hold items that are removed before discarding them.

Mr. Warren said approximately 30 days. He told the Committee that cemeteries are hard to maintain and it's hard not to offend someone because it's an emotional time.

Member Tidwell wanted to know how difficult would it be for staff to re-bag and tag the 50% Mr. Anchondo said were salvable and give final notification to the public before disposal.

Mr. Jayne said staff would have to go through all the bags to find which ones are readable and go through the bag contents to confirm identification. It would be a long process, but it can be done.

B. APPROVAL OF AMENDMENTS TO THE ELOY MEMORIAL PARK RULES AND REGULATIONS

Cover sheet discussion: *Since the last Cemetery Committee meeting held on March 9, 2011, it has been brought to staff's attention that certain rules and regulations within the Eloy Memorial Park handbook are in need of clarification as they pertain to (1) Markers, Headstones and Monuments; and (2) Internment Guidelines. Chairman Tidwell recently met with city staff to discuss and review several proposed amendments that are attached for Committee review, discussion and possible approval.*

If approved by the Committee, the amendments will take effect July 7, 2011.

At this time, Mr. Anchondo reviewed the following proposed amendments with the Committee:

**PROPOSED AMENDMENTS
(IN RED CAPS)**

Markers, Headstones and Monuments

1. A maximum of one (1) headstone or monument and one (1) marker per grave space will be permitted. Markers, headstones and monuments **MUST** will be ~~uniform as prescribed.~~ **WITHIN SIZE LIMITS AS STATED IN PARAGRAPHS 2 OR 6.**
2. Single markers, ~~headstones and monuments~~ shall not exceed six (6) inches in ~~thickness~~ **HEIGHT (FROM GROUND TO TOP)**, forty-four (44) inches in ~~length~~ **WIDTH (LEFT TO RIGHT)**, and twenty-four (24) inches in ~~width~~ **DEPTH (FRONT TO BACK)**. Double markers, ~~headstones, and monuments~~ shall not exceed six (6) inches in ~~thickness~~, **HEIGHT (FROM GROUND TO TOP)**, ninety-two (92) inches in ~~length~~ **WIDTH (LEFT TO RIGHT)**, and twenty-four (24) inches in ~~width~~ **DEPTH (FRONT TO BACK)**. **MARKERS SHALL BE EITHER SOLID MARBLE, GRANITE OR BRONZE.**
4. ~~Permissible marker, headstone and monument sizes are: (Please contact city clerk office for permissible sizes):~~ **(DELETE ENTIRE SENTENCE)**

6. Headstones and monuments shall not exceed five (5) feet in height (single or double **FROM GROUND TO TOP**). **WIDTH AND DEPTH OF HEADSTONES AND MONUMENTS SHALL BE SAME DIMENSIONS AS STATED IN PARAGRAPH 2.** ~~Markers,~~ Headstones and monuments shall be either solid marble, granite or bronze.
7. The placement of stand-alone benches, chairs, ~~ornaments~~ and similar articles ~~upon or around plot(s) is (are)~~ **ARE** not permitted, and if so placed, may be removed by cemetery staff. **ORNAMENTS SHALL BE ATTACHED TO MARKERS, HEADSTONES OR MONUMENTS BY CEMETERY STAFF OR AUTHORIZED PERSONS. ORNAMENTS THAT MAY CAUSE HEADSTONES OR MONUMENTS TO EXCEED THE MAXIMUM ALLOWABLE HEIGHT WILL NOT BE PERMITTED. NO ORNAMENT SHALL BE ATTACHED TO ANY MARKER, HEADSTONE OR MONUMENT WITHOUT FIRST SECURING A WORK ORDER GENERATED THROUGH THE CITY CLERK'S OFFICE. ORNAMENTS SHALL BE EITHER SOLID MARBLE, GRANITE, BRONZE OR MADE OF SHATTERPROOF PLASTIC MATERIAL. ORNAMENTS THAT BECOME DETACHED FROM MARKERS, HEADSTONES OR MONUMENTS WILL BE DISCARDED BY CEMETERY STAFF.**
8. For purposes of this section, a bench shall not be considered a headstone or monument. However, if the bench is attached as part of the headstone or monument, it will be permitted, unless the ~~bench, headstone and/or monument~~ **THE TOTAL AREA COVERED** exceeds the ~~permitted area for placement of headstone or monument~~ **MAXIMUM ALLOWED FOR HEADSTONES AND MONUMENTS (SEE PARAGRAPH 6 FOR TOTAL SIZES OF HEADSTONES AND MONUMENTS).**
12. All markers, headstones and monuments shall be installed by Cemetery staff or by persons employed by the ~~monument~~ dealer (under the supervision of cemetery staff) where the marker was purchased. ~~Only Cemetery staff is authorized to remove or replace markers, headstones or monuments~~ **MARKERS, HEADSTONES OR MONUMENTS NOT INSTALLED BY CEMETERY STAFF SHALL BE REMOVED BY THE DEALER WHO PERFORMED THE INSTALLATION. NEITHER THE CITY, ITS EMPLOYEES, OR THE COMMITTEE SHALL BE HELD LIABLE IN ANY WAY FOR INSTALLATIONS PERFORMED BY PERSONS WHO ARE NOT EMPLOYED OR CONTRACTED BY THE CITY.**

14. The City may remove any structure from any grave if it becomes unsightly or obstructs the maintenance of the grave site or adjacent area. ~~Any replacement of a structure must be approved by Cemetery administration.~~
15. **NEITHER** City staff **nor OR** the Committee shall ~~not be held responsible for any order(s) given by telephone, or for any mistake occurring from the want of precise and proper instruction as to the particular space size and location of a headstone, marker or monument.~~ **TAKE ORDERS FOR ANY WORK OVER THE TELEPHONE. ALL WORK REQUESTS MUST BE SUBMITTED IN WRITING TO THE CITY CLERK'S OFFICE FOR APPROVAL.**

INTERMENT GUIDELINES

26. **NEITHER** City staff **nor OR** the Committee shall ~~not be held responsible for any order(s) given by telephone, or for any mistake occurring from the want of precise and proper instruction as to the particular space, size or location of a plot where interment is desired.~~ **TAKE ORDERS FOR ANY WORK OVER THE TELEPHONE. ALL WORK REQUESTS MUST BE SUBMITTED IN WRITING TO THE CITY CLERK'S OFFICE FOR APPROVAL.**

Member Lile asked if an ornament (such as a vase) becomes detached, will that item be disposed of or will staff re-attach it to the headstone.

Mr. Jayne conveyed as long as the ornament adheres to the guidelines, is not damaged (i.e., broken, cracked) and has been set before by city staff, it will be re-attached. If the grave is vandalized, pictures are taken, the ornament re-set and the family notified of the vandalism. Mr. Jayne said basically, it all depends on the circumstances.

Member Amerson asked about awnings with flowers.

Mr. Anchondo stated awnings are not allowed.

Member Amerson asked what happens if someone does not know how to buy a headstone or take the dimensions of one.

Mrs. Myers conveyed headstone dimensions are listed in the rules and regulations handbook. Families can also fax the measurements as well as the design to city hall

for staff to review and approve before purchasing.

Member Amerson wanted it known that although it is the Committee who sets policy, those policies are approved based on staff's recommendation.

Member Akes asked if this is the time to discuss the residency requirement. She would like to make it easier for people to purchase plots.

Chairman Tidwell said he wants to meet again in 30 days to give staff time to find out what the current requirements are and discuss amending the provision to something that is more workable.

Member Akes pointed out to Ms. Baeza that current policy allows for shatterproof vases.

Ms. Baeza said she would like to put some vases on her parents graves, but she is not sure where to purchase shatterproof vases. She said she would also like to put lights out there too.

Mr. Anchondo said as long as the lights are determine to be shatterproof plastic by the parks superintendent, he does not see why the lights would not be allowed. In regards to the vases, the city has no problem installing the vases, according to the proposed amendments that may be approved tonight by the Committee.

Ms. Baeza agreed to this, however she wanted to know would there be a charge. She was told by the park workers there would be a charge of \$5 for each hole that was drilled in the foundation.

Mrs. LaSalde-Rios conveyed the city does not charge for drilling holes in the foundation, only for installing vases.

Mr. Warren asked for clarification on the five foot limit for headstones. He wanted to know will measurement began from the ground to top of the marker or from the base that the marker sits on.

Chairman Tidwell explained that measurement will be from the ground up. This includes anything between the ground and the top of the marker including the base.

Mr. Warren said he has some headstone orders that were signed off by Mr. Anchondo that will exceed the five feet limit because measurement began at the bottom of the marker and not the base.

Chairman Tidwell said he thought the base was ground level.

Mr. Anchondo acknowledged signing off on Mr. Warren's headstone shortly before Chairman Tidwell and staff met to discuss the headstone that was 5' 4". Mr. Anchondo said he does not remember signing off on anything else. Mr. Anchondo confirmed with Mr. Warren that the headstone he is referring to is the Brodersen headstone.

Mr. Warren said yes.

Chairman Tidwell reiterated that the five feet will start from the ground to the top of the monument.

Member Akes wanted confirmation that solar lights will be permitted.

Mr. Jayne voiced that as long as the lights meet the guidelines, they will be permitted.

Chairman Tidwell directed staff to include a provision to allow solar lights as long the lights meet the requirements set forth in guideline #7, under *Markers, Headstones and Monuments*.

A member of the audience inquired about playing music during the "Day of the Dead" celebration that is held each year on November 2nd. The audience member explained that it is a Mexican tradition that is celebrated with music.

Mr. Anchondo conveyed the Committee discussed this last year when a citizen complained to the Committee that she saw a family cooking and playing loud music at the cemetery when she was visiting her father's grave. The Committee amended the rules to prohibit the preparation of food and music at the cemetery. He pointed out that these rules are also listed on the boards at the cemetery entrance.

Member Lile said if she remembered correctly she believed the Committee acknowledge that it had no control over the music; as long as the music was not blaring or interrupting other families who were visiting the cemetery.

Mr. Anchondo pointed out that in the rules that were approved by the Committee it states no loud music. However, he was unsure as to who makes the determination what is considered loud.

Member Lile asserted there will be a lot of angry people if this celebration is not permitted.

Mr. Anchondo conveyed this provision will be difficult for staff to enforce if they (staff) are present at the event. If a number of individuals have barbecues and large stereos, the staff will definitely have a challenge in front of them trying to get the people to comply with the rules.

Mrs. Myers suggested permitting music for that one day on November 2nd .

Member Akes conveyed that maybe this can be brought before the Committee at the next meeting for consideration.

It was at this time Chairman Tidwell called for a motion.

Motion by Member Akes, seconded by Member Botello to approved the proposed amendments and add a provision to guideline #7, under *Markers, Headstones and Monuments* to allow for solar lights as long as the lights meet the guidelines in #7, passed unanimously.

Member Tidwell asked about Mrs. Robles request earlier this evening regarding opening/closing and liner payments.

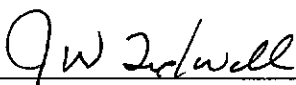
Chairman Tidwell said the Committee can discuss this at the next meeting.

Mrs. Myers said at one time the city did allow people to make payments on the opening/closing and liners after their plot was paid in full. However, believes it was discontinued due to accounting issues in finance.

Chairman Tidwell said he does not see the difference between making monthly payments on a plot and making monthly payments on opening/closing and liner fees. Chairman Tidwell said he would like Mr. Wright, finance director to attend the next meeting to discuss any possible accounting issues.


VIII. ADJOURNMENT

There being no further business, Chairman Tidwell adjourned the meeting at approximately 7:03 p.m.



Chairperson

ATTEST:



Committee Secretary