
From: Sonja Birr
Sent: Thursday, June 25, 2020 4:40 PM
To: James Brey - D4
Subject: FW: Dispute over flowers & Cemetery regulations involving attorneys

FYI

From: Erin H. Reinke
Sent: Thursday, June 25, 2020 4:11 PM
To: Sonja Birr
Subject: FW: Dispute over flowers & Cemetery regulations involving attorneys

From: Sandy Ronski
Sent: Tuesday, June 16, 2020 8:20 AM
To: Jeff Shimek; Luke Hennessey
Cc: Karen Dorow; Sue Reilly; Erin H. Reinke
Subject: FW: Dispute over flowers & Cemetery regulations involving attorneys

FYI

Sandy Ronski
Operations Clerk II
Transit, Cemetery, & Parks
City of Manitowoc
900 Quay St.
Manitowoc, WI 54220
920-686-6518
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www.manitowoc.org

From: Kathleen McDaniel
Sent: Monday, June 15, 2020 4:39 PM
To: Elizabeth Majerus; Sandy Ronski; Dan Koski
Cc: Jane Rhode
Subject: RE: Dispute over flowers & Cemetery regulations involving attorneys

I am in agreement with Liz. My understanding is that we enacted these rules to make life easier for the Cemetery staff, and would suggest that we not bring this forward to PI independently.



Kathleen M. McDaniel
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From: Elizabeth Majerus
Sent: Monday, June 15, 2020 4:24 PM
To: Sandy Ronski; Dan Koski
Cc: Kathleen McDaniel; Jane Rhode
Subject: RE: Dispute over flowers & Cemetery regulations involving attorneys

Good Afternoon,

My opinion is that the rules, as written, should be enforced. If we would rather not enforce the rules, we ought to change them to something we would enforce. Those changes would have to go through Committee and Council per the MMC.

One of the collateral consequences of this opinion is that the other nonconforming gravesites by the roadway will need to be enforced so that we are not seen as selectively enforcing the rules. This will likely be a disappointment to those caretakers.

Our options are:

- 1) Enforce as currently written and wait to see whether the Richters seek a rules change through PI,
- 2) Staff presents the issue to PI on its own: whether to change the rules for plantings whenever the underlying intent can be otherwise satisfied due to unique site conditions at the discretion of the Cemetery Lead or Director of PI

I hope this helps.

Thanks,
Liz

From: Sandy Ronski
Sent: Friday, June 12, 2020 4:27 PM
To: Dan Koski
Cc: Kathleen McDaniel; Elizabeth Majerus; Jane Rhode; Sonja Birr; Lynn Hoffman; Karen Dorow; Sue Reilly
Subject: Dispute over flowers & Cemetery regulations involving attorneys

A few days ago, I received a phone call from Doug Richter asking if we had removed some flowers from his father's (William Richter's) gravesite on the William I. Richter Revocable Living Trust lot. After checking with Cemetery Team Leader, Jeff Shimek, I told Doug Richter that we had not. He indicated that he had planted live flowers there and someone had removed them, sodded over the area, and placed an artificial wreath on the other side of the marker. He indicated that he believed that it was his father's second wife, Barbara. Since then, I have received additional calls from Doug, his attorney, and the attorney for the other party.

The Richter lot is slightly larger than normal and the markers face a different direction than normal, so the two attorneys are interpreting the cemetery rules & regulations differently. The Richters have four adjoining lots with a large monument centered over the four lots (see attached printout). Normally, in this case the markers on the west side of the monument on the head end of the spaces face east and the monuments on the east side of the monument are footmarkers and face west. However, these headstones and footmarkers all face west, possibly because the lots are next to the cemetery roadway. Also, most of the time, especially on the "newer" lots, the marker are only about 1 or 2" from the lot line; however, Luke said there was approximately 14" between the marker and the lot line in the case of the Richter lots (at least on the west side of the monument), so there is room on the lot for a flowerbed. I believe that there are other gravesites by the roadway in section R that have done this same thing.

The rules in the cemetery rules & regulations state:

(F) *Flowers and Decorations.*

If flowers and decorations do not comply with all of the cemetery rules or are broken or otherwise damaged, they will be removed and disposed of at the discretion of the Cemetery Team Leader.

For markers/headstones that face east, lot or space owners are permitted to have flowerbeds to a maximum width of the marker and one foot away from the front of the marker. Flowers are not permitted behind grave markers.

For markers/headstones that face west, lot or space owners are permitted to have flowerbeds to a maximum width of the marker and one foot away from the back of the marker. Flowers are not permitted in front of grave markers.

For footmarkers that face east, lot or space owners are permitted to have flowerbeds to a maximum width of the marker and one foot away from the back of the marker. Flowers are not permitted in front of grave markers.

For footmarkers that face west, lot or space owners are permitted to have flowerbeds to a maximum width of the marker and one foot away from the front of the marker. Flowers are not permitted behind grave markers.

The attorney for Barbara, Kate Reynolds with Michael Best, 682-9994, would like us to enforce the regulations as written. The attorney for Doug Richter (John from Dewitt Law 262-754-2846) would like the Director of Public Infrastructure to send him a letter to indicate that the flowerbed would be allowed in this case as there is room between the marker and the lot line for a flowerbed, so our reasoning for having flowerbeds on the other side of the marker does not apply.

Attached are some photos that I forwarded to Doug Richter's attorney on 6/11 that were taken by cemetery staff.

I indicated to both attorneys that I would forward this issue to the Director of Public Infrastructure for review.

How would you like to proceed?

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