



# TRANSITION PLAN

*City of Huntingburg*

*2012*



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## ● Introduction

The City of Huntingburg is committed to establishing and maintaining an accessible community. We want all of our community members to enjoy the benefits of our programs, services, and activities. We recognize that access is not only a civil right, but our social responsibility to uphold and promote diversity and inclusion.

### **ADA OVERVIEW**

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990, and later amended effective January 1, 2009. As written and implemented, the ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973.

The ADA only applies to persons who meet the definition of “disabled” under the Act. A person is considered disabled, and so protected under the ADA, if he or she either actually has, or is thought to have, a physical or mental impairment that substantially limits what the ADA calls a “major life activity.” Major life activities are the basic components of any person’s life-including walking, talking, seeing, and learning. If a person has an impairment that substantially limits his or her ability to perform one or more of these activities, that person is considered disabled under the ADA.

The ADA does not specifically name all of the impairments that are covered, but common examples of disabilities include confinement to a wheelchair, reliance on assistive devices such as canes and walkers, blindness, deafness, a learning disability, and certain types of mental illness.

### **ADA Title I: Employment**

Title I of the ADA requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant’s disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship.

### **ADA Title II: State and Local Government Activities**

Title II of the ADA covers all activities of state and local governments regardless of the government entity’s size or receipt of federal funding. Title II requires that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies,

practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

### **ADA Title VI**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity and national origin in programs and activities receiving federal financial assistance. National origin discrimination includes, among other things, falling to provide meaningful access to individuals who are limited English proficient (LEP).

## **• Transition Plan**

The City of Huntingburg’s Americans with Disabilities Act (ADA) Transition Plan sets policies and practices to ensure program accessibility for people with a disability in the community and to implement physical pedestrian improvements within the public right-of-ways, buildings and programs of the City of Huntingburg. The City of Huntingburg is covered under the ADA, Title I Employment, Title II programs, services and activities and Title VI. The ADA requires the City to make all of its programs, services and activities readily accessible to and useable by qualified persons with disabilities when the programs, services, and activities are viewed in their entirety. This Transition Plan is the cornerstone to ensuring and documenting the City’s effort to create and maintain inclusion as mandated by the ADA.

Our purpose of this ADA Transition Plan is to describe the curb ramps, sidewalks and other pedestrian facility needs in the City; to outline the recommended procedures for implementing and scheduling remedial work to provide a complying system; to list upgrades that indicate the City of Huntingburg’s commitment to be compliant and to dedicate a yearly dollar amount to be spent on ADA improvements as a way of meeting our functional goals and objectives. The ADA Transition Plan covers the City of Huntingburg in its entirety. The City has a wide variety of facilities within the public right-of-way. These facilities include streets and roadways, railroad crossings, underground and above- ground utilities, vehicular and pedestrian signal systems, signage systems, on-street parking facilities, walkways, sidewalks with curb ramps at intersections, and City-owned facilities.

The Transition Plan will serve as a “Living Document” and will be reviewed/updated at least every 3 years with the support of the City of Huntingburg’s ADA Compliance Committee and approval of the Common Council Members. The Transition Plan identifies physical barriers and prioritizes improvements that should be made throughout the City.

## **• Legal Requirements**

The federal legislation known as the American with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications. Title II specifically applies to “public entities” (state and local governments) and the programs, services, and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. A plan, at a minimum, shall include:

1. A list of physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan's implementation.

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing streets, sidewalks and facilities.

## ● Responsible Individual

The City of Huntingburg designated the Office Manager as the ADA Coordinator:

Sue Tooley, Office Manager/ADA Coordinator  
P.O. Box 10, 508 East Fourth Street, Huntingburg, IN 47542  
Phone: (812)-683-2211 Fax: (812)-683-5661  
[stooley@huntingburg-in.gov](mailto:stooley@huntingburg-in.gov)

The benefits of having one person to fill the role as the ADA Coordinator are that:

- It makes it easier for members of the public to identify someone to help them with questions and concerns about disability discrimination.
- It provides a single source of information so questions by the Department staff and from outside the Department can be answered quickly and consistently.
- It provides an individual who can track complaints/grievances issues while focusing on moving compliance plans forward.

The City of Huntingburg Resolution No. 2012-34 passed by the Common Council on the 8<sup>th</sup> day of November 2012 established an ADA Compliance Committee to oversee the administration of the policy and grievance procedure and to serve as a support group to help resolve local issues at the local level. Members consist of Council Person at Large, Clerk-Treasurer, City Office manager, City Attorney and a Citizen appointed by the Mayor. Ex-officio members are the Safety Director, Street Superintendent and Mayor.

## ● Public Notice/ Public Input

The City of Huntingburg has provided and will continue to provide public notice about the rights of the public under the ADA and the responsibility of the City under the ADA.

- The public notice was reviewed at a public meeting on 11/09/2012.
- The public notice is posted on the public announcement board in the lobby of the City Hall.
- The public notice is posted in work area of the City Hall.
- The public notice is posted on all City of Huntingburg Transit vehicles.

- The public notice was published in the local newspaper.
- The public notice is posted on the City's website.

The City of Huntingburg provides opportunities for people outside of the agency to give their input into the areas of improvement needed within the city.

- Three different public listening sessions were hosted by the City to gather input from community members.
- The City has four public meetings per month throughout the year, in which public input is encouraged.
- The City Transit System performs yearly surveys to gather public information.
- An input/action form is available to the public on the City's website.
- The City routinely hosts the ALASi (Asociacion Latino American Del Sur De Indian, Inc.) meetings with staff in attendance to get the groups input into community improvements.
- The City host meetings in conjunction with the Vocational Rehabilitation Services-Division of Disability & Rehabilitative Services and encourages their input.
- The City participates in hosting 4 Community Connect Events annually to input/output information.

## • ADA General Notice

### **NON-DISCRIMINATION POLICY AND GRIEVANCE PROCEDURE NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT.**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the City of Huntingburg, Indiana will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** The City of Huntingburg, Indiana, does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of ADA.

**Effective Communication:** The City of Huntingburg, Indiana will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Huntingburg's programs, services, and activities, including qualified sign language interpreters, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments.

**Modifications to Policies and Procedures:** The City of Huntingburg, Indiana will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of Huntingburg offices, even when pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Huntingburg, should contact the office of the ADA Coordinator, Sue Tooley at 508 E. Fourth Street, Huntingburg, Indiana (812)683-2211 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Huntingburg to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. Complaints that a program, service or activity of the City of Huntingburg is not accessible to persons with disabilities should be directed to the ADA Coordinator, at 508 E. Fourth Street, Huntingburg, Indiana (812)683-2211.

The City of Huntingburg will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## ● **Policy and Grievance Procedure**

It is a priority of the City of Huntingburg to provide accessibility for all its citizens. When there is an impediment, we want to know about it. The City has adopted and published a grievance procedure along with a complaint/grievance form. The procedures are intended to set out a system for resolving complaints of discrimination in a prompt and fair manner. The City of Huntingburg's grievance procedure has been established to make methods clear for any member of the public wishing to inform the City of potential hindrances to public access to city programs, services, activities and/or public access along pedestrian rights-of way. Exchange of this information is a critical step in addressing potential ADA noncompliance and preventing the escalation of the grievance to a formal civil complaint.

Any time that a member of the public or a city employee is in need of a reasonable accommodation that the City is not already providing, or has a complaint regarding the condition of a sidewalk, ramp, building or other public facility, an input/action form should be completed and filed with the ADA Coordinator at the address previously listed. The ADA Coordinator shall investigate each request and/or complaint and shall document his/her findings. All complaint/grievances shall be kept on file at City Hall for five (5) years and tracked by the ADA Coordinator. It is the City's priority to respond to all concerns in a timely way. See attachment section for the City of Huntingburg's ADA Grievance Procedure Policy; ADA Complaint/Grievance Form and the Input/Action Form.

## ● **City Hall**

The Huntingburg City Hall is located at 508 East Fourth Street. It hosts the offices of the Mayor as well as the Director of Communications, ADA Coordinator, Clerk-Treasurer, City Planner, Risk Management, Code enforcement, Transit department, Utility Clerks, and more. It is the location where utility customers can set up accounts and make payments. The Huntingburg City Transit and Dispatch Center is also operated out of this location. The City Hall Building is used by various superintendents from other departments to host meetings because of its accessibility.

The City Hall is a two story building that is accessible with use of an automatic door button, a reception area with lower counter space accessibility and handicap accessible restrooms. The main level consists of the utility office, Clerk-Treasurer's office, receptionist/informational area, departmental offices, a meeting room, and restrooms. The main floor also has an elevator to enable access to the second level which is home to the City Museum and also another meeting room. It is also the location where most public meetings are held, including City Council, Board of Public Works, Board of Zoning Appeals and Park Board meetings.

- **Inventory of Curb Ramps, Facilities and Sidewalks**

The City of Huntingburg contracted with Midwestern Engineers in 2012 to assist with an ADA assessment of all intersections and facilities. All city intersections have been inventoried by Midwestern and the data compiled in an ADA Intersections binder. The inventory identifies the location, construction type, and condition of all city curb ramps at intersection crossings. Midwestern Engineers has also completed an assessment of the City of Huntingburg facilities. The intersections and facilities binder information will be on file in the ADA coordinator's office and will not be included as an attachment to this document due to the excessive amount of information. The City of Huntingburg is in the process of completing a color coded map to indicate the compliance of the City's curb ramps. Upon completion, this map will be added as an attachment to the transition plan.

The City of Huntingburg is in the process of inventorying and documenting the conditions of the City sidewalks. The City's Street Superintendent and the ADA Coordinator are currently working with Precision Concrete, Inc. to remove trip hazards and document needed sidewalk repair within the City of Huntingburg. Precision Concrete removed trip hazards within a of 1/8 mile radius of the City Hall building which host public meetings, transit services, clerk's office, utility payment office, etc. This radius also includes the Stork Place Senior Living Facility, Vocational Rehabilitation Services, Angels of Mercy Home Health Care, Library, Post Office, Guadalupe Center, Memorial Gym, along with several businesses. Precision Concrete, Inc. are also of surveyed the City of Huntingburg's Main Park's sidewalks and removed several trip hazards. A prioritized list for repairs or replacement will be compiled from this documentation. See attachment section for Precision Concrete Survey documentation and also The City of Huntingburg's Curb and Sidewalk inspection and maintenance policy.

- **Curb Ramps, Sidewalks and Facilities Updates and Improvements**

The Americans with Disabilities Act requires a Transition Plan for all municipalities employing 50 or more persons. A primary component of that Transition Plan for an entity that has responsibility over streets, roads, or walkways, is to include a schedule for providing curb ramps where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the ADA. The City of Huntingburg is responsible for streets and sidewalks within the City limits.

The City Street Superintendent and ADA Coordinator with approval from the ADA Compliance Committee are using the data from the ADA Intersections and facility binders for accurate mapping, evaluation and prioritization of those pedestrian facilities currently not in compliance with ADA standards. As opportunity and funds become available these prioritized lists will be matched against available funding to develop a strategic plan for improving access through curb ramps, sidewalks and facilities. The City of Huntingburg's street department will adhere to the policies set forth by the

Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are altered through Resurfacing.

Maps to public services and places will be added to the attachment section of this document. These maps will be an oncoming project and will be updated to show the accessibility of each curb ramp and sidewalk to gain entrance to the public services and places.

## ● Design Standards

The ADA does not designate which construction standards must be followed. For the purpose of this Transition Plan, the City of Huntingburg has chosen to use the ADAAG (Americans with Disabilities Act Accessibility Guidelines) for buildings/ on-sight facilities and any subsequent standards established by the Indiana Department of Transportation, and the United States Department of Justice including but not exclusive to PROWAG (Public Right of Way Accessibility Guidelines) standards for public rights of way <http://www.access-board.gov/prowac/nprm.htm>, which is expected to become law soon.

## ● Transportation

The City of Huntingburg is committed to providing an accessible, efficient transportation service to meet the needs of anyone who desires transportation within the City limits of Huntingburg. The transit service provides accommodations to individuals in meeting the need for transportation to healthcare appointments, pharmacy, post office, library, employment, grocery stores, food bank, voting location, banks, recreation, social events, etc. The transit program has three wheelchair accessible vans and charges a minimal fee of \$2 per round trip. The Transit administration works with community sponsors to offer free vouchers for transit trips. The City of Huntingburg Transit program participates in the State of Indiana's Public Safety Medical Program. All transit personnel have completed fitness for duty exams and are certified in First Aid, CPR and Passenger Assistance Training (proper loading, unloading and securement of wheelchairs). The transit staff receives training and testing on ADA and Sensitivity: General Guidelines, Customers with Hearing Impairments, Customers with Vision Disabilities, Customers who use Service Animals and Customers who use mobility devices. The Transit system serves as a means to meet the accessibility of public services and places in areas that need the addition of curbs and ramps. The City of Huntingburg Transit information is included in the attachment section.

## ● Communications

The City of Huntingburg is committed to provide reasonable accommodations to individuals with disabilities, not just in regards to physical barriers, but also for those with sight and hearing impairments. As stated previously, the City conducts most of its public meetings in a large open meeting room in the City Hall, at 508 East Fourth Street, Huntingburg, Indiana. There are two meeting rooms at the City building on 4<sup>th</sup> street. One is on the main floor and one is on the 2<sup>nd</sup> level. There is an elevator

to access the 2<sup>nd</sup> floor meeting room. The building is accessible with the use of an automatic door button. There is ample space in the meeting room for multiple wheelchairs. Meetings that regularly take place at City Hall include; City Council, Board of Public Works and Safety, Parks and Recreation Board, Redevelopment Commission, Board of Zoning Appeals and Plan Commission meetings. City Council meetings are broadcast twice a month on the local public access channel and are available in people's homes.

Individuals requiring reasonable accommodations should contact the ADA Coordinator as soon as possible (at least 48 hours in advance of the meeting). The City will make all reasonable efforts to quickly respond to the request. Possible accommodations could include providing a person proficient in sign language to sign for a hearing impaired individual or providing a person to read for a sight impaired individual. The City can also provide large print documents upon request. As it can be difficult at times to find available people who are proficient in sign language, the more lead time given the City, the greater chances of success. The City is currently investigating additional electronic means to enhance accessibility, such as magnifiers and amplifiers.

The City of Huntingburg works with the Guadalupe Center, which is located directly across from City Office building, for translation services. The City of Huntingburg's Transit System has also used <http://trnslate.google.com/#en/zh-CN/> to translate English resources into Chinese etc. to accommodate the various language differences which arise within our ridership.

The City of Huntingburg is in the process of developing a new website which will incorporate ADA accessibility.

## ● **Schedule & Budget for Improvements**

The City will set aside a dollar amount each year to address non-complaint curb ramps, sidewalks and other barriers. The yearly amount will be present to the Common Council for their approval.

The Common Council approved \$10,000 to be paid to Midwestern Engineers, Inc. for ADA related inventory services rendered 2012 to 2013. The Common Council approved another \$10,000 in the year 2014 which was spent on removing trip hazards from the City sidewalks. The Common Council approved \$40,000 to be set aside for the year 2015 to be used to address non-complaint curb ramps, sidewalks and other barriers.

Based upon the yearly dollar amount set aside along with other available funding and input from the public a list of projects will be attached with plans to address each project over the next three to five years. This will be an on-going list as input is received by the City and projects or completed.

## ● Projects Schedule

<u>Project</u>	<u>Estimated cost</u>	<u>Priority/Year</u>
City Main Park-Restrooms	\$31,243	*2005
South Side Park-Restrooms	\$18,500	*2008
City Park-Sidewalk improvements	\$44,530	*2009
City Hall - Automatic Door Opener	\$6,000	*2010/2011
City Park-Pool Steps	\$2,200	*2011
Niehaus Park-Walking Trail	\$149,819	*2011
Niehaus Park-Restrooms	\$25,250	*2012
City Park-Pool Chair Lift	\$3,600	*2012
Intersections & Buildings- Inventory by Midwestern	\$10,000	*2012/2013
Hand towel Dispensers- City Hall Bathrooms	\$200	*2012
City Hall-Accessible Front Desk/Dispatch Area	\$6,000	*2012
10 <sup>th</sup> & Washington Streets New Curbs	\$5,472	*2013
3 <sup>rd</sup> & Jackson Street-NW & SW Corners/New Curbs	\$3,000	*2013
City Park Playgrounds-North of Stadium	\$34,604	*2013
City Park Playgrounds-Cherry Street	\$37,724	*2014
City Hall-Unloading zone/Transit Lift	\$1,000	*2014
City Hall- Accessible Entrance	\$2,000	*2014
City Hall-Parking Lot Improvements	\$1,998.25	*2014/2015
City Hall-Restroom wrap pipes	\$100	*2015
ADA phone in Old Town Hall Elevator	\$694.38	*2015
Curb Ramps-5 <sup>th</sup> & Jackson Street	\$5,571	*2014/2015
Sidewalk Repair-Library-Jackson Street	\$642.33	*2014/2015
Sidewalk Trip Hazard Removal Van Buren-5 <sup>th</sup> to 4 <sup>th</sup>	\$367.50	*2014/2015
Sidewalk Trip Hazard Removal 4 <sup>th</sup> St-Jackson to Van Buren	\$216.56	*2014/2015

<b>Project</b>	<b>Estimated Cost</b>	<b>Priority/Year</b>
Sidewalk Trip Hazard Removal Gym & Teen Outback Area	\$2,059.69	*2014/2015
Sidewalk Trip Hazard Removal 5 <sup>th</sup> St-Jackson to Van Buren	\$6,664.06	*2014/2015
Sidewalk Trip Hazard Removal Jackson-5 <sup>th</sup> to 4 <sup>th</sup> St.	\$2,802.19	*2014/2015
Sidewalk Trip Hazard Removal Main Park	\$2,825.63	*2014/2015
ADA Ramps 3 <sup>rd</sup> and Geiger intersection	\$3,229.75	*2015
Sidewalk Trip Hazard Removal N. Van Buren to 1 <sup>st</sup> Street	\$8,113.50	*2015/2016
Sidewalk Trip Hazard Removal 505 E. 1 <sup>st</sup> St. (A Kids Place)	\$855.00	*2015/2016
Sidewalk Trip Hazard Removal E. 1 <sup>st</sup> - N.Van Buren to S.Cherry	\$1,523.25	*2015/2016
Sidewalk Trip Hazard Removal City Hall East Entrance	\$112.50	*2015/2016
Sidewalk Trip Hazard Removal 311 N.Washington-St Marys	\$1,361.93	*2015/2016
Sidewalk Trip Hazard Removal N.Washington-E 4 <sup>th</sup> to E 1 <sup>st</sup>	\$9,153.00	*2015/2016
Ada Ramps 6 <sup>th</sup> & Jackson Intersection	\$616.00	*2015/2016
Old Town Hall – Auto Door Openers	Donation OFS	*2015/2016
Public School Access-Sidewalk along state road 231	\$31,513.40	*2015/2016
Market Street Park Area		2016/2017
4 <sup>th</sup> Street Alterations		2016/2018

**\* Completed Projects**

## ● Monitoring Progress

The City of Huntingburg’s ADA Compliance Committee will evaluate this plan every 3 years. This plan will be presented to the City Council Members for review as part of the regular budget meetings and then revised as needed. The City will also commit to actively revising and amending this document as new information is provided by the Indiana Department of Transportation.

Revision date 7-31-2014

Revision date 8-25-2015

Revision date 2-03-2016

Respectfully Submitted by:

Sue Tooley

ADA Coordinator



# TRANSITION PLAN

*City of Huntington*  
*2012*