

September 30, 2011

CITY OF GREENSBURG, INDIANA

AMERICAN'S WITH DISABILITIES ACT TRANSITION PLAN

In 1990, the Federal Government enacted the Americans with Disabilities Act ("ADA") Title II of the ADA requires public entities that employ 50 or more people to develop a transition plan, which outlines the steps and schedule for making facilities accessible to individuals.

PURPOSE

The purpose of the Plan is to ensure that the citizens of Greensburg are provided full access to the City's programs, services and activities in as timely a fashion as is reasonably possible. The City's elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Greensburg residents seek to enjoy and to effective governance.

This Plan has been prepared after careful study of all of the City's programs, services and activities. The City, in preparing this document, has received input from individuals at public meetings and during individual interviews with disabled individuals and their families. Mayor Gary Herbert, the members of the Greensburg City Council, the City Clerk Treasurer Bridgett Weber, the City's Planning and Zoning Director Kathy Reynolds, Chief of Police Stacey Chasteen, Fire Chief Scott Chasteen, Street Commissioner Mark Klosterkemper, Water Superintendent Rick Denney, Wastewater Superintendent Jeff Smith and City Attorney Tim Corriden have all provided input into this Plan.

Title II of the ADA requires that each of the City's services, programs and activities, when viewed in their entirety, be readily accessible and usable by individuals with disabilities. This Plan identifies **two (2) forms of barriers**: physical barriers and programmatic barriers.

Physical Barriers include physical features such as, but not limited to, the following:

1. Parking
2. Paths of entry/travel
3. Doorways
4. Restrooms
5. Service counters
6. Stairways
7. Curb ramps

Programmatic Barriers include, but are not limited to, the following:

1. Building signage
2. Customer communications and interaction
3. Access to public telephones

4. Emergency notifications, alarms, visible signals
5. Communications (via internet, public meetings, telephone)
6. Participation opportunities for events sponsored by the City

City facilities, programs, services, policies, practices and procedures will continue to be surveyed on an on-going basis, and the Plan may be revised from time to time to account for changes to City activities. An accessibility inventory of sidewalks and curb ramps on streets and near City facilities has been completed, and an approach put in place to ensure that all public ramps to sidewalks are handicap accessible.

This Plan has been posted to the City's web site for review and consideration by the general public. In addition, notice has been provided of its existence in the Greensburg daily newspaper and other official and unofficial City publications. Any individual may submit comments on the accessibility of City programs and facilities by contacting the City's ADA Coordinator, the City Clerk/Treasurer or his/her designee by phone at (812) 663-3344.

I. PHYSICAL BARRIERS

The City owns a very limited number of properties, and accordingly does not have many options on locations from which it can offer programs, activities and services without incurring significant financial cost. These facilities are as follows:

1. City Hall, 314 W. Washington Street, Greensburg, Indiana; 47240
2. Fire Department, 528 N. Ireland Street, Greensburg, Indiana 47240;
3. Police Department, 201 S. Broadway Street, Greensburg, Indiana 47240;
4. Street Department, 200 S. Monfort Street, Greensburg, Indiana 47240;
5. Water Department, 1105 N. Ireland Street, Greensburg, Indiana 47240;
6. Wastewater Department, 950 S. Broadway Street Greensburg, IN 47240
7. Sr. Citizens Center, 905 E. Main Street, Greensburg, IN 47240 and
8. Surface improvements to public streets and sidewalks within the municipal limits of the City.

A self-evaluation/assessment of each of the City's physical facilities has been conducted in conjunction with the preparation of the Plan. The Public Right of Way Access Guidelines (PROWAG) were used to assess all exterior features and the Americans with Disabilities Act Access Guidelines (ADAAG) were used to assess buildings. Summaries of these evaluations are included as Exhibit "A" attached hereto and by this reference incorporated herein. Deficiencies in the physical features of facilities that diminish the ability of disabled persons to benefit from the City's programs, services and activities are identified. A correction plan or other course of action is noted for each deficiency, along with a schedule for completion of the correction.

A. BASELINE CONDITIONS

Each of the City's facilities was reviewed in light of several "baseline" conditions, including:

1. access to parking and entry into the facilities themselves;
2. access to a clear and distinct path of travel;

3. access to programs and services themselves;
4. access to public areas and restrooms; and access to related amenities.

B. CRITERIA FOR DETERMINING EXISTENCE OF IMPEDIMENT

Criteria were established to determine whether corrective action needs to be taken at a particular facility. The criteria include, but are not limited to:

1. *The nature of unique programs or services.* Some facilities and sites are the only location that a particular program or service may be provided;
2. *Facilities already in compliance with ADA accessibility guidelines.* Some of the City's facilities were constructed or underwent major renovations prior the effective date of the ADA;
3. *Ability to relocate programs from one facility to another accessible facility.* Because the City offers special programs and services at more than one location, consideration was given to distribution of the special programs and services when viewed in their entirety;
4. *Community/staff input.* Input from members of the disabled community has been included in the process. Meetings were held with these representatives and a public forum was held on April 3, 2013 to gather community input regarding current accessibility concerns and city-wide priorities. Interviews and self-evaluation surveys were also conducted with department representatives to identify how programs and services are provided by each City department;
5. *Current state of accessibility.* The current condition of each facility in terms of barriers already removed, or planned to be removed, as identified by City administration;
6. *Cost.* The cost of alternatives to physical barrier removal versus the cost of an alternative corrective action plan; and
7. *Public use.* The population served by a particular program or service and whether the public can obtain service from an alternative City location.

A summary of the City's street and sidewalk improvements is attached as Exhibit "C" for additional documentation of the City's strategy to bring sidewalks and curb cuts into compliance.

C. BRIEF SUMMARY OF EXISTING CITY FACILITIES

Below is a summary of the City's facilities, the City's use of such facilities and the City's progress toward eliminating physical barriers to disabled persons at these facilities.

1. City Hall and City Administration Office

In 2005, the City conducted a city hall space needs analysis. From and even before that time, the City had been working toward a solution that would provide long-term storage and office space needs, adequate meeting space, a location that can be easily found by City residents so that those residents can conduct business with the City and office space that is accessible to all residents and customers of the City.

During the period after January 2005, multiple public meetings were held in regard to the process to relocate city administrative and public safety services to a barrier-free facility. The City's goal was to engage the public in the process and utilize facilities that are accessible and functional for

government service. Perhaps of utmost importance in the process, and one of the reasons the process was time-consuming, was ensuring the most fiscally responsible use of taxpayer dollars.

In 2005 and 2006, the City purchased and remodeled the old Billings Elementary school from which it could provide services and offer programs and activities. Since September 2006, the vast majority of the City's programs, services and activities have been provided at this location. This space and the common area in the building utilized by City employees and those who participate in the City's programs are fully accessible to individuals with disabilities. The space is fully accessible to any individual who desires to attend any public meeting.

This space is used for City administrative functions and other City-related functions. It includes space for all of the City's administrative departments except for the Police Department, Fire Department, Street Department and the Water and Sewer Utilities. The new City Hall accommodates the offices of City Clerk Treasurer, the Mayor, Planning and Zoning, Engineering, and the water and sewer billing office, including a service area for residents wishing to correspond with each office.

2. Fire Department

The fire department located at 532 North Ireland Street was constructed in 1975. The building was constructed after passing of the American's with Disabilities Act and is fully accessible. All programs and services offered by the fire department at public facilities are offered in a special room at City Hall.

3. Police Department

The police department, located at 215 South Broadway Street, was constructed in 2002. Again, this facility was constructed after the enactment of the ADA and is fully accessible.

This office is not a City facility from which individuals obtain services from the City, nor are programs or activities offered from this site. Upon the completion of the remodeling of the City Hall space, discussed above, the police department has office space in the remodeled City Hall facility. As stated, this remodeled facility is fully accessible, and police department inquiries and communications will be available in that facility.

4. Street Department

The street department, located at 200 South Monfort Street was constructed in 1969.

5. Water Department

The Water Treatment Plant administrative office is located at 1105 North Ireland Street and was constructed in 1950.

6. Wastewater Department

The wastewater treatment plant administrative office is located at 950 South Broadway Street and constructed in 1977.

7. Senior Citizens Center

The senior citizens center located at 905 East Main Street and was constructed in 2003. This facility was constructed after enactment of the ADA and is fully accessible.

8. Taylor Building

The Taylor building, located at 112 South Franklin Street was constructed in the early 1900's as a facility for commercial use. The City acquired the property after it fell into disrepair and became an unsafe structure that the property owner was not financially able to raze. Once the City acquired the property, a contractor was hired to reconstruct the roof and make the building structurally sound. During the renovation in May of 2011, a tornado and high straight line winds hit the city and the brick front of the building was damaged. The building repairs were completed in August of 2011.

9. Airport

The airport terminal building located at 545 South County Road 200 West is used primarily for private individuals who have planes at the airport.

This building is not accessible and the City does not intend to occupy the space. A real estate appraisal will be performed and the City will take bids from parties interested in purchasing the property.

Some courts have held that municipal sidewalks are a city program or service. As for overall public works compliance, the City's infrastructure is largely accessible. As stated above, a summary of the City's sidewalks and streets is attached to this Plan as Exhibit "C". The City has just completed a reconstruction of Lincoln Street through its main commercial corridor. Accessible curb ramps were installed on both sides of the street in the newly constructed sidewalks at all intersections.

II. PROGRAMMATIC BARRIERS

The City recognizes not all barriers to the City's programs, services and activities are physical in nature. Other administrative barriers exist that must be overcome to provide complete government services to those who are disabled.

A. COMMUNICATIONS

The City's Plan incorporates steps to ensure that communications with people with disabilities are as effective as communications with others, as required by 28 C.F.R. § 35.160. Effective communication means that whatever is written or spoken must be as clear and understandable to people with disabilities as it is for people who do not have disabilities.

The City does not coordinate 9-1-1 and emergency communications services (also referred to as Public Safety Answering Points), which are required by 28 C.F.R. § 35.162 to provide direct and equal access to persons with disabilities. The 9-1-1 calls in the City are dispatched through the Johnson County Sheriff's Department, and emergency service calls for fire and ambulance services in the City are handled through Fire District No. 2 of Johnson County.

As to communications the City does handle, including web site communications, communications relating to City administration and open public meetings, and other communications regarding the City's programs, services and activities, the City is in the process of:

- identifying local resources for auxiliary aids and services,
- identifying ways of producing documents in Braille or acquiring other aids or services, including software that can convert text into speech, and contacting qualified interpreter services and other providers so that interpreters
- and other aids and services may be available on short notice.

The City is taking the following additional specific actions to improve communications:

1. Agenda text.

The City has begun printing certain portions of meeting agendas in large-font type so that the content of agendas of public meetings can be more easily reviewed. Major agenda points will be printed in 14 point font.

2. Web site communication.

The City has also posted, and will continue to post, agendas on the City's web site, which, when used with the free Adobe Acrobat Reader function, allows for enlargement so that the contents of agendas may be viewed from one's personal computer. The City is exploring software upgrades with its web site operator to ensure handicap accessibility. Importantly, the City is considering the addition of text equivalents for every image on the web site, as well as using alternative document formats (such as HTML and Rich Text Formats) to the portable document format (pdf), which is incompatible with certain screen reader functions. The City has also requested that forms and tables be modified to include descriptive HTML tags.

3. Accommodations for hearing impaired persons/use of auxiliary aids.

The bottom of each public meeting agenda includes a note that hearing impaired persons may request an interpreter and/or teleprompter service. Furthermore, the City has equipment, available upon request, specially designed to assist hearing impaired persons to fully participate in City meetings in the council chamber.

4. Participation in/accessibility to public meetings.

The City has, as discussed above, already taken substantial efforts toward ensuring public meetings are held in ADA-accessible facilities. The City conducts all public meetings in ADA accessible facilities, and will make specific accommodations, where necessary, to ensure that meetings among residents and City staff can be held within ADA-accessible facilities.

B. ADA GRIEVANCE COORDINATION/ADMINISTRATION

The City has established an ADA Grievance Policy and Procedures, including a grievance form, attached as Exhibit "D". The City has affixed ADA grievance policy signs to City facilities, and has appointed the Deputy City Clerk as the ADA Grievance Officer. This person will report directly to the City's City Administrator/City Clerk who is the ADA Coordinator. That individual will, on a case by case basis, forward ADA grievances to the Governing Body of the City. The Grievance Officer will provide a forum for affected persons to bring about direct communication with the City in the event of potential ADA violations. It is the City's hope that good communication will ensure that the City provides a forum in which individuals can raise issues related to access.

C. ACCOMMODATION OF DISABLED PERSONS IN MUNICIPALLY SPONSORED PROGRAMS

The City is committed to allowing persons with disabilities to participate in municipally sponsored programs. This includes recreation opportunities sponsored by the City's parks and recreation program, community forums and other events hosted or sponsored by the City. The City will achieve this goal by integrating all of the steps outlined above into these programs, including providing for effective communications and ensuring meeting and events are, to the extent possible, held in ADA-accessible facilities.

III. CONCLUSION/ACTION LOG

The City is taking the actions referenced above and noted in the Exhibit "A" attachments, and will continue to look for and timely remedy barriers to access in an effort to ensure that the disabled citizens of Greensburg are given access to the City's programs, services and activities.

To confirm follow-up on corrective actions required under the Plan, the City will institute an ADA Action Log, documenting its efforts at compliance with the ADA. At a minimum, the Action log will identify items that are not ADA compliant and will include anticipated completion dates. From and after the adoption of this Plan by the Governing Body of the City, the ADA Action Log will be updated on an annual basis. The ADA Action Log shall be available upon request.

Exhibit "D"
City of Greensburg
ADA Grievance Policy and Procedures

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Greensburg (the "City"). The City's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

City Clerk Treasurer
314 West Washington Street
Greensburg, Indiana 47240

Within 15 calendar days after receipt of the complaint, the ADA Grievance Officer's or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Grievance Officer or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City and offer options for substantive resolution of the complaint.

If the response by the ADA Grievance Officer's or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response. The appeal shall be to the ADA Coordinator. Notice of appeal of the decision of the ADA Grievance Officer shall be submitted to the ADA Coordinator in writing. Upon submission of the written notice, the ADA Grievance Officer shall provide the ADA Coordinator with all documentation related to the complaint. Within 15 calendar days of submission of the notice of appeal, the ADA Coordinator shall meet with the complainant to attempt to resolve the complaint. No later than 10 days after meeting with the complainant, the ADA Coordinator shall provide the complainant with a written statement of the City's position and any proposed solution or accommodation determined to be appropriate.

If the response of the ADA Coordinator still does not satisfactorily resolve the complaint, the complainant shall, within 10 calendar days, submit a written notice of appeal to the Governing Body through the ADA Coordinator. Upon receipt of the notice, the ADA Coordinator shall immediately provide each member of the Governing Body with all documentation related to the complaint. At the City Council's next regularly scheduled meeting; provided that the meeting

falls on a day that is no less than 7 calendar days after the date that the complaint documentation is provided to the Governing Body, but in no event at a regular or special meeting more than 35 days from the date of the written notice, the complainant shall present his/her complaint to the Governing Body for its consideration. The complainant and the ADA Coordinator may designate individuals to make presentations to the Governing Body related to the complaint and any actions proposed by the City to satisfactorily resolve the complaint. If deemed appropriate, the Governing Body may continue the discussion of the complaint to a subsequent regular City Council meeting or a special City Council meeting; provided that, unless the complainant agrees, the Governing Body shall conclude its consideration within 31 days of the initial hearing by the Governing Body on the complaint. Within 10 days of the conclusion of the hearing on the complaint, the Governing Body shall provide the complainant with a written statement of the City's position and any proposed solution or accommodation determined to be appropriate. The decision of the Governing Body shall be final decision of the City.

All written complaints and appeals received by the ADA Coordinator or his/her designee, appeals to and responses from this office will be retained by the City for at least three years.

City of Greensburg
ADA Grievance Form

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Location of problem: _____

Date noticed: _____

Description of
problem: _____

Please attach additional pages if needed.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Clerk-Treasurers Office
314 W. Washington Street
Greensburg, Indiana 47240