

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard.

Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	5-14-14	Requested Meeting Date:	5-19-14
		Confirmed Meeting Date:	
Received by:			
Contact Information: Please provide all requested information in the fields below. (Print or Type)			
On Behalf of Organization or Individual:		Planning and Engineering Department	
Name:	Travis Underhill	Telephone:	736-3631
Title or Position:	City Engineer		
E-Mail:	tunderhill@franklin.in.gov		
Address:	70 E. Monroe Street		
City:	Franklin	State:	IN
ZIP:	46131		
Who will attend the meeting and present the request?			
Name:	Travis Underhill	Telephone:	736-3631
Title or Position:	City Engineer		
E-Mail:	tunderhill@franklin.in.gov		
Please describe the purpose or title of your presentation.			
ADA Transition Plan – Public Hearing			
Supporting documents: All supporting documents should be submitted with the request form.			
1. ADA Transition Plan			
2.			
3.			
4.			

CITY OF FRANKLIN, INDIANA

AMERICANS WITH DISABILITIES ACT



2014

TRANSITION PLAN

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ADA Compliance Overview

Section 1 – Administrative Requirements

I. Introduction

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990 to provide comprehensive civil rights legislation to people with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation and telecommunications. This legislation mandates that qualified disabled individuals not be excluded from, denied benefit of or be subjected to discrimination under any program or activity.

The ADA is broken into five (5) titles: 1) Employment, 2) Public Services, 3) Public Accommodations, 4) Telecommunications, and 5) Miscellaneous Provisions. For the purpose of this document, Title II – Public Services will be the section addressed.

1. *Overview of Title II*

- a. May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability.
- b. Must provide programs and services in an integrated setting, unless separate or different measures are necessary to ensure equal opportunity.
- c. Must eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs or activities unless "necessary" for the provisions of the service, program or activity.
- d. Are required to make reasonable modifications in policies, practices, and procedures that deny equal access to individuals with disabilities, unless a fundamental alteration in the program would result.
- e. Must furnish auxiliary aids and services when necessary to ensure effective communication, unless an undue burden or fundamental alteration would result.
- f. May provide special benefits, beyond those required by the regulation, to individuals with disabilities.
- g. May not place special charges on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility or providing qualified interpreters.
- h. Shall operate their programs so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities.

2. *Qualified Individuals*

- a. An individual with a disability is a person who has a physical or mental impairment that substantially limits a "major life activity" which includes functions such as taking care of oneself, performing manual tasks, walking, talking, hearing, speaking breathing, learning and working. Examples of physical or mental impairments

include, but are not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech, and hearing impairments.

- b. A "qualified" individual with a disability is one who meets the essential eligibility requirements for the program or activity offered by a public entity. These requirements will vary based on the type of activity.

3. *Program Access*

- a. Must ensure that individuals with disabilities are not excluded from services, programs, and activities because buildings are inaccessible.
- b. Need not remove physical barriers, such as stairs, in all existing buildings, as long as they make their programs accessible to individuals who are unable to use an inaccessible existing facility.
- c. Can provide the services, programs, and activities offered in the facility to individuals with disabilities through alternative methods, if physical barriers are not removed.
- d. May not carry an individual with a disability as a method of providing program access, except in manifestly exceptional circumstances.
- e. Are not required to take any action that would result in a fundamental alteration in the nature of the service, program, or activity or in undue financial and administrative burdens. However, public entities must take any other action, if available, that would not result in a fundamental alteration or undue burdens but would ensure that individuals with disabilities receive the benefits or services.

4. *Integrated Programs*

- a. Integration of individuals with disabilities into the mainstream of society is fundamental to the purposes of the Americans with Disabilities Act.
- b. Public entities may not provide services or benefits to individuals with disabilities through programs that are separate or different, unless the separate programs are necessary to ensure that the benefits and services are equally effective.
- c. Even when separate programs are permitted, an individual with a disability still has the right to choose to participate in the regular program.
- d. State and local governments may not require an individual with a disability to accept a special accommodation or benefit if the individual chooses not to accept it.

5. *Communications*

- a. State and local governments must ensure effective communication with individuals with disabilities.
- b. Where necessary to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, the public entity must provide appropriate auxiliary aids.
- c. Telephone emergency services, including 911 services, must provide direct access to individuals with speech or hearing impairments.
- d. Public entities are not required to provide auxiliary aids that would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. However, public entities must still furnish another auxiliary aid, if available, that does not result in a fundamental alteration or undue burdens.

6. *New Construction and Alterations*

- a. Public entities must ensure that newly constructed buildings and facilities are free of architectural and communication barriers that restrict access or use by individuals with disabilities.
- b. When a public entity undertakes alterations to an existing building, it must also ensure that the altered portions are accessible.
- c. The ADA does not require retrofitting of existing buildings to eliminate barriers, but does establish a high standard of accessibility for new buildings.

II. **ADA Coordinator**

The ADA coordinator shall be the main point of contact for all ADA related topics, in particular in the following subjects:

1. Shall administer the self-evaluation and develop and maintain the transition plan;
2. Handle requests for auxiliary aids and services;
3. Provide information about programs and services;
4. Address and resolve any complaints;
5. Ensuring all new facilities and alterations to existing structures meet ADA compliance.

III. **Public Notice Requirements**

It is required of all local state and local government agencies to provide notice to the public of the ADA's provisions. This notice shall be made continuously through any number of outlets including, but not limited to, radio, television, newspaper, internet, mailings or other types of media that could be use to relay the provisions of the ADA. In addition, the notice shall contain information on employment, communication, making reasonable modifications to programs and services, not placing surcharges on such reasonable modifications and filing complaints.

Document of Public Notice:

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

Employment: The City of Franklin 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 the ADA.

Effective Communication: City of Franklin 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 Franklin's programs, services, and activities, including qualified sign language interpreters, documents in Braille, 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 Franklin 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 the City of Franklin offices, even where 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 Franklin, should contact the office of the ADA Coordinator at (317) 736-3631 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Franklin 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 Franklin is not accessible to persons with disabilities should be directed to:

ADA Coordinator
70 E. Monroe Street, Franklin, IN 46131
Phone (317) 736-3631
Fax (317) 736-5310

The City of Franklin 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.

****Source - U.S. Department of Justice - Civil Rights Division "Title II Highlights"**

IV. Grievance Procedure

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 Franklin. The City of Franklin's Personnel Policy governs employment-related complaints of disability discrimination.

1. 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.
2. 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:

ADA Coordinator
70 E. Monroe Street, Franklin, IN 46131
Phone (317) 736-3631
Fax (317) 736-5310

Grievance form will be located on page 8
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3. Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions.

4. Within fifteen (15) calendar days of the meeting, the ADA Coordinator 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 of Franklin and offer options for substantive resolution of the complaint.
5. If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the response to the **ADA Appeals Board**, consisting of the Street Department Commissioner, City Engineer, Building Official, Public Works Superintendent, Fire Chief or his/her designee, Police Chief or his/her designee, and Parks Department Director or his/her designee.
6. Within fifteen (15) calendar days after receipt of the appeal, the **ADA Appeals Board** designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the **ADA Appeals Board** will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
7. All written complaints received by the ADA Coordinator or his/her designee, appeals to the **ADA Appeals Board**, and responses from these two offices will be retained by the City of Franklin for at least three years.



ADA Grievance Form

Date of Occurrence: _____

Department of Occurrence: _____

Address of Occurrence: _____

Complainant Information

Name _____

Address _____

City _____ State _____ Zip Code _____

Phone (____) _____ E-Mail: _____

Description of Grievance

Please provide a detailed description of the grievance:

Action Requested to Resolve Grievance

Please state how you believe this grievance should be resolved:

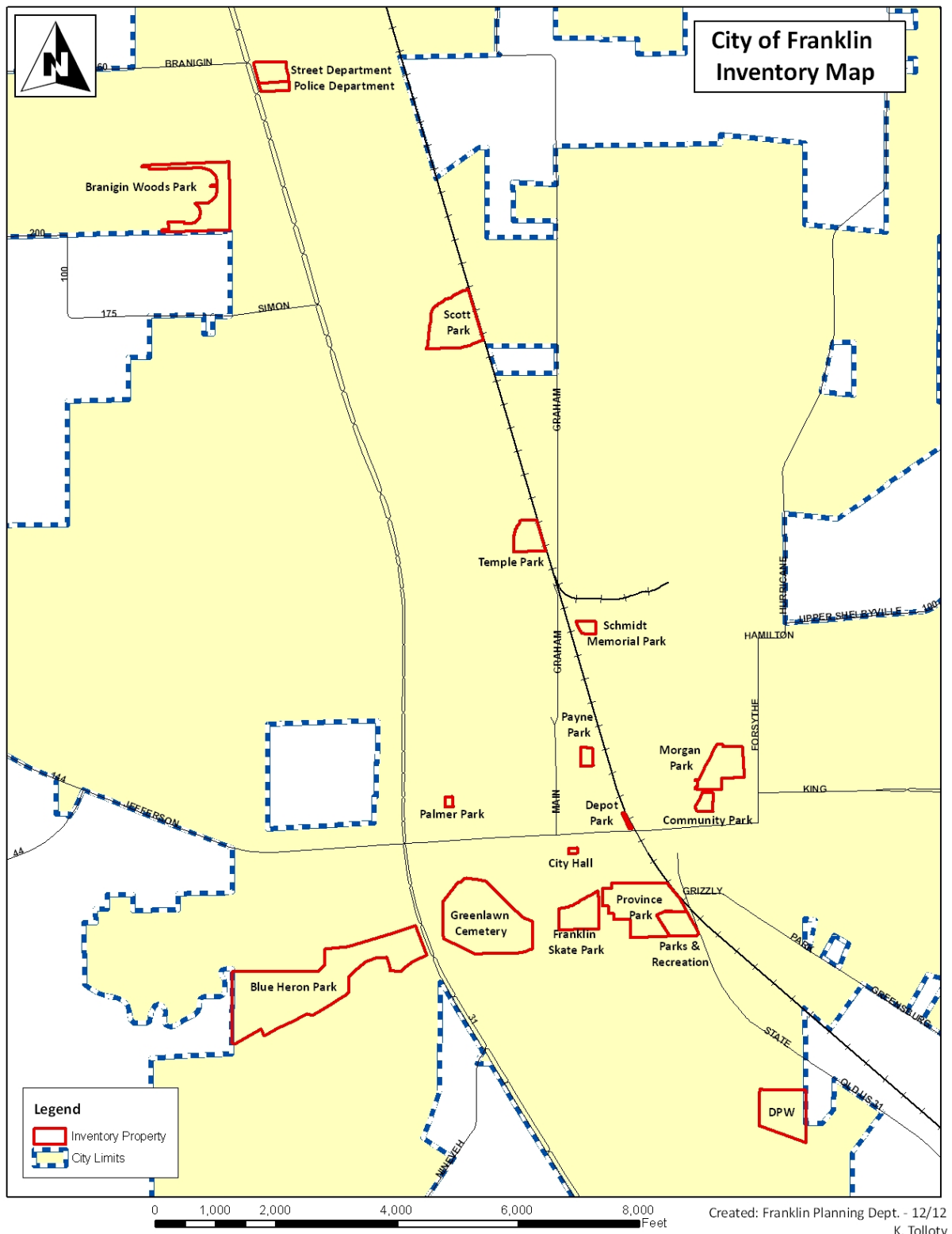
Please attach additional pages as needed.

Signature _____ Date _____

Please return form to ADA Coordinator:
70 E. Monroe Street, Franklin, IN 46131

Upon request, reasonable accommodation will be provided in completing this form. Please contact the ADA Coordinator at (317) 736-3631 or at the address listed above.

Section 2 – Self Inventory





I. City Hall

- a. Front and side doors exceed 5lb opening force. Recommended: Provide automatic door openers at a cost of \$8,000.00 .
- b. Vertical bars needed in public bathrooms (lower level). Recommended; Install vertical bars at a cost of \$650.00.
- c. Handicap signage on post for parking spaces (2). Recommended: Provided properly signed and marked signage and install detectable warnings at a cost of \$2,500.00
- d. Detectable warning in walkway to parking spaces. Recommended; (included above)
- e. Council chambers doors to foyer exceed 5lb opening force & sidewalk door/exit exceeds 5 lb opening force. Recommended: Adjust or replace existing closer at a cost of \$800.00
- f. Ramp to council member's platform has 4" step up to platform seating. Recommended: Provide a ramp, (could be portable)at a cost of \$1,800.00

8% Contingency Factor \$1,100

Total Cost: \$14,850.00

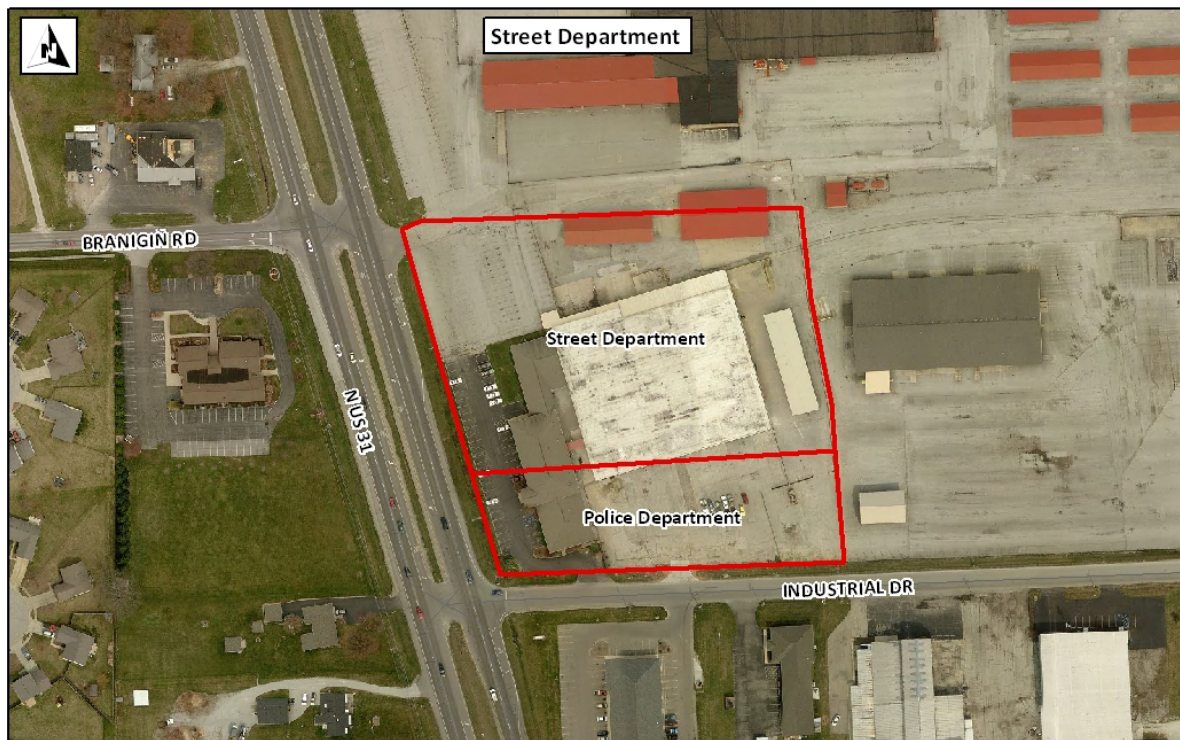


II. DPW

- a. Parking spaces need posts & signage. Recommended: Install accessible signs and markings at a cost of \$2,500.00
- b. Entrance doors exceed 5 lb opening force. Recommended: Install an automatic door opener at this location at a cost of \$4,000.00
- c. Bathrooms turning space less than required for accessible stall, mirror, lavatory, urinal not in compliance. Vertical grab bars not provided. Install an ADA unisex toilet that is accessible to the public at a of cost \$15,000.00
- d. The transaction counter is too tall for ADA reach standards. Recommended: Modify the transaction counter at a cost of: \$3,500.00

8% Contingency Factor: \$2,000.00

Total Cost: \$27,000.00



III. *Street Department*

- a. Front door exceeds 5lb opening force. Recommended: Install an automatic door opener at this location at a cost of: \$4,000.00
- b. Restrooms (men & women's) not in compliance. (Stalls, grab bars & lavatories) Install an ADA unisex toilet that is accessible to the public at a cost of \$15,000.00
- c. Counter at front desk non-compliant. Recommended: Modify existing counter at a cost of \$3500.00
- d. Some door handles not in compliance. Recommended, replace 6 door handles at a cost of \$1200.00

8% Contingency Factor: \$1,896.00

Total Cost \$25,596.00

IV. *Police Station*

- a. Front door exceed 5lb opening force. Recommended: Install an automatic door opener at this location at a cost of \$4,000.00.
- b. The plumbing is exposed and there are no vertical grab bars. Recommended: Install missing thermal insulation under sinks and install a vertical grab bar at a cost of \$2,000.00

- c. Restroom signage not in Braille. Recommended: Install compliant signage at the proper height at a cost of \$500.00.
- d. Accessible parking spaces not posts & signage. Recommended: Install signage at a cost of \$2,500.00 .

8% Contingency Factor: \$720.00

Total Cost: \$9,720.00



V. *Parks & Recreation*

- a. The pull on the entrance door and the Beeson Hall door exceed 5 pounds of force. Recommended: Install automatic door openers on both doors at a cost of: \$8,000.00.
- b. Vertical bars in all restroom accessible stalls not in women's restroom in Beeson Hall, lavatory height from floor to bottom of lavatory less than 29". Recommended: Install vertical grab bars and adjust lavatory heights to a minimum of 29 inches at a cost of \$2,000.00
- c. Accessible path to restroom in main lobby. Stair stringers do not have warning barrier for low headroom clearance. Recommended: Install warning rail below stringer at a cost of \$3,200.00
- d. Parking spaces post & signage are not in compliance. Recommended: Install accessible signage and markings in required parking spaces at a cost of \$2,500.00
- e. Accessible sidewalk ramp not in compliance too high or blocked ramp. Recommended: Install an accessible ramp in concrete sidewalk at a cost of \$3,600.00

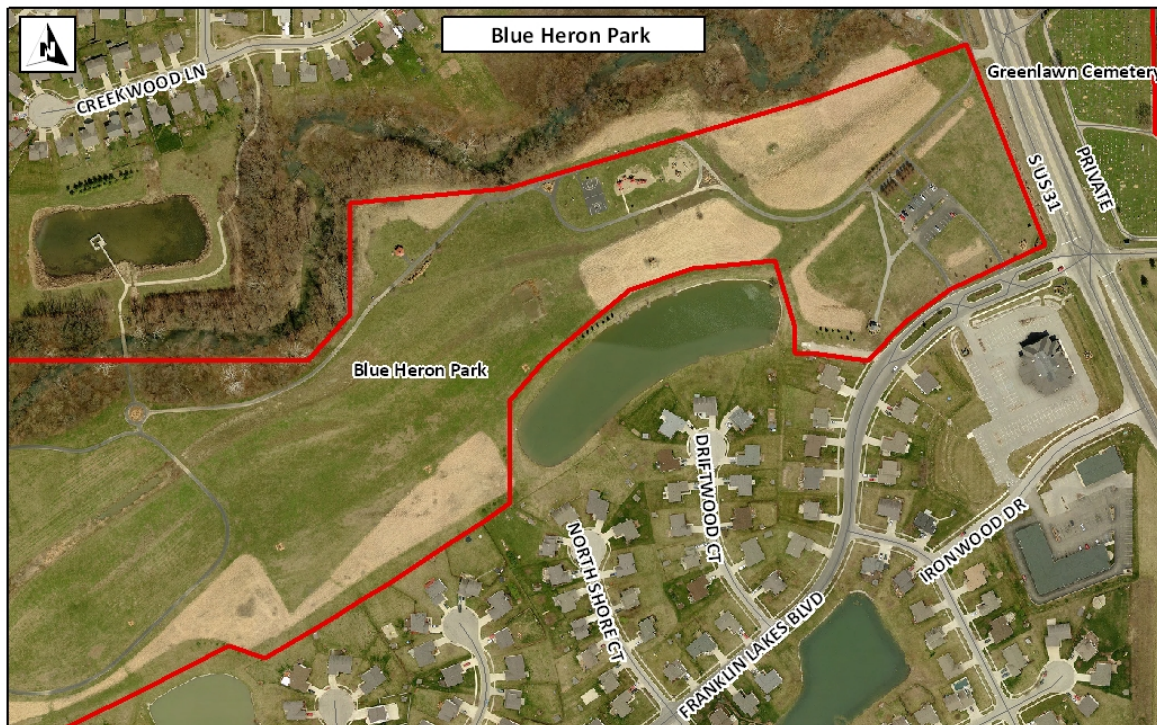
8% Contingency Factor: \$1,544.00
Total \$20,844.00



VI. *Cemetery Office*

- a. Entrance to office is not compliant. Recommended: Pour new concrete walkway to entrance at a cost of \$5,200.00
- b. Restroom is not accessible. Remodel existing restroom at a cost of \$3,800.00
- c. Door hardware not compliant. Replace all hardware in the building at a cost of \$1,500.00.

8% Contingency Factor \$840.00
Total Cost: \$11,340.00

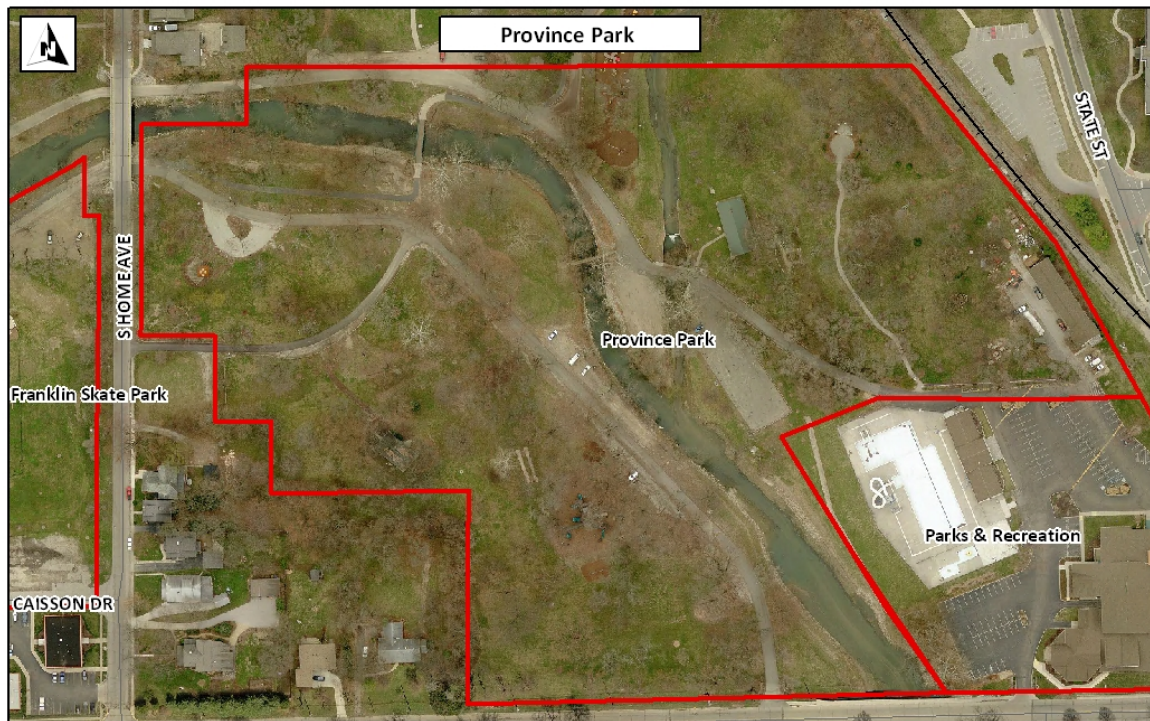


VII. *Blue Heron Park*

- a. Restroom closed for the season. No report.
- b. Parking spaces (posts & signage) at accessible spaces. Recommendation: Provide required spaces, signage and markings at a cost of \$2,500.00.

8% Contingency Factor: \$200.00

Total Cost: \$2,700.00



VIII. Province Park

- a. Restroom at shelter house not accessible. No report.
- b. Shelter house No. 2 does not have accessible path, playground equipment does not have accessible path. Provide accessible pathways to the shelter and playground using a suitable material at a cost of \$6400.00.

8% Contingency Factor: \$512.00

Total \$6,912.00



IX. *Scott Park*

- a. Accessible parking spaces need post & signage. Recommended: Install accessible signage and markings at a cost of \$2,500.00.
- b. Concession stand needs accessible path to building. Recommended install an accessible pathway from all venues to concession stand at a cost of \$8,200.00
- c. Restrooms not accessible. No report.

8% Contingency Factor: \$856.00

Total Cost: \$11,556.00



- X. *Payne Park*
 - a. Accessible parking space needs post & signage. Recommended: Install accessible signage and access at a cost of \$2,500.00.

8% Contingency Factor: \$200.00

Total Cost: \$2,700.00



XI. Palmer Park

- a. Basketball court, playground equipment, tennis court, need accessible path.
Recommended: Provide an accessible path to all venues at a cost of \$3,700.00
- b. Front entrance to building not in compliance, door hardware, threshold height.
Recommended: Replace existing hardware and correct the threshold height at a cost of \$4,200.00
- c. Restrooms not in compliance. Recommended: Renovate existing restrooms to facilitate at least one uni-sex restroom at a cost of \$12,000.00

8% Contingency Factor: \$1,592.00

Total Cost: \$21,492.00



XII. Community Park

- a. Accessible parking post & signage. Recommended: Install parking signage and markings at a cost of \$2,500.00
- b. Accessible path to playground equipment and basketball court. Recommended: Provide an accessible path to all venues at a cost of \$4,200.00

8% Contingency Factor \$536.00

Total Cost: \$7,236.00



XIII. Depot Park

- a. Accessible ramp to gazebo. Recommended: Provide a ramp with a maximum of 1:12 slope at a cost of \$8,500.00
- b. Accessible parking spaces post & signage. Recommended: Install signage and markings at a cost of \$2,500.00

8% Contingency Factor \$888.00

Total Cost: \$11,880.00



XIV. Morgan Park

- a. Accessible parking spaces post & signage at community center. Recommended: Install parking signage and markings at a cost of \$2,500.00

8% Contingency Factor: \$200.00

Total Cost \$2,700.00



XV. *Branigin Woods Park*

- a. Undeveloped park. Recommended: Install sign “Not Accessible” at a cost of \$750.00

8% Contingency Factor \$60.00

Total Cost: \$810.00

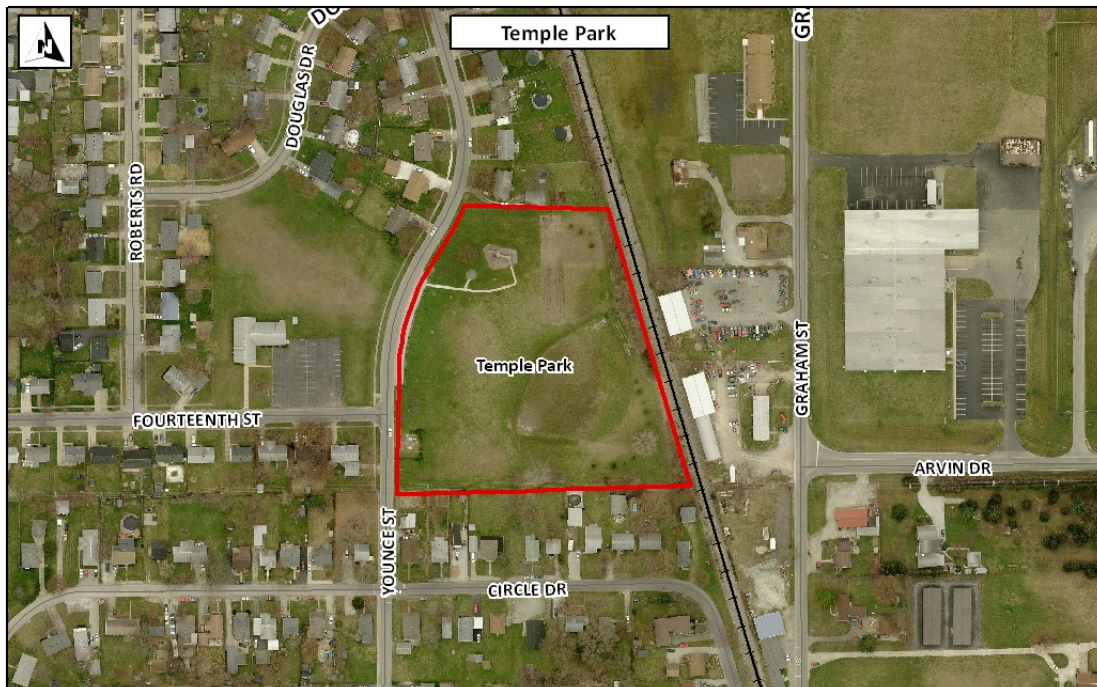


XVI. *Schmidt Park*

- a. Accessible path to playground equipment & basketball court. Recommended: Provide accessible path to all venues at a cost of \$4,200.00
- b. Accessible parking spaces with posts & signage. Recommended: Install parking signage and markings at a cost of \$2,500.00

8% Contingency Factor \$536.00

Total Cost: \$7,236.00



XVII. Temple Park

- a. Accessible parking spaces need post & signage. Recommended: Install parking signage and markings at a cost of \$2,500.00

8% Contingency Factor: \$200.00

Total Cost \$2,700.00



XVIII. Franklin Action Skate Park

- a. Accessible parking spaces need post & signage. Recommended: Install parking signage and markings at a cost of \$2,500.00

8% Contingency Factor: \$200.00

Total Cost \$2,700.00

XIX. Shelter House Creekside

- a. The entire restroom does not meet accessibility requirements. Recommended: Renovate entire facility at a cost of \$12,000.00

8% Contingency Factor \$960.00

Total Cost: \$12,960.00

XX. Shelter House Sunset

- a. No accessible route to shelter. Recommended: Install an accessible route at a cost of \$4,500.00
- b. Restroom is not accessible. Recommended: Renovate the entire facility at a cost of \$7,000.00

8% Contingency Factor: \$920.00

Total Cost: \$12,420.00

XXI. Franklin Adult Center

- a. Exterior entry doors (2) exceed 5lb opening force. Recommended: Install two automatic entry doors at a cost of \$8,000.00.
- b. Restrooms are not compliant: Recommended: Renovate both restrooms at a cost of \$16,000.00

8% Contingency Factor: \$1,920.00

Total Cost: \$25,920.00

XXII. Franklin Wonder Five Center

- a. Girls' restroom is not accessible. Recommended: Renovate restroom at a cost of \$8,000.00.
- b. Boys' restroom is not accessible. Recommended: Renovate restroom at a cost of \$8,000.00
- c. Drinking fountain is not accessible. Recommended: Install dual level fountains at a cost of \$3,800.00
- d. There is no accessible handrail along ramp. Recommended: Install an accessible handrail at a cost of \$1,500.00

8% Contingency Factor: \$1,704.00

Total Cost: \$23,004.00

XXIII. Fire Station #23

- a. Entry doors exceed 5lb opening force. Recommended: Adjust door at a cost of \$500.00.
- b. Need an additional vertical bathroom rail. Recommended: Install at a cost of \$650.00

8% Contingency Factor: \$92.00

Total Cost: \$1,242.00

XXIV. Fire Station #22

- a. State variance approved for ADA issues.

Total Cost: \$0.00

Parks and Buildings Total Cost:

\$261,518.00

Additional maps/pictures can be added if needed to further explain/describe situation

Section 3 – Plan of Action to Address Barriers to Access

Template for plan of action w/example listed.

Priority Level	Location	Cost Estimate	Issue
High	City Hall	\$ 500	Handicapped signage to be posted
High			
High			
High			
High			
High			
Medium			
Medium			
Medium			
Medium			
Medium			
Medium			
Medium			
Low			
Low			
Low			
Low			

Section 4 – Curb Cut/Sidewalk Compliance

Once compiled, maps will be made showing the location of curb cuts and/or sidewalks and will be notated by different colors/shapes to indicate level of compliance.

Section 5- Public Hearing and Financial Plan

I. Public Involvement – A public hearing was held on December 2, 2013 for the purpose of giving the community the opportunity to participate in the development of the Transition Plan. Comments were received and a record of the hearing is on file. The Transition Plan was also provided to members of the City Council, for review, comment and approval.

II. Financial Plan and Schedule

A. The City will endeavor to provide an annual amount in services, materials or contract replacement of deficiencies.

B. The City will actively look for grants and others sources of funds from various programs available.