



## ADA Advisory Group

Minutes

Wednesday March 8, 2023

4:00 PM

City Commission Room, City Hall  
1101 Poyntz Avenue, Manhattan, KS 66502

**Members Present:** Thomas Yadon, Erica Christie, Alison Gerth, Cassie Lofing, Mike Wilson, Harold Vandeventer, Michelle Haub, Liz Musil, Susie Stanfield, Beth Ann Riley, Rebecca Klaus, Jamie Spikes, Becca Traxson, Carrie Fratecelli, Patricia Payne, Christine Benne, Karla Johnson, Mary Ellen Keck, Angie Brunk, Collette Barnes-Maelzer (Virtual)

**Members Absent:** Ben Perry, Kelsey Stock, Linda Rice, Sally Bailey, Victor Isham

**Staff Present:** Jared Wasinger, Kim Boice, Darren Emery, Jeremy Crist, Jennifer Holmes, Alfonso Leyva, Jacob Harms, Theresa Britt, and Dustin Potts

**Consultants Present:** Erin Eurek (Kimley-Horn), Krisi Avalos (Accessology), Molly Michal (New Boston Creative)

### 1. Introductions

Jared Wasinger, Staff Liaison, called meeting to order, welcomed the group and provided an overview of why and how the ADA Advisory Group was appointed by the City Commission and Kansas Open Meetings Act (KOMA) rules that apply to the group.

Erin Eurek went over agenda and introduced staff and consultants present for the meeting.



This meeting was held in the City Commission Room at City Hall, 1101 Poyntz Avenue. Public participation is solicited without regard to race, sex, familial status, military status, disability, religion, age, color, national origin, ancestry, sexual orientation, or gender identity. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in an ADA Advisory Group Meeting or access meeting minutes, or those requiring language assistance (free of charge) should contact the City of Manhattan ADA Coordinator, Robyn Dreher, no later than forty-eight (48) hours prior to the meeting, at (785) 587-2443 or 7-1-1 (Relay).

## **2. Goals and Objectives**

Erin Eurek discussed the goals and objectives of the ADA Self-Evaluation and Transition Plan project, which are to improve accessibility for all citizens, encourage participation from public and disabled community, educate City staff and the public on the requirements of the ADA, develop a comprehensive list of barriers, provide detailed outline of methods to remove barriers, provide a realistic schedule with cost projections for the removal of barriers, and identify funding sources and opportunities to implement a barrier removal program.

## **3. ADA Background**

Kristi Avalos discussed Title II of the Americans with Disabilities Act (ADA) which covers state and local governments and non-discrimination based on disability. It is enforced by the Department of Justice (DOJ) and the U.S. Access Board develops and maintains ADA Standards for design of new construction and alterations.

Angie Brunk asked if what was displayed on the PowerPoint slides were being said for those that are visually impaired. Kristi said consultants are reading the slides word for word.

## **4. Title II Requirements for State and Local Governments**

Kristi Avalos discussed how Title II applies to state and local governments. Basic requirement of Title II is cities must ensure that individuals with disabilities are not excluded from programs, services, and activities (pedestrian facilities are an example of a program).

Basic requirements for government entities with 50 or more employees are to designate an ADA Coordinator, provide notice to the public about the ADA, adopt and publish a Title II grievance procedure, complete a Self-Evaluation of current services, policies, and practices and modify if non-compliant, provide an opportunity to interested persons to participate in the Self-Evaluation process, and keep copy of the Self-Evaluation for at least 3 years after completion. Entities must also operate each service, program, or activity so that it is readily accessible and useable by individuals with disabilities, develop (and maintain) a Transition Plan for needed structural changes, provide an opportunity to interested persons to participate in development of Transition Plan and provide a schedule for providing curb ramps. In addition, new construction and altered facilities must be free of architectural and communication barriers. Title II does not require that an entire facility be barrier free as long as access to individual programs, activities, and services is provided.

Public entities must reasonably modify their rules, policies, and procedures to avoid discrimination against people with disabilities.

Requirements of Transition Plans include identifying and listing physical obstacles and their location and describing in detail the methods that will use to make the facilities accessible. They must specify a schedule for making the access modifications, provide a yearly schedule if the Transition Plan is more than one year long, and indicate the name/position of the official who is responsible for implementing the Transition Plan

Erin Eurek discussed the City's efforts to date, including the 1992-1995 City of Manhattan ADA Self-Evaluation and Transition Plan which included a comprehensive review of the policies and practices utilized in providing programs, services, and activities available at the time, evaluation of select buildings and parks. No public rights-of-way (PROW) evaluations were included, but a limited inventory was completed to quantify PROW facilities (primarily curb ramps).

## **5. 2022-2023 City of Manhattan ADA Self-Evaluation and Transition Plan**

Kristi Avalos explained the project will include a review of programs, services, and activities (PSAs), facilities, update the transition plan, seek public input, and provide staff training.

Kristi defined programs, services and activities and provided examples, as well as listed the specific departments that were evaluated given their increased interaction with the public which includes the Airport, City Manager's Office, Finance, Human Resources, Municipal Court, Fire Services, and Parks and Recreation.

Erin Eurek outlined the selection of buildings, parks, stand-alone paved trails, signalized intersection, and sidewalk corridors that will be evaluated during the project, and that remaining infrastructure would be evaluated in future phases. Erin mentioned that infrastructure selected for phase 1 were not evaluated in 1992, were highly used by the public, close to pedestrian attractions, and geographically distributed. Erin listed the specific buildings, parks, and trails that would be evaluated during this phase.

Mary Ellen asked if a trail near Eisenhower Middle School was included. Staff determined the trail in discussion was either on school district property and therefore not included, or it was classified as a sidewalk and not listed as a trail.

Karla Johnson asked why firehouses were included. Consultants expressed the public use of tours and events at these facilities.

Krisi Avalos mentioned that the updated plan would define ADA/504 Coordinator's roles and responsibilities, define ADA Transition Plan Implementation Coordinator's roles and responsibilities, review the City's grievance policy, procedure, and complaint form, review the City's ADA Notice, recommend prioritization criteria, identify exceptions and exemptions, and develop a multi-year budget for accessibility improvements.

In addition, the consultants would be providing 8 hours of training for staff.

## **6. Public Outreach**

Erin Eurek discussed public outreach would include an online survey and online mapping tool, along with a dedicated web page and that the City would utilize the website, social media, email, and other communication sources to reach the public. Erin asked the ADA Advisory Group members distribute the survey to their respective organizations and acquaintances. Comments by

Advisory Group members included posting about the survey on NextDoor and making sure all posts are accessible.

Beth Ann Riley suggested a brochure for those that do not have access to the internet and/or use apps.

Angie Brunk recommended alternative formats and that K-State post to their accounts. Jared Wasinger mentioned Ben Perry with the K-State Student Access Center is on the advisory group and could assist.

Mary Ellen Keck suggested if the City planned to use video to have an interpreter connected or captioning for those who are deaf and hard of hearing. Mary Ellen described the flood emergency in 2019 where many videos were posted with no interpreters.

Kristi mentioned that Section 508 of the Rehabilitation Act requires federal agencies to ensure that their information and communication technology (ICT) is accessible to people with disabilities. Specifically, Section 508 requires federal agencies to ensure that ICT they develop, procure, maintain, or use allows employees with disabilities and individuals with disabilities who are members of the public to have access to and use of information and data. This access should be comparable to that availability to employees and members of the public without disabilities. Section 508 applies to the Federal government but there may be implications for employees and others at the State level. Many states have also passed legislation requiring Information and Communication Technology (ICT) accessibility, including Kansas.

Mike Wilson said signage could be included on public transportation with a link to the survey. Angie described past ATA signage that was not visually easy to read. Jared Wasinger said he would work with New Boston who is creating the materials to make them easy to read.

Erin Eurek listed the draft questions of the survey, and the following feedback was provided by Advisory Group members:

- Angie Brunk suggested we ask questions related to why people aren't going to facilities, as well as what people would like to do/access but can't get there. Mary Ellen Keck agreed.
- Karla Johnson asked about parking as it relates to survey questions and cited the Douglass Centers as examples of places with no ADA parking.
- Mary Ellen questioned if buses have visual information related to announcements. Mike Wilson said the five newer buses do have digital signage and that ATA is looking to make signage better and include in-app notifications. Mary Ellen said the buses could also have a speaker that announces information and repeats on a cycle so there is access for visually impaired users. Christine Benne asked about wheelchair access on ATA Buses and Mike Wilson said every driver is trained to ask if assistance is needed and every vehicle has wheelchair assistance. Members expressed ATA Bus communication in general can be improved, including alternate formats for printed information at stops.
- Members recommended including questions related to access to schools.
- Alison Gerth asked if public schools were included. Erin Eurek said schools are not included in the City's scope, but schools have requirements under the ADA.

- Susie Stanfield said school districts fall under the Individuals with Disabilities Education Act (IDEA) and that school playgrounds are not for public use.
- Liz Musil asked how private activity or facilities influence access to public facilities, such as a large event in Aggieville. Kristi Avalos discussed coordination or agreement between the entities such as alternative paths of travel being coordinated. Great example of something that the City may not be aware of and create alternatives. Liz recommended adding a question related to sensory sensitivities (e.g., for people who have Autism and/or closed head injuries).
- Members expressed interest in asking about communication barriers such as places you couldn't access because of such barriers and explain what happened.
- Other questions and comments:
  - Mary Ellen recommended on question 26 an option for deaf and hard of hearing.
  - Michelle Haub recommended a specific question related to parking. Michell also asked what staff training would entail.
  - A comment was made that Discovery Center exhibits are not accessible and need to be addressed.
  - A comment was made to make sure survey questions do not just focus on physical accessibility.
  - A comment was made to add the airport to the list of public buildings in the survey.

Erin Eurek discussed next steps for the project and the advisory group.

Michelle Haub asked what staff training would entail. Kristi Avalos said they have many offerings and would recommend based on findings from the evaluation but could include customer contact training, maintaining accessible features in an accessible way, Title I compliance for employment, and other areas. Consultant will make recommendations. Michelle reinforced customer contact and looking beyond the physical barriers as key trainings.

Beth Ann Riley recommended, while maybe outside the scope of this project, how to educate retailers in the community of these barriers and accommodations. Kristi Avalos said they have done trainings for Chambers of Commerce and for businesses while in town doing trainings for other cities.

Liz Musil recommended giving people with disabilities an opportunity to do special programs like what was done with the police department so officers can understand and anticipate interactions.

Mary Ellen recommended offering the opportunity to assist with trainings to people with disabilities to better understand what occurs when working with an individual with disabilities.

## **7. Next ADA Advisory Group Meeting**

Tuesday, April 25, 2023

4:00 PM

City Commission Room, City Hall

1101 Poyntz Avenue, Manhattan, KS 66502

The meeting adjourned at 5:40 p.m.