

CITY COUNCIL CONFERENCE MINUTES

March 27, 2018

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 27th day of March, 2018, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Castleberry, Clark, Hickman, Holman, Karjala, Wilson, Mayor Miller

ABSENT: Councilmember Allison

Item 1, being:

PROGRESS REPORT FROM KIMLEY HORN AND ASSOCIATES, INC., ON THE CITY OF NORMAN'S AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND UPDATED TRANSITION PLAN.

Mr. Shawn O'Leary, Director of Public Works, said the City of Norman is subjecting itself to a self-assessment of the City's compliance with the Americans with Disabilities Act (ADA) adopted by Congress in 1990. On May 11, 1993, City Council adopted an ADA Transition Plan prepared by Kaighn Associates Architects in an attempt to comply with the ADA requirements. Many years have passed with the City moving on with little being done with the Plan, but the City is ready to rededicate itself to comply with accessibility in the community and felt the Transition Plan needed to be updated. On June 27, 2017, the City partnered with Kimley Horn & Associates, Inc., (Kimley Horn) for a Comprehensive ADA Self-Evaluation and updated Transition Plan. Mr. O'Leary introduced Mr. Brian Shamburger with Kimley Horn who will update Council on the progress of the self-assessment.

Mr. Shamburger said he will be discussing goals and objectives, background on ADA, ADA Transition Plans, self-evaluation findings, and the next steps. He said City of Norman Staff has been actively engaged in this process and have taken a proactive approach in becoming ADA compliant throughout the entire community. He said all NORMAN FORWARD projects as well as ongoing and planned improvement projects are incorporating ADA compliance, but the City wants to provide inclusion for all of Norman. He said the City is proposed to invest \$7,293,000 for ADA compliance sidewalk programs and pedestrian facilities in FYE 2019, and an additional \$4,229,000 is expected to be spent on future sidewalk programs.

Mr. Shamburger said all new construction and building remodels for City property have been designed to meet ADA regulations and the City Council Chambers is equipped with a hearing loop and headphones for the hearing impaired that attend Council meetings. The 2009 Parks Assessment included ADA items to be addressed in upcoming park upgrades and all new park facilities will incorporate design for ADA accessibility. He said all current building codes meet ADA guidelines.

Goals and Objectives

Mr. Shamburger said the basic principle of the Transition Plan is to improve accessibility for the public and anyone wanting to participate in the Transition Plan process is encouraged to do so. He said the Transition Plan will help educate City Staff and the public on ADA requirements as well as provide a comprehensive

Goals and Objectives, continued:

list of barriers. He said Kimley Horn will help the City develop a realistic schedule, including costs, on how to eliminate those barriers so this will really be a Master Plan for accessibility. He said Kimley Horn will also help identify funding sources and opportunities to implement an overall barrier removal program for the City.

Every program, service, or activity the City offers needs to be accessible and the City needs to ensure that individuals with disabilities are not excluded. Mr. Shamburger said some of the items the City is not responsible for include fair housing; university and public school facilities; transit operations and facilities; or restaurant/retail businesses.

Mr. Shamburger said the Transition Plan components included public input, performing a deep assessment of facilities of high priority to the City, and developing an overall plan. He said an Internal Liaison Committee was formed that included the offices of the City Clerk; City Manager; City Attorney; Finance; Fire; Human Resources; Information Technology; Municipal Court; Parks and Recreation; Planning and Development; Police; Public Works; and Utilities. A Citizens ADA Advisory Committee was appointed by Council consisting of twelve (12) citizens that included disability advocates, individuals with disabilities, a representative from Cleveland Area Rapid Transit (CART), and members of the public. An External Citizen Steering Committee was also appointed that included community business leaders. He said three meetings have been held with the ADA Advisory Committee and one public meeting was held with a second public meeting anticipated to be held in May 2018.

Transition Plan Requirements

Mr. Shamburger said as part of the self-evaluation process, a review will be performed on all City programs, services, and activities as well as Boards and Commissions; employment practices; ordinances; Emergency Management Plan; and design standards. He said the City selected three buildings, three parks, 20 signalized intersections, and eight miles of sidewalk to be evaluated. He said in order to be successful, the Transition Plan needed basic requirements that included a designated ADA Coordinator; a complaint/grievance process; notice to the public about the ADA requirements; identifying public involvement opportunities; developing and adopting design standards; and identifying barriers. He said once barriers are identified, the City needs a development plan to remove those barriers as well as monitor progress on implementation of the Transition Plan.

Self-Evaluation Initial Findings

Ms. Kristi Avalos with Accessology said the City cannot fix something if they do not know it is broken so the whole the Transition Plan process is to make sure the City knows where the barriers are so they can be fixed.

Ms. Avalos highlighted initial findings as follows:

Programs, Services, and Activities

- Policies and procedures should be developed to address the ADA and Section 508 of the Rehabilitation Act
- Additional accessibility training is needed
- Non-discriminating language should be consistent city-wide
- City should adopt Public Right-of-Way Accessibility Guidelines (PROWAG)

Self-Evaluation Initial Findings, continued:

Boards and Commissions

- Checklists should be used to determine ADA compliance for meeting locations
- Agendas and minutes should be available in alternate formats, such as Braille, and contain non-discrimination language
- Disability community should be included in the member selection process

Employment Practices

- ADA-related policies and procedures should be developed
- ADA/504 Coordinator contact information should be emphasized as part of new employee orientation
- Coercion language should be included in the Personnel Manual

Ordinances

- Language should be added stating public sidewalk accessible paths of travel must be maintained in an accessible condition (e.g., no overgrown foliage on ground or overhead)
- Existing ADA language should be updated in accordance with the Department of Justice
- Voting facilities are monitored by Cleveland County Election Board and the City has no involvement
- Surety requirements in subdivision regulations should reference ADA/PROWAG compliance for bonded sidewalks

Emergency Management Plan

- Emergency Plan information is currently under review
- Plan should include ADA emergency information, such as including emergency route maps for employees

Design Standards

- Standards should be updated to reference PROWAG for the design of pedestrian facilities in public ROW
- Minor revisions to be consistent with 2010 ADA Standards
- Additional guidance needed for some elements required to be ADA compliant

Councilmember Hickman asked if the ADA only applies to physical disabilities or any disability under ADA regulations and Ms. Avalon said it applies to all disabilities. Councilmember Hickman asked if mental health disabilities had been taken into consideration and Ms. Avalon said yes, but from the barrier removal standpoint, physical disabilities are a bigger challenge. She said, for example, recommendations can be made to require a “quiet place” for people that may experience sensory overload than excludes them from experiencing some events.

Facility Review Self-Evaluation Findings

Ms. Avalos said facility selections were based on known ADA compliance issues and selected by the Internal Liaison Committee and External Citizen Committee. The buildings selected consisted of Municipal Complex Buildings A, B, and C and included evaluation of each buildings’ interior and exterior. She said a lot of work needs to be done regarding countertops, restrooms, and doorknobs to make the buildings ADA compliant, but that finding is not unusual.

The parks selected for evaluation included Andrews Park, Reaves Park, and Westwood Park. She said the Westwood Water Park is not complete so Kimley Horn is still reviewing that location. She said parks have a

Facility Review Self-Evaluation Findings, continued

lot of non-compliance issues and it is currently difficult for people in wheelchairs to maneuver through the parks. She said non-compliance issues include picnic tables, sidewalks, benches, playgrounds, water fountains, etc.

The evaluated signalized intersections included West Robinson Street and 24th Avenue N.W.; 24th Avenue N.W. and Boardwalk; 24th Avenue N.W. and Hemphill Drive; 24th Avenue N.W. and West Main Street; 24th Avenue S.W. and West Boyd Street; 24th Avenue S.W. and Brooks Street; 24th Avenue S.W. and West Lindsey Street; West Main Street and Hal Muldrow Drive; West Main Street and North Mercedes Drive; West Main Street and North Berry Road, North Webster Avenue and West Gray Street; West Boyd Street and South Berry Road; West Boyd Street and South Flood Avenue; West Boyd Street and Chautauqua Avenue; East Lindsey Street and Biloxi Drive; East Lindsey Street and Oakhurst Avenue; East Lindsey Street and 24th Avenue S.E.; Stubbeman Avenue and West Rock Creek Road; 12th Avenue N.W. and West Tecumseh Road; and Brookhollow Road and 36th Avenue N.W. Mr. Shamburger said many of these intersections are not ADA compliant for various reasons, but many of the push button crossings are compliant. He said the City, in conjunction with the Oklahoma Department of Transportation, (ODOT) is currently replacing pedestrian push buttons at 80 intersections which will all be ADA compliant.

Councilmember Holman asked if the intersection evaluation reviews the length of time allowed to cross an intersection because some intersections have several lanes and a person with a walker would not be able to cross quickly. Mr. Shamburger said yes, Kimley Horn reviewed whether or not there was sufficient time to cross the intersection for persons using a walker or wheelchair.

The sidewalk corridor evaluation included West Main Street from 24th Avenue N.W. to North Berry Road; 24th Avenue N.W. from East Robinson Street to West Main Street; 24th Avenue N.W. from West Main Street to West Lindsey Street; and East Lindsey Street from 12th Avenue S.W. to 24th Avenue S.E. He said many of the sidewalk corridors have excessive curb ramp slopes, no flush transition to the roadway, large cracks in sidewalks, uneven sidewalks, manhole covers in the middle of sidewalks, etc., that become tripping hazards. He said negotiating some of the sidewalks would be difficult for anyone.

Mr. Shamburger highlighted facility improvement priorities and costs for those facilities evaluated as follows:

Facility	Priority			
	High	Medium	Low	Total
Buildings	\$ 18,500	\$ 445,725	\$ 40,200	\$ 504,425
Building Sidewalk	\$ 73,907	\$ 26,053	\$ 10,040	\$ 110,000
Parks	\$ 56,000	\$ 208,840	\$ 24,100	\$ 288,940
Park Sidewalk	\$ 417,641	\$ 115,501	\$ 19,858	\$ 553,000
Signalized Intersections	\$ 566,000	\$ 329,000	\$ 0.00	\$ 895,000
Public Rights-of-Way	\$ 744,979	\$1,202,237	\$183,784	\$ 895,000
TOTAL	\$1,877,027	\$2,327,356	\$277,982	\$4,482,365
Time Frame	0-4 Years	4-9 Years	9-15 Years	

Councilmember Bierman asked if future depreciation is taken into consideration when calculating high/medium/low priorities on these facilities and Mr. Shamburger said no, these are simply issues Kimley Horn felt need to be on the City’s radar and the priorities should be revisited every few years.

Facility Review Self-Evaluation Findings, continued:

Mr. Shamburger said funding strategies include prioritizing project implementation and Kimley Horn is recommending a 15-year implementation plan. He said the City will need to determine if there are any overlaps with programmed Capital Improvement Projects as well as applying for grants, reviewing local options for improvements, and leveraging private resources.

Next steps include completing the Transition Plan, holding a public meeting in May, and finalizing the Transition Plan by May or June 2018. The suggested next phase consists of evaluating remaining facilities, Staff training, implementing improvements, and establishing procedures to monitor and track progress.

Items submitted for the record

1. PowerPoint presentation entitled, "City of Norman ADA Transition Plan," presented by Brian Shamburger, P.E. PTOE, Kimley Horn, and Kristi Avalos, RAS, Accessology

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The meeting was adjourned at 6:26 p.m.

ATTEST:

City Clerk

Mayor