

**BOARD OF PUBLIC WORKS AND SAFETY
CITY OF NOBLESVILLE**

DATE: DECEMBER 5, 2017

PREVIOUSLY DISCUSSED ITEMS

NEW ITEMS FOR DISCUSSION XXX

MISCELLANEOUS _____

ITEM# #8

SOURCE:

DOCUMENTS PREPARED BY: JAYME THOMPSON

VERBAL:

INFORMATION ATTACHED: XXX

NO PAPERWORK AT TIME OF PACKETS:

BRING PAPERWORK FROM PREVIOUS MEETING:



MEMORANDUM

To: Board of Public Works and Safety

From: Jayme Thompson, Office Manager

Date: November 28th, 2017

RE: ADA Transition Plan Update

This is simply an update to the contact information listed within the ADA Transition Plan.

Attachment(s):

1. Updated ADA Transition Plan

CITY OF NOBLESVILLE
AMERICANS WITH DISABILITIES ACT
TRANSITION PLAN
(JULY 2008 – UPDATED DECEMBER 2017)



In accordance with the Americans with Disabilities Act (ADA), this document shall serve as the City of Noblesville's Transition Plan. Included are results of a self-evaluation that addresses barriers within City programs and facilities. The development of this plan has occurred with the assistance of several individuals and organizations throughout the community. The Director of the Engineering Department for the City of Noblesville ADA Coordinator will coordinate all aspects of ADA compliance. Any comments, additions or suggestions about this plan may be directed to the Coordinator for ADA Access to Public Facilities and Public Right-of-Way and for General Information and Complaints.

This Transition Plan will continuously be updated. A public hearing regarding the contents of the plan will be held on a yearly basis. Notice of the public hearing will be given at least two (2) weeks in advance of the hearing. Any comments, suggestions or additions to the plan may be addressed to the City's ADA Coordinator throughout the year.

General complaints, comments, concerns, and questions may be filed electronically through the City's Web Site at:

www.cityofnoblesville.org

Issues regarding public facilities or facilities within the right-of-way can be submitted to:

Mr. John Beery, PE, PTOE, PTP
ADA Coordinator
City Engineer
16 South 10th Street
Suite 155
Noblesville, IN 46060
317-776-6330
jbeery@noblesville.in.us

Questions Regarding the ADA and Public Communications may be directed to:

Robert Herrington
Public Affairs Manager
16 South 10th Street
Noblesville, IN 46060
317-776-6367
rherrington@noblesville.in.us

Issues regarding public facilities with the City of Noblesville's Parks may be directed to:

Brandon Bennett
Parks Director
Forest Park Inn
701 Cicero Road
Noblesville, IN 46060-1441
317-776-6350
bbennett@noblesville.in.us

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Issues regarding reasonable accommodation requests for personnel, interview, and job application issues may be directed to:

Holly Ramon
Human Resources Manager
16 South 10th Street
Noblesville, IN 46060
317-776-6360
hramon@noblesville.in.us

Issues regarding ADA access to and within private establishments and buildings:

Daniel Sheposh
Chief Building Inspector
Noblesville Planning Department
16 South 10th Street
Noblesville, IN 46060
317-776-6325
dsheposh@noblesville.in.us

EXHIBITS

Exhibit A – Statement of ADA Compliance for Newly Designed and Constructed Projects
Exhibit B – ADA Contact Protocol
Exhibit C – Obstacle Removal Procedure
Exhibit D – Reasonable Accommodation Request Procedures
Exhibit E – Grievance/Complaint Intake Form
Exhibit F – Transition Plan Physical Improvement Matrix

STATEMENT OF POLICY

CITY CODE

CHAPTER 34, SECTION 34.02

Equal Employment Policy

It is the policy of the city to be an equal opportunity employer. No officer or employee of the city shall discriminate against any other officer or employee, or applicant for employment on the basis of sex, race, color, religious belief, national origin, sexual orientation, political affiliation, marital status, age or disability unrelated to the person's ability to perform the duties of a particular job or position, except where a bona fide occupational qualification exists.

RULES OF THE NOBLESVILLE HUMAN RELATIONS COMMISSION

SECTION 34.32

Statement of Equal Employment Opportunity

City of Noblesville's Human Rights commission is committed to a policy of acting affirmatively to attract and utilize the talents of all citizens. No Commission member or agent of the City shall discriminate against any employee or applicant for employment on the basis of sex, race, color, religious belief, national origin, sexual orientation, political affiliation, marital status, age or disability unrelated to a person's ability to perform the duties of a particular job or position, except where a bona fide occupational qualification exists.

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City Services, Programs, Activities, and Compliance Actions
GENERAL NON-DISCRIMINATORY REQUIREMENTS

Designation of ADA Coordinator

- City ADA Coordinator has been designated as the Director of the Department of Engineering.
- The City of Noblesville is an equal opportunity employer and the policies of such are set forth in the Noblesville Code of Ordinances and the Rules of the Noblesville Human Relations Commission.

Review of City Code/Policies

- Noblesville City Code of Ordinances and any other City-issued policies will be reviewed to ensure proper and uniform terms and definitions are used.

EQUALLY EFFECTIVE COMMUNICATION

To provide public notice of ADA Coordinator and communication sources:

- City has published the name, address and phone number of the ADA Coordinator on the Internet, Intranet, and bulletin boards.
- Provide internal notice to City employees about ADA issues and compliance steps
- City has posted the ADA Compliance Notice on bulletin boards at all work sites (Exhibit A).
- City has posted the names of the ADA Contact Protocol on bulletin boards at all work sites (Exhibit B).
- City has prepared and distributed a copy of this document to all Department Heads.
- City has prepared and distributed notice regarding ADA Obstacle Removal Procedure (Exhibit D).

PROGRAM AND INFRASTRUCTURE ACCESSIBILITY

Obstacle Removal

- Front ADA access to the Noblesville Public Safety Building was reconstructed in 2008.
- Noblesville City Hall was constructed with full ADA accommodation in 2007.
- City has completed the identification/mapping of all curb ramps, evaluating adequateness and developing financial needs:
 - City has established priorities based upon need and cost, as well as impact on affected population and in conjunction with its annual resurfacing program.
 - The City has established an annual program budgeted at
 - The City maintains and updates an inventory map on ADA accessible sidewalk ramps.
 - The City of Noblesville revised its construction design standards to include standards requirement for the construction of ADA compliant accessible ramps.
 - The City of Noblesville maintains a strict program for the inspection of construction for ADA ramps for public walkways.
 - The City of Noblesville has incorporated mandatory ADA requirement for sidewalk accessibility for encroachments within public right-of-way with special consideration to the Downtown Central Business District.
 - The City of Noblesville utilizes regular Community Development Block Funding received from the Federal Government to funding ADA and sidewalk accessibility improvements in low to moderate income neighborhoods.

Access to City services and programs

- Noblesville City Hall has Braille markings on elevators and room numbers on public areas.
- All public buildings have ADA accessible restrooms.
- City has provided for integrated wheelchair seating in the City Council Chambers.

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- City has provided a mechanism for which individuals using wheelchairs can address the City Council and utilize the microphone system.
- City will ensure new public facilities and remodeling facilities are reviewed for compliance with ADA standards.
- The City's Parks Department has completed an audit and inventory on accessibility in park facilities. The document is on file at the Park's Department office.

EMPLOYMENT

Employment and accommodations for potential and existing employees are outlined in the City of Noblesville's Civilian Employee Personnel Policy Handbook on file in the City's Human Resource's Department. For more information, contact the City's Human Resource Manager..

Reasonable Accommodation Requests

- City will review all formal and informal requests for reasonable accommodations and may approve such requests unless they have imposed an undue hardship.
- Formal procedures and a request form for employees requesting a reasonable accommodation have been developed. Such procedures will be distributed to employees and department heads. (Exhibit D).

OTHER

Grievance Procedure

- The City's Code of Ordinances outlines the grievance procedure for City Employees and the public.
- City has established a grievance procedure for the general public relating to disability/access-related complaints (Exhibit E).
- City will ensure all employees are aware of the grievance procedure.
- Cooperation from Organizations/Advocates of Persons with Disabilities
- City utilized public input during the self-evaluation process.

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This Transition Plan is hereby approved by the City of Noblesville's Board or Public Works this

_____ Day of _____, 2017

By:

John Ditslear, Mayor

Lawrence Stork, Member

Jack Martin, Member

Attest:

Signed

Printed Name

Exhibit A

**STATEMENT OF ADA COMPLIANCE
NEWLY DESIGNED AND CONSTRUCTED PROJECTS**

As a representative of the development and/or builder of the required improvements in need of a permit or acceptance by the City of Noblesville, I hereby certify and attest that the improvements constructed as part of this dedication OR permit have been constructed in full compliance with Federal ADA requirements and City Standards.

Signed

Printed

Company

Date

Exhibit B

ADA CONTACT PROTOCOL

ADVISORY

In the event there is a public concern or complaint regarding ADA compliance within the City of Noblesville, it is recommended that the concern be directed to the personnel listed in the Transition Plan who are may address the specific concern. In the event that it is not apparent to whom the issue should be directed, the ADA Coordinator shall be the primary contact to determine the correct assignment.

EXHIBIT C

ADA Obstacle Removal Procedure

In the event that there is notification provided to the City that an obstacle to ADA access exists on public property, the following procedures and protocol will be observed:

1. If the item is non-permanent and can be readily removed, it shall be removed by the party that placed the obstruction
2. The City of Noblesville's Encroachment Ordinance shall govern the placement of all obstructions within the right-of-way. All permitted or illegal encroachments shall be subject to Federal ADA requirements, correction, or removal.
3. If the event a non-permanent or non-permitted encroachment in public right-of-way is not or cannot be removed by a private entity that placed the obstruction, the City of Noblesville has the right and authority to remove the obstruction.
4. All permanent improvements within public right-of-way constructed by a non-public entity shall meet Federal ADA requirements and City of Noblesville Standards.
5. In the event that a grievance or complaint regarding ADA access within public right-of-way is made, the ADA coordinator will investigate the complaint to determine the complexity of the removal or nature of the complaint.
6. Encroachment complaints shall be mitigated by the enforcement agent designated by the City's Encroachment Ordinance.
7. The Board of Public Works is the designated final authority on all matters of permanent encroachments.
8. In the event an obstacle is not readily removal by an offender or by the City of Noblesville, corrective action may be required by Capital Improvement or by a Contractor hired by the City of Noblesville on its behalf. In the event that this course of action is pursued, there may be a significant period of time in which action can be taken due to available funds, weather, or scope. In the event that it is determined an improvement may be cost prohibitive to complete or it is determined that the physical features or nature of the obstruction cannot be remove or addressed, the City of Noblesville reserves the right to take no action or alternate methods to correct the issue.

**Exhibit D
(Not Used)**

EXHIBIT E

GRIEVANCE/COMPLAINT INTAKE FORM

Grievances or Complaints regarding ADA access may be made directly to the ADA Coordinator through e-mail on the City of Noblesville's website at www.cityofnoblesville.org.

Complaints or Grievances may also be made by completing for submitting this form to the ADA Coordinator at the following address:

John Beery
City Engineer
16 S. 10th Street
City of Noblesville
Noblesville, IN 46060

Address or Location of Complaint

Date:

Name of Person

Contract Address

Daytime Phone

E-Mail

Briefly Describe Nature of Issue

EXHIBIT F
TRANSITION PLAN PHYSICAL IMPROVEMENT MATRIX

Year	Description	Estimated Cost
Annually	Sidewalk and Ramp Improvements in Low to Moderate Income Areas	\$80,000
Annually	Sidewalk and Ramp Construction for Accessibility	\$350,000
Annually	Inspection of and Administration for New Infrastructure and Compliance with ADA Requirements.	Incidental to Annual Budget
Annually	Inspection and Review of New Commercial and Other Building for Public Occupancy	Incidental to Annual Budget