

MINUTES
LAWTON ACCESS BOARD
NEW CITY HALL CITY ATTORNEY'S CONFERENCE ROOM
212 SW 9th STREET
MAY 16, 2014

Jim Russell, Chairman, called the meeting to order at 2:30 p.m. in the New City Hall City Attorney's Conference Room. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

ROLL CALL:

PRESENT: Sharon Fanning; Joseph Harper; Don Kesler, Jr.; Kay Love; Jim Russell.

ABSENT: None

OTHER PRESENT: Mike Jones, City of Lawton GIS; Doug Wellhouse, Code Plan Supervisor for License & Permit Division; Keith Neitzke, Park and Recreation; Denise Ezell, City Clerk's Office.

APPROVE MINUTES from April 8th meeting

Motion by Kesler, **Second** by Fanning, to approve the minutes of April 8, 2014 as written. **Aye:** Harper; Kesler; Love; Russell; Fanning. **Nay:** None. **Motion Passed.**

BUSINESS ITEMS:

1. New Business

A. Transition Plan Update and review milestone chart for completion, take action if necessary.

Russell stated let me introduce Keith Neitzke our Parks and Grounds supervisor. He is going to take direction from the transition plan and then give feedback when projects have been updated. This matrix is everything that has been brought to our attention on barriers we need to eliminate. We need to go through and prioritize the list. We have two (2) different sources for funding the repairs. One is the general budget and the other is the CIP. There will be money placed into the yearly budget so during the everyday routine things can be upgraded when making routine repairs. As you know when we put in a new street we also put in curb ramps and possibly sidewalks. In accordance with city code if the curb is taken out for a new street then when putting the curb back it is to include putting in a sidewalk.

Harper asked what about fixing the existing streets.

Russell stated give me just a moment. If we are just doing an overlay where we don't disturb the curb then we will only put in the curb marker or curb ramps. In regards to your question the Streets Department has a priority list throughout the entire city that they work from. If there is a specific street you are interested in I can check to see where it is on the priority list

and maybe have it moved up. Across the entire city we have miles and miles of streets that are in disrepair. Due to a federal mandate a large part of our work has gone to the sewer and water lines. Those projects are coming to an end and now everything we do will be on top of the dirt to include streets. As the City Manager works through the budget I'll make certain he remembers to include ADA items. We are coming to the conclusion of our capital improvement program and in the new CIP we are proposing \$1,000,000 for ADA. That is on top of what will be included in the general budget. Getting the CIP approved by the voters is going to be a huge funding source in removing some of the non-routine barriers.

Russell stated as we go through this matrix we need to prioritize. I think we need three (3) maybe four (4) different priority levels. A Priority 1 would be an imminent safety risk or an imminent issue of harm to our citizens. Priority 2 would be an impediment and Priority 3 would be our catch all for things that will not cause serious damage.

Harper stated an imminent risk is no sidewalks on Sheridan. A wheelchair has to go down the right hand lane with cars traveling 40 miles per hour.

Russell stated that is where we need to begin our prioritization. When we get to sidewalks we need to prioritize the streets that are highly used by pedestrians and disabled citizens. It is a hazard if we are forcing people into the streets. Let's go through the matrix and see if we can place each item in either a Priority 1, 2, or 3. Remember this is a living document so I'll put the priorities in and then send you a copy on Monday for your review. We can move anything that needs to be moved. At the next meeting I'll also have language for the main part of the document. We are required to list the ADA coordinator, what the grievance process is, and what the complaint process is. I'm going to include a generic letter to local businesses that says in "an effort to make all businesses citizens friendly of all abilities we have noticed (insert the happening) has happened and we would like for you to consider making these corrections as improvements to your business for the good of all citizens". That letter will be in the transition plans to local businesses from this board.

Kesler stated looking through the matrix I didn't see a category for streets.

Russell stated look at the last line called "All Other Barriers". Sidewalks, streets and curb ramps are listed at the bottom.

Fanning asked would not all of that be a Priority 1.

Russell stated not all of it.

Harper stated we need to start with the major streets like Sheridan and Lee.

Russell stated we will begin with streets. Let's start with Gore Boulevard. What part of Gore is the highest priority?

Harper stated at least from 38th to Sheridan.

Love stated there are no sidewalks from 67th to 52nd for the kids that walk to Eisenhower.

Russell stated do we want to go from Sheridan to 67th.

Fanning stated yes.

Russell stated we need to realize a span that big will be broke into smaller sections. That stretch will be one of our top priorities.

Russell asked from where to where on Cache Road. West of 38th is a huge business area. I would say 11th to 38th would be our first focus.

Love asked are there sidewalks on Gore east of 11th Street.

Russell stated a few. There are pathways around the Apache Casino.

Kesler stated one of the things I saw at Ohio State University was when they put in a new dormitory they didn't put in the sidewalks. They would see where the students left a path and then put in sidewalks.

Russell stated maybe we could partner up with some businesses. If we could get the sidewalk to their property maybe they would put it in across their property.

Love stated if they saw their customers were using the pathways that should be an insensitive.

Russell stated okay on Sheridan from where to where.

Harper stated from Lee to Cache.

Russell stated all the way from Lee to Cache would make that one of the most traveled roads.

Fanning stated probably about the coliseum.

Kesler stated you have the County Health Department just south of the fairgrounds. We need to look at the public facilities. You also have DHS on Lee Boulevard.

Fanning asked what can we do about the railroad tracks. It is an experience to take a wheelchair over railroad tracks.

Neitzke stated that requires corporation from the railroads.

Russell stated okay we will do from Lee Boulevard to Cache Road on Sheridan.

Jones stated one way to narrow the focus on that area is to interconnect the bus stops. If you are talking about high traffic pedestrian areas those are already strategically placed to provide access to places people want to go. If you interconnect those bus stops you are killing two (2) birds with one stone.

Fanning stated that is a great idea.

Harper stated most bus stops are not wheelchair accessible.

Jones stated you are correct.

Russell stated that is a part of the transition is to incorporate the bus stops into sidewalk accessibility.

Love stated there is talk of a walking path. How will they integrate a walking path with those busy streets?

Russell stated at all major arterial intersection we are trying to install crosswalk signals with pushbuttons so you can stop traffic to cross safely.

Harper stated on Ferris from Sheridan to 29th is pretty bad.

Russell stated okay. I would like for Jones to take the bus stop maps and try to incorporate some of your ideas.

Kesler stated if we target apartment complexes and schools we need to make certain to go at least one (1) block off each direction. So if it is on a corner that means four (4) blocks and if it is in the middle of the block that is a block either way.

Jones stated ultimately sidewalk construction will be driven by cost.

Neitzke stated right now we are talking about a perfect world scenario.

Russell stated exactly. The other two (2) major streets is 11th and 82nd Street. We have sidewalks on 2nd Street and when they do the 45th Street they will incorporate sidewalks.

Kesler stated we need to push for sidewalks on both sides of the street.

Russell stated I agree but that will not happen on the first attempt.

Love asked when they redid 67th Street did they do sidewalks.

Russell stated that was done prior to the ordinance going into place. Do you think we should do 82nd or 67th or both?

Love stated I thought they put sidewalks in when they redid 82nd Street.

Russell stated only in front of the new shopping complex.

Neitzke stated there are limited sidewalks further down.

Wellhouse stated there are sidewalks until the development stops and in front of the Catholic Church. All that is missing is the portion from the shopping center to the church.

Russell asked so Jones when doing your map maybe we look at the highest traffic area between the furthest most bus stops. For example if there is high traffic between A and F and then falls off and doesn't pick up again until Park Avenue to Lee then the sidewalk would pick back up at Park. That way it prioritizes the segments that we need.

Fanning asked from Quanah Parker to Lee are those students bused or do they walk.

Russell stated they are bused. There is a sidewalk from Holy Family to Lee at least on the Wyatt Acres housing addition.

Love stated I thought they had done those and some on 67th Street.

Kesler asked is there some way in the future to give a 1/10th total cost tax credit for property owners that put in a sidewalk on their property. That might be an incentive for them to spend the money to do so.

Harper stated I believe that is the cities responsibility. As a property owner you have a 15' easement you can't use but you pay taxes on it.

Russell stated for new construction the developer is responsible for the sidewalks.

Harper stated that doesn't do anything for the areas that are a hundred years old.

Russell stated I understand. I'm trying to get the old and the new to meet in the middle. Wellhouse can explore to see if there are any incentives out there. Okay we need to decide a beginning and ending point on 11th Street.

Love stated you have a lot of businesses south of Gore.

Russell stated we are looking into redoing 11th Street between Gore and Ferris. We will increase the width of the street and put in sidewalks.

Kesler stated I think we need to take it all the way to Cache Road.

Russell stated do we need to do anything north of Cache Road.

Kesler stated the east side is a lot of Native American property.

Russell stated yes and the west is a lot of businesses with a lot of parking lot. I'm thinking we may have to look at some curb cuts. I'm not certain we need sidewalks. I don't believe this is a Priority 1 but maybe a 2. Is there anything south of Gore?

Love asked are there bus stops there.

Russell stated yes.

Wellhouse stated there are scattered sidewalks down through there but some do not have curb cuts.

Russell stated okay we need to look at the curb cuts. Is the shopping area on 82nd Street enough for now?

Love stated there is a bus stop in front of Target but I don't know about sidewalks.

Russell stated yes there are sidewalks.

Kesler stated I saw in the paper they are putting in a major development on the northeast corner of 38th Street.

Russell stated the developer will be responsible for sidewalks when he is putting in the development.

Harper stated you have a school on 27th between E and Lee but I don't know if there are sidewalks.

Russell stated there are sidewalks on the school property but no curb cuts.

Fanning stated I live on 27th Street and we have very little foot traffic.

Kesler stated there is another school just north of Gore off 17th Street.

Russell stated okay we have our Priority 1 sidewalks. Priority 2 should be somewhere working towards the schools. We will let Jones look at the school systems and see what he brings to us at our next meeting. Let's move away from sidewalks. While we are on this back page look at the ADA Training. Remember the customer that wanted his receipt printed in a larger print because he was visually impaired. That is an example of ADA Training and we have some employee training we need to do. I'm going to clean up our city policies and procedures to make certain we have the required language.

Fanning asked are these Priority 3's that you are speaking of.

Russell stated yes. They are things that I can fix pretty easily. I would like to talk about "Public meeting and events accessibilities by the way of auxiliary aids and/or services for: Physical limitations, visual impaired, aural impaired, oral impaired". Is there a need for a sign

interpreter at the City Council meetings or a visually impaired agenda? Is this a priority that we need to look at?

Love stated the agenda is published in the newspaper so it is probably already available digitally.

Russell stated it is available on the website as well.

Love stated if they are visually impaired and have access to a computer they will probably have access to either a digital or brail screen.

Russell stated I want to make certain we are where we need to be for their tools to be effective.

Love stated you could also have closed caption on the TV. Maybe we need a TV screen in the council chambers.

Russell stated that is a great idea.

Fanning asked do you not have audio devices.

Russell stated we have a limited number and two (2) of the council members use them.

Fanning asked when using closed captioned will you have to have more than one (1) language.

Russell stated that doesn't fall under the ADA. I think we are in good shape on that so I'm going to place it as a Priority 3. Let's move back to page one (1) to the animal shelter. This will be very simple because we are building a new facility so I'm going to place those as a Priority 3. Next is City Hall Annex.

Jones stated before you go any further I have some maps and the number in front of each building name will correspond with the number on your matrix. They are real basic and will probably be refined as we go along.

Fanning stated wonderful. Thank you.

Russell stated I would like to ask Wellhouse to let us know when the animal shelter is at a point where we can take a walk through. This way you can give us some ideas and comments about where things should be placed. I want to look at all the things we are required to do by standard and to make certain we don't forget anything. I was shocked at the number of violations in this building for a newly renovated building.

Kesler stated this building was built over a hundred years ago.

Neitzke stated with new ramps and stairways and we are still in violation.

Love stated it is amazing how you become much more aware than you were before.

Kesler stated something else you might include on the maps are the Senior Citizens sites. They need to be in ADA compliance.

Russell stated let's look at the City Hall Annex. Let me make the comment that every bathroom throughout the City of Lawton is out of compliance. The standards states when you make a change you have to bring the entire bathroom up to standard. I would like to look at each area as an independent like we did the sidewalks. I would like to determine which restrooms need first priority. The most used public building needs the highest priority.

Love asked including City Hall.

Russell stated yes. There is the Annex, City Hall, Owens Multiple Purpose Center, HC King, Patterson Center and Carnegie Hall. The one in my opinion will be the hardest and most expensive to renovate is the Owens Multiple Purpose Center and Carnegie Hall.

Neitzke stated Carnegie Hall will need an elevator.

Russell stated to meet standards in Carnegie Hall we will need to tear it down and build back up. I believe that should be one of the last buildings we do because it is rarely used.

Kesler stated Lawton Fort Sill Stamp Club use to meet there until the cost forced us to go elsewhere. The City needs to look and see if they are costing themselves out of business.

Wellhouse stated that is happening in a lot of places.

Russell stated I'll place all bathrooms as a Priority 1 for now. The Museum is going to renovate and they will be including the bathrooms in their renovations. That is another low hanging fruit for us.

Kesler stated if we have 100 bathrooms to renovate we need to make certain we purchase for all 100 bathrooms at once instead of purchasing for four (4) or five (5) at a time.

Russell stated Neitzke is doing that. Next is Parking and Exterior. Again all the parking lots have issues and should be a pretty easy fix. Did the American Disability Coalition change their symbol?

Love stated the symbol stayed the same.

Kesler stated the only sign that needs to have text on them are those that are van accessible. Those have to be identified.

Fanning stated if it doesn't read "Van Accessible Only" you are wasting your time.

Kesler stated if you are entitled to a spot and that is the only opening you are going to take it.

Russell asked are parking issues a Priority 1 or 2.

Neitzke stated I believe it would be a 2. It is not an imminent risk it is more impediment.

Wellhouse stated the standards states: Priority 1 - Accessible approach and entrance; Priority 2 - Access to goods and services; Priority 3 - Access to public toilet rooms; Priority 4 - Access to other items such as water fountains and public telephones.

Russell stated I'll go off the priority requirements in the standards and prioritize the matrix. I'll get it to you by early next week for you to look over. If you see something based off of needs that we need to changed let me know.

Fanning stated we can go above the standard we just can't go below.

Russell stated absolutely. I'll leave the sidewalks the way we have them. The meeting that was scheduled for next Tuesday has been cancelled. Let's meet again on May 30th at 2:30.

B. Review and Discuss Open Meeting Act, take action if necessary

Russell stated I'm still going to have the City Attorney come speak to us about the open meeting act.

Kesler stated Governor Fallin has signed the new law and it becomes effective on November 1st. A citizen can sue but if the Courts decide it is frivolous they will be responsible for all cost. If it is upheld then we could be subject to jail time plus a fine.

Fanning asked could that impact our personal opinions and are we subject to that.

Russell stated yes. More realistically they would sue the City of Lawton and not the individual members. I need to check and see if you are covered as a board member under our bond.

2. Comments/Discussion

Russell asked is there anything else. I appreciate your time and I'll see you on the 30th.

3. Adjournment

There being no further business meeting adjourned at 3:45 p.m.

Motion by Kesler, Second by Fanning, to adjourn. Aye: Kesler; Love; Russell; Fanning; Harper. **Nay:** None. **Motion Passed.**