

# **ADA Advisory Council Minutes – Oct. 13, 2021**

## **Attendance**

Advisory Council Members Present: Steve Schoenberg, Anthony Fadale, Joe Cheray, Kim Dietrich, Frank Kent and Marilyn Lind

Absent: Robert Nugent

City Staff Present: Mark Schreiner, ADA Coordinator, and David Bevens, Assistant

## **Welcome & Introductions**

### **Additions and Approval of the Agenda and Minutes**

Approval of the minutes and agenda.

**Public Comments, Public Outreach** – Susan McClacherty, Citizen Advisory Council Chair, an umbrella group of the City’s Neighborhood Improvement Associations, thanked the Council for its willingness to collaborate with her regarding concerns about how the Bird Scooter transportation alternative in the City is being policed by the company that owns it. She also invited members to attend the next CAC meeting on Nov. 3 where a transportation plan update will be presented.

## **Old Business**

## **Bird Scooters – Review letter to COT**

**Administration and Vote on the matter** – The letter went out to City Manager Brent Trout, all 10 members of the Governing Body, and the Interim Police Chief. The group wants to know as soon as we hear back from the Chief.

Several members said they have noticed an increase in compliance, with fewer scooters found blocking sidewalks, ramps, bus stops, etc. Anthony suggested that we keep the item on the agenda until we hear back from the CM. After we hear back, then we can engage with the Bird people. The group approved Anthony's suggestion.

Susan said that even if they are placed properly, Bird is responsible for educating the public and managing their geofencing to better corral them.

**Review ADA Accessible Parking Survey; plan the next steps.** – Joe, Steve and David agreed to divide up the number of people who asked for a response and make contact with them.

There was a brief discussion whether their needed to

be a placard on the ground and a sign designating an accessible stall. Mark responded it is an either/or situation. Frank pointed out that snow blocks the markings on the ground. Kim said that there should be a sign. Mark said some places don't have the ability to do both.

Anthony said that State Law deals with parking privileges. He said he would forward it to the group. He also said he would provide the group with a pamphlet from the Federal Accessibility Board on the matter.

After the meeting, Anthony provided the following:

<https://www.access-board.gov/ada/#ada-208> Scoping for accessible parking

<https://www.access-board.gov/ada/#ada-502> Requirements for design

[http://www.kslegislature.org/li/b2021\\_22/statute/058\\_000\\_0000\\_chapter/058\\_013\\_0000\\_article/058\\_013\\_0001b\\_section/058\\_013\\_0001b\\_k/](http://www.kslegislature.org/li/b2021_22/statute/058_000_0000_chapter/058_013_0000_article/058_013_0001b_section/058_013_0001b_k/)

**K.S.A. 58-1301b Definition**

[http://www.kslegislature.org/li/b2021\\_22/statute/008\\_000\\_0000\\_chapter/008\\_001\\_0000\\_article/008\\_001\\_0128\\_section/008\\_001\\_0128\\_k/](http://www.kslegislature.org/li/b2021_22/statute/008_000_0000_chapter/008_001_0000_article/008_001_0128_section/008_001_0128_k/)

**Accessible Parking Marking Statute – State of Kansas**

**Review/Restart Subcommittee Work Emergency**

**Management – No change**

**LE Training Review – No Change**

**Webpage – No change**

**New business**

**Report on any ADA compliance complaints**

**Non-ADA Council related issues/questions**

**Schedule next meeting – Nov. 10**

**Adjourned**

## City of Topeka ADA Advisory Council

### Meetings

- 1-2 p.m.
- Second Wednesday of every month
- Holliday Building  
620 SE Madison  
Or by Zoom. Contact [TopekaADAAdvisoryCouncil@topeka.org](mailto:TopekaADAAdvisoryCouncil@topeka.org)

### Agendas & Minutes

Agendas are available prior to the meeting below or by contacting [TopekaADAAdvisoryCouncil@topeka.org](mailto:TopekaADAAdvisoryCouncil@topeka.org). Minutes are available following approval.

[Most Recent Agenda View](#) [All Agendas and Minutes](#)

### Members

The ADA Council shall be comprised of 10 members. At least six members of the ADA Council will be individuals with disabilities, with each of the six major life functions represented by these members. All efforts will be made to ensure cross-disability representation in the selection of ADA Councilmembers. Members shall serve for a term of two years and no more than four consecutive terms. For the Code that established the Council, go to <https://topeka.municipal.codes/TMC/2.250> .

Ten members are selected for 2-year terms by the 10-member Topeka Governing Body (9 Councilmembers and Mayor). Current members are:

Joe	Cheray	10/1/2020	9/30/2022
Marilyn	Lind	10/6/2020	9/30/2022
Anthony	Fadale	7/15/2020	7/31/2022
Kim	Dietrich	10/1/2021	9/30/2023
Steve	Schoenberg	6/1/2021	5/31/2023
Francis	Kent	7/28/2021	7/27/2023

## Duties of the ADA Council

- Advises the city manager, mayor and city council on issues affecting people with disabilities.
- Provide a public forum to identify, discuss and address issues relevant to people with disabilities
- Provide information from the public to the city's ADA Coordinator about disability concerns
- Provide information, educational opportunities and networking opportunities to all citizens with disabilities, their friends and families
- Establish criteria for prioritizing the remedial steps to address access needs within the community. Approve the updated community transition plan
- Develop operating procedures for the ADA Advisory Council
- Review city government programs, services and activities access for physical, sensory or other impediments
- Review city codes with the city's legal department relating to disability rights and access
- Excerpt from the Topeka City Code Ordinance governing ADA Advisory Council-Section 2.80.010

## Responsibilities

This Council was established by the City of Topeka's Governing Body, under a Federal mandate for City's our size, to work towards full compliance with the Americans with Disabilities Act (ADA) with respect to all city facilities and activities. Examples include:

- Pedestrian safety: This includes public sidewalks, traffic signals-standard and audible, and crosswalks
- Emergency preparedness coordination with the County
- Access to city buildings
- Access to city recreation sites and programs
- Advocate on citizen's behalf on other concerns regarding public property that affects safety, accessibility and opportunity in the City of Topeka even though these interventions are outside the Council's authority. However, often times the Council sees voluntary compliance by private businesses and services that serve the public.