

Town of Leo-Cedarville ADA Transition Plan

Plan Revised/Updated: January 16, 2024

Plan Revised/Updated: May 14, 2019

Plan Created: November 4, 2013

RESOLUTION 2024-02

A Resolution of the Town of Leo-Cedarville, Allen County, Indiana
Adopting the Americans with Disabilities Act (ADA)
ADA Coordinator and Procedures

WHEREAS, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, in compliance with Title II of the ADA the Town of Leo-Cedarville shall name an ADA Coordinator; and

WHEREAS, in compliance with Title II of the ADA the Town of Leo-Cedarville shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA the Town of Leo-Cedarville shall publish notice to the public regarding the ADA;

WHEREAS, in compliance with Title II of the ADA the Town of Leo-Cedarville shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

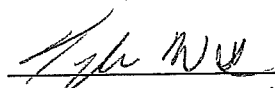
NOW, THEREFORE, BE IT RESOLVED by the **Town of Leo-Cedarville, Allen County, Indiana:**

Town Manager Tena Woenker is designated as the ADA
Coordinator for the Town of Leo-Cedarville.

The Town of Leo-Cedarville ADA Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the Town of Leo-Cedarville.

In compliance with Federal and State laws as set forth above, the Town Council resolves to post the required information regarding the ADA coordinator, Notice under the Americans with Disabilities Act, and Town of Leo-Cedarville Grievance Procedure under the Americans with Disabilities Act on its website and at such other locations as may be determined from time to time.

ADOPTED, this February, 2024, by the Leo-Cedarville Town Council.


Tyler Witmer, Council President


Scott Yoder, Council Member



Brian Jarboe, Council Member


Greg Peck, Council Member

Andy Jones, Council Member

Attestation of Clerk-Treasurer

I, Angela McDaniel, Clerk-Treasurer for the Town of Leo-Cedarville, Indiana, hereby attest that the agreement set forth above was adopted by the legislative body and the Town Executive of the Town of Leo-Cedarville on February 16, 2024.



Angela McDaniel
Clerk-Treasurer

I. Statement/Mission

In 1990, the Federal Government enacted the Americans with Disabilities Act ("ADA"). The Town of Leo-Cedarville, Indiana recognizes its legal obligation to comply with Title II of the ADA and hereby establishes a transition plan to ensure compliance of this federal law, rules and regulations. Therefore Leo-Cedarville will identify barriers that exist and state how and when the barriers are to be removed by providing a means to address complaints of discrimination, by encouraging public input to assess, address and meet access needs, and by establishing periodic reviews of the plan to monitor progress and compliance. The purpose of the Plan is to ensure that the citizens of Leo-Cedarville are provided full access to the Leo-Cedarville programs, services and activities in a timely manner. The Leo-Cedarville elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Leo-Cedarville residents seek to enjoy and to effective governance. Title II of the ADA requires that each of the Leo-Cedarville services, programs and activities, when viewed in their entirety, be readily accessible and usable by individuals with disabilities.

II. Non-Discrimination Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Leo-Cedarville will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Leo-Cedarville does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: Leo-Cedarville will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Leo-Cedarville programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Tena Woenker
PO Box 408
13909 Pony Express Run
Leo, IN 46765
260-627-6321 ext. 3
townmanager@leocedarville.com

IV. Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Leo-Cedarville. The Town Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Tena Woenker
PO Box 408
13909 Pony Express Run
Leo, IN 46765
260-627-6321 ext. 3
townmanager@leocedarville.com

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting the ADA Coordinator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Leo-Cedarville and offer options for substantive resolution of the complaint.

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The Leo-Cedarville Transition Plan will be posted on the Leo-Cedarville website. It will also be available in the Leo-Cedarville Town Hall Offices.

VII. Inventory

Sidewalks: In an effort to remove barriers to streets and sidewalks, the Leo-Cedarville has inventoried all curbs and sidewalks within the town's jurisdiction. The inventory procedure is intended to identify a comprehensive list or inventory of all curbs and sidewalks in the Leo-Cedarville jurisdiction that are not ADA compliant. This is composed of an effort to both fully inventory the infrastructure that is present and then to identify those items in the system which are not compliant with ADA requirements.

The Town of Leo-Cedarville has developed its inventory of the existing system in the following steps:

Step 1: Aerial Maps

Aerial maps of Leo-Cedarville were used to map the locations on the system that include sidewalks and/or curbs. In addition, Leo-Cedarville staff assisted in this process to assure sidewalks and curbs were not missed.

Step 2: Field Evaluation and Inventory

Once the system of sidewalks and curbs had been mapped, a field investigation of each was completed to measure and/or evaluate the following characteristics of each segment of sidewalk and curb.

The following attributes were to be collected for sidewalks and ramps.

- Measured width
- Cross slope observation (2% maximum)
- Heaving
- Continuity

Vicinity of Pedestrian Destinations

Pedestrian Destination includes commercial businesses, schools, parks, government buildings/offices, libraries, churches

0 point = nothing nearby

1 point = within 1 block of pedestrian destination

2 points = within 1 block of multiple pedestrian destination

3 points = adjacent to a park, school, government building or library

Public Interest

0 point = no comments

1 point = multiple public comments received

2 points = subject of a formal ADA grievance filing

Local Priority

This is intended to be a local decision-makers tool to provide emphasis to a specific need based on a special concern, especially one of public safety, anticipated heavy pedestrian traffic, or special site condition.

0 point = no special concerns noted at or near location

1 point = some special concern exists at or near location

2 points = special local emphasis exists at or near location

By totaling these factors, the highest score achievable would be 10, with the lowest being at least a 1. Each obstacle identified in the Inventory phase will be evaluated under this procedure. A total score for each need can thus be provided, with higher scores revealing higher priority repairs and improvements.

IX. Funding & Scheduling

Leo-Cedarville will use the following funding source Motor Vehicle & Highway Fund (MVH) to repair, modify or reconstruct sidewalk and ramps. Leo-Cedarville intends to spend \$2,500 annually to repair, modify or reconstruct sidewalk and ramps to meet current ADA standards.

Non-discrimination Notice

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Effective Communication: the Town of Leo-Cedarville will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Town of Leo-Cedarville programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: the Town of Leo-Cedarville will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the Town of Leo-Cedarville offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Leo-Cedarville, should contact the office of the **ADA Coordinator/Town Manager, Tena Woenker at 260-627-6321**, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Leo-Cedarville to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Town of Leo-Cedarville is not accessible to persons with disabilities should be directed **Tena Woenker at 260-627-6321**.

The Town of Leo-Cedarville will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

**Grievance Procedure under
The Americans with Disabilities Act
Town of Leo-Cedarville, Allen County, Indiana**

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The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

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Town Manager
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If the response by the ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town Councilor designee.

Within 15 calendar days after receipt of the appeal, the Town Councilor designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Councilor designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or designee, appeals to the Town Council or designee, and responses from these two offices will be retained by the Town of Leo-Cedarville for at least three years.