

RESOLUTION 20-244

A RESOLUTION OF THE CITY COUNCIL OF WOODBURN, INDIANA REGARDING 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 City of Woodburn shall replace its ADA Coordinator named formally in Resolution 13-192 passed 9/16/2013 and confirmed again through Resolution 18-229 passed 8/20/2018; and

WHEREAS, in compliance with Title II of the ADA the City of Woodburn will maintain its currently adopted grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA the City of Woodburn 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 City Council of the City of Woodburn, Indiana:

The City Councilor, Michael Martin, is designated as the ADA Coordinator for the City of Woodburn. The Notice under the Americans with Disabilities Act, a copy of which is posted to the City's website, is still in force as the City of Woodburn's Notice under the Americans with Disabilities Act.

The City of Woodburn ADA Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is still in force 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 City of Woodburn.

In compliance with Federal and State laws as set forth above, the City Council resolves to post the required information regarding the ADA coordinator, Notice under the Americans with Disabilities Act, and the City of Woodburn 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 and Resolved this 3rd day of February, 2020.

COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA

By: Michael Voirol YEA X NAY _____ ABS _____
Michael Voirol, Councilor

By: Michael Martin YEA X NAY _____ ABS _____
Michael Martin, Councilor

By: Tonya Thompson YEA X NAY _____ ABS _____
Tonya Thompson, Councilor

By: Dean Gerig YEA ✓ NAY _____ ABS _____
Dean Gerig, Councilor

By: Daniel Watts YEA X NAY _____ ABS _____
Daniel Watts, Councilor

ATTEST:

By: Timothy Cummins
Timothy Cummins, Clerk-Treasurer

The foregoing resolution passed by the Council is signed and approved X / not approved () by me on the same date.

By: Joseph Kelsey
Joseph Kelsey, Mayor for the City of Woodburn

Non-discrimination Notice

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

Employment: the **City of Woodburn** 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: the **City of Woodburn** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the **City of Woodburn** 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 **City of Woodburn** 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 **City of Woodburn** 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 the **City of Woodburn**, should contact **Michael Martin, ADA Coordinator**, via mail at 22735 Main Street, PO Box 665, Woodburn, IN 46797, via phone by dialing 260-433-1993 for his cell or 260-632-5318 to reach City Hall, or by email at mcmartinpm@yahoo.com as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **City of Woodburn** 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 the **City of Woodburn** is not accessible to persons with disabilities should be directed to **Michael Martin, ADA Coordinator**. The **City of Woodburn** 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 City of Woodburn, Indiana

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 **City of Woodburn**. The **City of Woodburn** 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:

Michael Martin
ADA Coordinator & City Councilman
22735 Main Street, PO Box 665, Woodburn, IN 46797
260-433-1993 cell; 260-632-5318 City Hall
mcmartinpm@yahoo.com

Within 15 calendar days after receipt of the complaint, ADA Coordinator or designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, 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 City of Woodburn and offer options for substantive resolution of the complaint.

If the response by 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 Mayor or designee.

Within 15 calendar days after receipt of the appeal, the Mayor or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Mayor or 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 Mayor or designee, and responses from these two offices will be retained by the City of Woodburn for at least three years.