

# ADA Transition Plan

**For Public Sidewalks & City Rights-of-Way**



MARSHALL

CULTIVATING THE BEST IN US



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Plan Draft Date: 4/9/2018

Latest Revised Date: 8/19/2020

Council Adoption Date: 8/25/2020

## INTRODUCTION

### TRANSITION PLAN NEED AND PURPOSE

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, City of Marshall must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, “...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#))



As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150](#) City of Marshall has conducted a self-evaluation of its public infrastructure within public rights of way and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals. This document serves as a supplement to City of Marshall Comprehensive ADA Transition Plan covering buildings, services, programs and activities.

### ADA AND ITS RELATIONSHIP TO OTHER LAWS

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.





The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

## AGENCY REQUIREMENTS

Under Title II, City of Marshall must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability ([28 C.F.R. Sec. 35.130 \(a\)](#)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result ([28 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective ([28 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others ([29 C.F.R. Sec. 35.160\(a\)](#)).
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)].
- City of Marshall must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [[28 CFR Sec. 104.8\(a\)](#)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

**This document has been created to specifically cover accessibility within the public rights of way and does not include information on City of Marshall programs, practices, or building facilities not related to public rights of way.**

## SELF-EVALUATION

### OVERVIEW

The City of Marshall is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the City of Marshall implements these policies. The goal of the self-evaluation is to verify that, in implementing the City of Marshall policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.



The self-evaluation also examines the condition of the City of Marshall Pedestrian Circulation Route/Pedestrian Access Route) (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and transit facilities that are located within the City of Marshall rights of way. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

## SUMMARY



In March 2018, the City of Marshall conducted an inventory of pedestrian facilities within its public right of way consisting of the evaluation of the following facilities:

- 72 miles of sidewalks
- 1300 curb ramps
- 14 miles of trails
- 4 traffic control signals
- 28 bus stops – 7 locations on public property and 21 locations on private property

A detailed evaluation on how these facilities relate to ADA standards is found in Appendix B: SELF-EVALUATION RESULTS and will be updated periodically.



## POLICIES AND PRACTICES

### PREVIOUS PRACTICES

Since the adoption of the ADA, City of Marshall has striven to provide accessible pedestrian features as part of the City of Marshall capital improvement projects. As additional information was made available as to the methods of providing accessible pedestrian features, the City of Marshall updated their procedures to accommodate these methods.

### POLICY

City of Marshall goal is to continue to provide accessible pedestrian design features as part of the City of Marshall capital improvement projects. The City of Marshall has established ADA design standards and procedures as listed in Appendix H: AGENCY ADA DESIGN STANDARDS AND PROCEDURES. These standards and procedures will be kept up to date with national, state and local best management practices.

The City of Marshall will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The City of Marshall will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City of Marshall jurisdiction are ADA compliant to the maximum extent feasible.



Maintenance of pedestrian facilities within the public right of way will continue to follow the policies set forth by the City of Marshall in accordance with regulatory guidance from both U.S. DOT and Minnesota DOT whom have adopted most of the Public Right of Way Advisory Group (PROWAG), reasonable and consistent policies.

Requests for accessibility improvements can be submitted to the City of Marshall Public Works Department with attention to Jason Anderson. Contact information for Jason Anderson is located in Appendix G: CONTACT INFORMATION.

## IMPROVEMENT SCHEDULE

### PRIORITY AREAS

City of Marshall has identified specific locations as priority areas for planned accessibility improvement projects. These areas have been selected due to their proximity to specific land uses such as schools, government offices and medical facilities, as well as from the receipt of public comments. The priority areas as identified in the March 2018 self-evaluation are Pedestrian Access Routes (PAR) as follows:

- Area 1, Near Public Schools
- Area 2, Near Public Buildings
- Area 3, Based on Public Input Received and verified requirements

### CURRENT YEAR PLANNED ADA IMPROVEMENTS:

- Safe Route to School Initiative (Grant application submitted to Greater Minnesota Transportation Alternatives, MNDOT)
  - Pedestrian Safety Enhancements including ADA accessibility improvements
  - True Light Christian School, Marshall Middle School, Parkside School, and the new Elementary School on Southview
  - Engineers Estimate cost of improvements +/- \$ 398,895
- 2020 Project Z75: South 4<sup>th</sup> Street Reconstruction Project
  - Pedestrian Safety Enhancements including ADA accessibility improvements
  - Engineers Estimate cost of improvements +/- \$ 33,000
- 2020 Project Z64: South 1<sup>st</sup> Street Reconstruction Project
  - Pedestrian Safety Enhancements including ADA accessibility improvements
  - Engineers Estimate cost of improvements +/- \$ 11,000
- 2020 Project Z51: Street Overlays
  - Pedestrian Safety Enhancements including ADA accessibility improvements
  - Engineers Estimate cost of improvements +/- \$136,000





#### EXTERNAL AGENCY COORDINATION

Many other agencies are responsible for pedestrian facilities within the jurisdiction of City of Marshall. The City of Marshall will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

#### SCHEDULE

The City of Marshall has set the following schedule goals for improving the accessibility of its pedestrian facilities within the City of Marshall jurisdiction:

- After 20 years, 100% of accessibility features within the priority areas identified by City of Marshall staff would be ADA compliant.
- After 30 years, 100% of accessibility features within the jurisdiction of City of Marshall would be ADA compliant.

## ADA COORDINATOR

In accordance with 28 CFR 35.107(a), the City of Marshall has identified an ADA Title II Coordinator to oversee the City of Marshall policies and procedures. Contact information for this individual is located in Appendix G: CONTACT INFORMATION.



## IMPLEMENTATION SCHEDULE

### METHODOLOGY

City of Marshall will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the standalone sidewalk and ADA accessibility improvement project. These projects will be incorporated into the 5-year Capital Improvement Program (CIP) on a case by case basis as determined by City of Marshall City Council based on public input. The City of Marshall CIP, which includes a detailed schedule for specific improvements, is included in Appendix C: SCHEDULE / BUDGET INFORMATION.



## PUBLIC OUTREACH

The City of Marshall recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of City of Marshall.

Public outreach for the creation of this document consisted of the following activities:

The City of Marshall will provide an opportunity for interested persons, including individuals with disabilities or organizations representing such individuals, to comment on self-evaluation and Transition Plan process. A draft copy of the Transition Plan will be available to the public online at the City of Marshall webpage, [www.ci.marshall.mn.us](http://www.ci.marshall.mn.us) keyword "ADA Transition Plan."

A draft copy of the City of Marshall ADA Transition Plan was sent to the known organizations that serve with people with disabilities in the City of Marshall.



Southwest Center for Independent Living (SWCIL), [www.swcil.com](http://www.swcil.com)

Southwest Health and Human Services, [www.swmhhs.com](http://www.swmhhs.com)

United Community Action Partnership (UCAP), [www.unitedcapmn.org](http://www.unitedcapmn.org)



## GRIEVANCE PROCEDURE

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix E: PUBLIC NOTICE. If users of City of Marshall facilities and services believe the City of Marshall has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), the City of Marshall has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix F: GRIEVANCE PROCEDURE.

## MONITOR THE PROGRESS

This document will continue to be updated as conditions within the City of Marshall evolve. The appendices in this document will be updated annually or as needed, while the main body of the document will be reviewed annually and updated when applicable. With each main body update, a public comment period will be established to continue the public outreach.





## APPENDICES

- A. GLOSSARY OF TERMS
- B. SELF-EVALUATION RESULTS
- C. SCHEDULE / BUDGET INFORMATION
- D. PUBLIC OUTREACH
- E. PUBLIC NOTICE
- F. GRIEVANCE PROCEDURE
- G. CONTACT INFORMATION
- H. AGENCY ADA DESIGN STANDARDS AND PROCEDURES

## APPENDIX A – GLOSSARY OF TERMS

**ABA:** See Architectural Barriers Act.

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** Mn/DOT's transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Statewide Transportation Improvement Program (STIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

**ADAAG:** See Americans with Disabilities Act Accessibility Guidelines.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibrotactile formats.

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

**APS:** See Accessible Pedestrian Signal.

**Architectural Barriers Act (ABA):** Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Capital Improvement Program (CIP):** The CIP for the Transportation Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county's transportation system.

**Detectable Warning:** A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

**DOJ:** See United States Department of Justice

**Federal Highway Administration (FHWA):** A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

**FHWA:** See Federal Highway Administration

**Pedestrian Access Route (PAR):** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Pedestrian Circulation Route (PCR):** A prepared exterior or interior way of passage provided for pedestrian travel.

**PROWAG:** An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

**Right of Way:** A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

**Section 504:** The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

**Uniform Accessibility Standards (UFAS):** Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

**United States Access Board:** An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

**United States Department of Justice (DOJ):** The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.



## APPENDIX B – SELF-EVALUATION RESULTS

This initial self-evaluation updated in June 2020 of pedestrian facilities yielded the following results:

- 51.9% of pedestrian ramps have ADA compliant rectangular detectable warnings installed
- 75.7% of pedestrian ramps did not meet ADA requirements
- 0% of signalized intersection had push buttons that are ADA accessible
- 35% of bus stops met ADA accessibility criteria
- 35% of bus stops had amenities that met ADA accessibility criteria

Detailed initial self-evaluation:

- 10.4 miles of paved off-road bike trails
- 72.4 miles of existing pedestrian access route (PAR) in Right of Way
- 710 pedestrian ramps have ADA compliant rectangular detectable warnings installed (179 are owned by MnDOT)
- 958 pedestrian ramps do not meet ADA requirements (132 are owned by MnDOT)
- 28 bus stops currently are included in current Marshall Community Transit route system
- 10 bus stops met ADA requirements
- 18 bus stops do not meet ADA requirements
- 1 intersection South Fourth Street and Country Club Drive is owned and operated by City of Marshall which includes pedestrian crossing buttons
- Further detailed investigation of pedestrian access routes sidewalk slopes, pedestrian access ramps, and bus stops is planned to ensure compliance with ADA standards
- Trip hazards identified by self-evaluation or public input will be corrected as a sidewalk repair project
- The City of Marshall is adhering to MnDOT Project Scoping and Design Requirements, which determine which street project types require the provision of accessible curb ramps, per the Americans with Disabilities Act
- The City of Marshall utilizes approved MNDOT pedestrian curb ramp details and Pedestrian Access Route (PAR) design principals which ensure compliance to ADA standards in current and future street improvements

## BLUE ROUTE DEPARTURE TIMES

Courthouse	8:35	9:35	10:35	11:35	12:35	1:35	2:35	3:35	4:35
4th & Lyon	8:38	9:38	10:38	11:38	12:38	1:38	2:38	3:38	4:38
Parkview Apts	8:41	9:41	10:41	11:41	12:41	1:41	2:41	3:41	4:41
RC Square	8:45	9:45	10:45	11:45	12:45	1:45	2:45	3:45	4:45
Birchwood Apts	8:46	9:46	10:46	11:46	12:46	1:46	2:46	3:46	4:46
SMSU Apts	8:47	9:47	10:47	11:47	12:47	1:47	2:47	3:47	4:47
SMSU Conf. Center	8:50	9:50	10:50	11:50	12:50	1:50	2:50	3:50	4:50
Marshall Square Apts	8:53	9:53	10:53	11:53	12:53	1:53	2:53	3:53	4:53
ACMC Clinic	8:55	9:55	10:55	11:55	12:55	1:55	2:55	3:55	4:55
UCAP	9:05	10:05	11:05	12:05	1:05	2:05	3:05	4:05	5:05
Walmart	9:10	10:10	11:10	12:10	1:10	2:10	3:10	4:10	5:10
Susan Drive	9:12	10:12	11:12	12:12	1:12	2:12	3:12	4:12	5:12
ACMC Clinic	9:15	10:15	11:15	12:15	1:15	2:15	3:15	4:15	5:15
Marshall Square	9:17	10:17	11:17	12:17	1:17	2:17	3:17	4:17	5:17
SMSU Conf. Center	9:19	10:19	11:19	12:19	1:19	2:19	3:19	4:19	5:19
SMSU Apts	9:20	10:20	11:20	12:20	1:20	2:20	3:20	4:20	5:20
Birchwood Apts	9:21	10:21	11:21	12:21	1:21	2:21	3:21	4:21	5:21
RC Square	9:22	10:22	11:22	12:22	1:22	2:22	3:22	4:22	5:22
Parkview Apts	9:25	10:25	11:25	12:25	1:25	2:25	3:25	4:25	5:25
4th & Lyon	9:27	10:27	11:27	12:27	1:27	2:27	3:27	4:27	5:27

## ROUTE INFORMATION

**FARE: \$1.00 / ride**

**Route runs:**

Monday - Friday 8:35am to 5:30pm

Must be waiting at the stop prior to the departure time.  
Requests for route deviation referred to Dispatch.

**Know the rules for riding.**

**Visit:** [www.communitytransitswmn.org](http://www.communitytransitswmn.org)

**You can be suspended for** disruptive behavior, soiling and damaging the vehicle according to MN Statute 609.885; for repeated last minute cancellations or no-shows; or for not following the rules.

Community Transit is committed to providing non-discriminatory service, and informing customers about how to request more information and to file a discrimination complaint. UCAP is an equal opportunity employer. An EOE/AA/ADA Employer

**UNITED COMMUNITY  
ACTION PARTNERSHIP**

1400 S. Saratoga St. • Marshall, MN 56258  
[www.communitytransitswmn.org](http://www.communitytransitswmn.org)



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# BLUE ROUTE

**Dispatch Center**  
507-537-7628

**Minnesota Relay**  
1-800-627-3529

**Email:** [tpmarshall@unitedcapmn.org](mailto:tpmarshall@unitedcapmn.org)  
**www.communitytransitswmn.org**

A Service of United Community Action Partnership

## BLUE ROUTE TIME / STOPS

**COURTHOUSE**  
:35 :30

**COURTHOUSE**  
Serving Law Enforcement Center, Turkey Valley Farms

**4TH & LYON**  
:38 :27

**4TH & LYON**  
Serving Post Office, Movie Theater, DMV, Wells Fargo Bank, Churches

**PARKVIEW APTS**  
:41 :25

**PARKVIEW APTS**

**RC SQUARE**  
:45 :22

**RC SQUARE**

**BIRCHWOOD APTS**  
:46 :21

**BIRCHWOOD APTS**  
Serving Sunrise, Fairview, Birchwood

**SMSU APTS**  
:47 :20

**SMSU APTS**

**SMSU CONFERENCE CENTER**  
:50 :19

**SMSU CONFERENCE CENTER**

**MARSHALL SQUARE APTS**  
:53 :17

**MARSHALL SQUARE APTS**

**ACMC**  
:55 :15

**ACMC**

**SUSAN DRIVE**  
:12

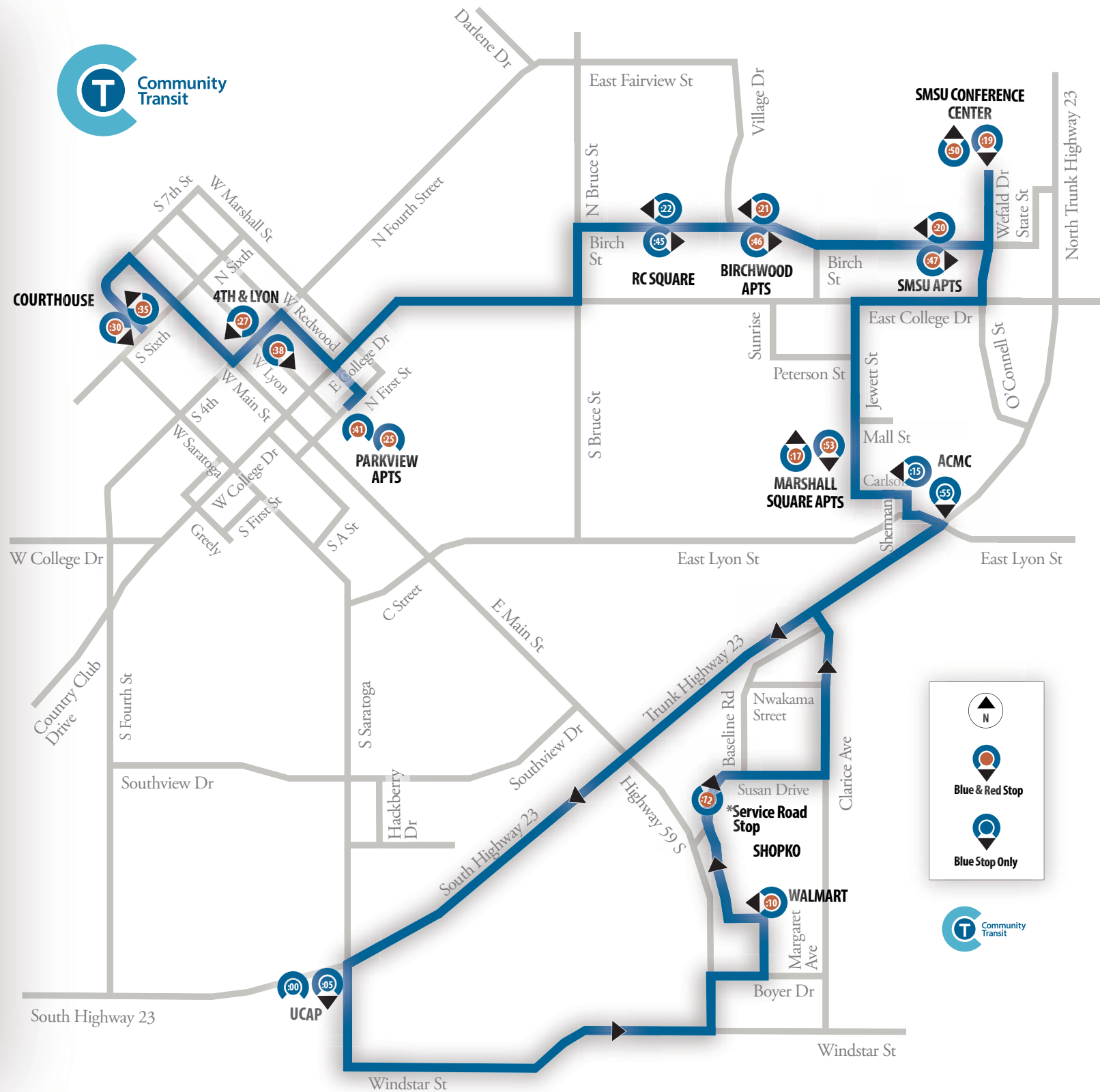
**SUSAN DRIVE**  
Serving Runnings, Shopko, Culvers

**WALMART**  
:10

**WALMART**

**UCAP**  
:00 :05

**UCAP**



## RED ROUTE DEPARTURE TIMES

LOCATION	RUN 1	RUN 2	RUN 3	RUN 4	RUN 5	RUN 6	RUN 7	RUN 8	RUN 9	RUN 10	RUN 11	RUN 12
YMCA	7:00	8:00	9:00	10:00	11:00	12:00	1:00	2:00	3:00	4:00	5:00	6:00
City Hall	7:05	8:05	9:05	10:05	11:05	12:05	1:05	2:05	3:05	4:05	5:05	6:05
Courthouse	7:07	8:07	9:07	10:07	11:07	12:07	1:07	2:07	3:07	4:07	5:07	6:07
Lyon City Apts	7:09	8:09	9:09	10:09	11:09	12:09	1:09	2:09	3:09	4:09	5:09	6:09
Riverview Apts	7:09	8:09	9:09	10:09	11:09	12:09	1:09	2:09	3:09	4:09	5:09	6:09
Parkview Apts	7:13	8:13	9:13	10:13	11:13	12:13	1:13	2:13	3:13	4:13	5:13	6:13
4th & Lyon	7:15	8:15	9:15	10:15	11:15	12:15	1:15	2:15	3:15	4:15	5:15	6:15
N 4th & Darlene	7:17	8:17	9:17	10:17	11:17	12:17	1:17	2:17	3:17	4:17	5:17	6:17
Village Drive	7:19	8:19	9:19	10:19	11:19	12:19	1:19	2:19	3:19	4:19	5:19	6:19
Windsong Apts	7:20	8:20	9:20	10:20	11:20	12:20	1:20	2:20	3:20	4:20	5:20	6:20
Birchwood Apts	7:21	8:21	9:21	10:21	11:21	12:21	1:21	2:21	3:21	4:21	5:21	6:21
SMSU Apts	7:22	8:22	9:22	10:22	11:22	12:22	1:22	2:22	3:22	4:22	5:22	6:22
SMSU Conf.	7:25	8:25	9:25	10:25	11:25	12:25	1:25	2:25	3:25	4:25	5:25	6:25
SMSU Apts	7:27	8:27	9:27	10:27	11:27	12:27	1:27	2:27	3:27	4:27	5:27	6:27
Peterson St	7:30	8:30	9:30	10:30	11:30	12:30	1:30	2:30	3:30	4:30	5:30	6:30
Riverwind Apts	7:31	8:31	9:31	10:31	11:31	12:31	1:31	2:31	3:31	4:31	5:31	6:31
Marshall Sq Apts	7:32	8:32	9:32	10:32	11:32	12:32	1:32	2:32	3:32	4:32	5:32	6:32
Susan Drive	7:35	8:35	9:35	10:35	11:35	12:35	1:35	2:35	3:35	4:35	5:35	6:35
Walmart	7:40	8:40	9:40	10:40	11:40	12:40	1:40	2:40	3:40	4:40	5:40	6:40
HyVee	7:43	8:43	9:43	10:43	11:43	12:43	1:43	2:43	3:43	4:43	5:43	6:43
Dogwood Ave	7:45	8:45	9:45	10:45	11:45	12:45	1:45	2:45	3:45	4:45	5:45	6:45
City Side Apts	7:47	8:47	9:47	10:47	11:47	12:47	1:47	2:47	3:47	4:47	5:47	6:47
Freedom Park	7:48	8:48	9:48	10:48	11:48	12:48	1:48	2:48	3:48	4:48	5:48	6:48
Ampride	7:50	8:50	9:50	10:50	11:50	12:50	1:50	2:50	3:50	4:50	5:50	6:50
Library	7:53	8:53	9:53	10:53	11:53	12:53	1:53	2:53	3:53	4:53	5:53	6:53

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# RED ROUTE

**Dispatch Center**  
507-537-7628

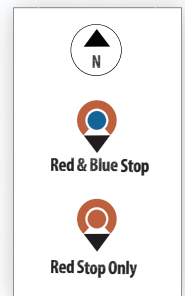
**Minnesota Relay**  
1-800-627-3529

**Email:** [tpmarshall@unitedcapmn.org](mailto:tpmarshall@unitedcapmn.org)  
[www.communitytransitswmn.org](http://www.communitytransitswmn.org)

A Service of United Community Action Partnership



- :00 YMCA**  
*Serving Schwan's Corporate Office*
- :05 CITY HALL**  
*Serving 3rd & Main Street Businesses, Adult Center*
- :07 COURTHOUSE**  
*Serving Law Enforcement Center, Turkey Valley Farms*
- :09 LYON CITY APTS**  
*Serving Marshall Municipal Utilities*
- :09 RIVERVIEW APTS**
- :13 PARKVIEW APTS**
- :15 4TH & LYON**  
*Serving Post Office, Movie Theater, DMV, Wells Fargo Bank, Churches*
- :17 N 4TH & DARLENE DR**
- :19 VILLAGE DRIVE**  
*Serving Wedgewood, J&J Apts*
- :20 WINDSONG APTS**
- :21 BIRCHWOOD APTS**  
*Serving Sunrise, Fairview, Birchwood*
- :22 SMSU APTS**
- :25 SMSU CONFERENCE CENTER**
- :27 SMSU APTS**
- :30 PETERSON ST**
- :31 RIVERWIND APTS**
- :32 MARSHALL SQUARE APTS**
- :35 SUSAN DRIVE**  
*Serving Runnings, Shopko, Culvers*
- :40 WALMART**
- :43 HYVEE**
- :45 DOGWOOD AVE**
- :47 CITY SIDE APTS**
- :48 FREEDOM PARK**
- :50 AMPRIDE**
- :53 LIBRARY**



## APPENDIX C – SCHEDULE / BUDGET INFORMATION

### COST INFORMATION

#### UNIT PRICES

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative 2020 costs for some typical accessibility improvements based on if the improvements are included as part of a retrofit type project, or as part of a larger comprehensive capital improvement project.

Intersection corner ADA improvement retrofit +/- \$5,000

Signalized Intersection control signal APS upgrade retrofit: +/- \$ 35,000

Sidewalk / Trail ADA improvement retrofit: +/- \$10.00 per SF

Sidewalk / Trail ADA improvement project: +/- \$5.00 per SF

Bus Stop ADA improvement retrofit: +/- \$1,200 per stop

Bus Stop ADA improvement as part of adjacent capital project: +/- \$50,000 per stop

Rectangle detectable warnings truncated domes installed +/- \$50 per square foot

#### PRIORITY AREAS

Based on the results of the self-evaluation, the estimated costs associated with eliminating accessibility barriers within the targeted priority areas is as follows:

- Near Schools - \$292,500
- Near Public Buildings - \$125,000
- Areas identified by Public Input

#### UCAP BUS SHELTER IMPROVEMENTS

UCAP has identified several bus stops as target areas for improvements beginning in 2020 and continuing throughout the next 10 years. Currently, MnDOT has approved UCAP for a capital grant of \$360,000 in 2022 to perform ADA-compliant bus stop improvements. A listing of bus stops in the improvement schedule are as follows (priority stops are marked with an asterisk):

- Freedom Park (relocate shelter from City Hall) – Planned for 2020
- Lyon County Apartments (Red Route)
- Riverview Apartments (Red Route)
- \* North 4<sup>th</sup> Street and Darlene Drive (Red Route)
- Peterson Street (Red Route)
- \* Susan Drive (relocate stop to Baseline Road) (Red/Blue Routes)



- \* Walmart (relocate stop to Boyer Drive) (Red/Blue Routes)
- \* Ampride (relocate west of Ampride on Country Club Drive) (Red Route)
- Dogwood Avenue (Red Route)
- RC Square (Blue Route)

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#### ENTIRE JURISDICTION

Based on the results of the self-evaluation, the estimate costs associated with providing ADA accessibility within the entire jurisdiction is +/- \$11,153,600. This amount is a significant investment that the City of Marshall is committed to making in the upcoming years. A systematic approach to providing accessibility will be taken in order to absorb the cost into the City of Marshall budget for improvements to the public right of way.

The 5-Year Capital Improvement Plan identifies significant street reconstruction activities with ADA accessibility improvements included in each project.



City of Marshall, Public Works Division  
ADA Compliance Checklist (Curb/Ped Ramp)

INSPECTION CRITERIA

INTERSECTION:	QUADRANT:
---------------	-----------

RAMP TYPE: COMBINED DIRECTIONAL / DIRECTIONAL RAMP / STANDARD ONE-WAY  
DIRECTIONAL / PERPENDICULAR / PARALLEL / FAN / TIERED PERPENDICULAR  
/ DIAGONAL

IS THERE A PHOTO OF THIS RAMP FOR VERIFICATION?	Yes	or	No
1) Minimum 4' wide pedestrian access route (PAR) maintained?	Yes	or	No
2) Landing Slopes (%):			
3) Are Landing dimensions a minimum 4' X 4' ?	Yes	or	No
4) Are landing(s) located at the top of each ramp and at change(s) in direction and at inverse grades?			
5) Ramp's running slope (%):			
6) Ramp's cross slope (%):			
7) Gutter flow line slope (%):			
8) Does ramp comply with MNDOT Spec 2521.3?	Yes	or	No
9) Do truncated domes cover the entire curb opening and are they properly oriented?	Yes	or	No
10) Are there any vertical discontinuities greater than ¼"? Yes or No			
11) Are the ramps fully compliant?	Yes	or	No

If no explain why ramp does not meet compliance?






# City of Marshall Public Works Department

## 10-Year Capital Improvement Plan (C.I.P.)

2021 - 2030

**\*\*All costs are estimated\*\***

YEAR	PROJECT DESCRIPTION	TOTAL ESTIMATE	SPECIAL ASSESSMENTS	WASTEWATER FUND	MMU	MUNICIPAL STATE AID	SURFACE WATER MANAGEMENT UTILITY	AD VALOREM
2021	James Avenue Reconstruction & Storm Outfall Improvements	\$1,074,151	\$60,661	\$120,854	\$100,235	\$0	\$731,741	\$60,661
2021	North 1st Street (Main Street to Marshall Street) / West Marshall, W Redwood, W Lyon (North 1st to College)	\$1,922,947	\$251,226	\$543,533	\$429,428	\$0	\$447,534	\$251,226
2021	Tiger Drive Project	\$290,163	\$0	\$0	\$0	\$0	\$0	\$290,163
2021	Independence Park/Nwakama Sanitary Re-Route and Storm Culvert Replacement	\$100,000	\$0	\$75,000	\$0	\$0	\$0	\$25,000
2021	State Aid Overlay	\$875,000	\$0	\$0	\$0	\$875,000	\$0	\$0
2021	Legion Field Park River Stabilization Project (Bike Trail and Shelter Areas)	\$100,000	\$0	\$0	\$0	\$0	\$100,000	\$0
2021	2021 Street Mill & Overlays and ADA Improvements	\$675,000	\$0	\$0	\$0	\$0	\$0	\$675,000
2021	Diversion Channel Slope Repairs and Sheet Pile Removal	\$155,000	\$0	\$0	\$0	\$0	\$155,000	\$0
	TOTAL 2021	\$5,192,261	\$311,887	\$739,387	\$529,663	\$875,000	\$1,434,275	\$1,302,050
2022	W Lyon St (College to N 5th St) / N 3rd St Reconstruction (W Redwood to Main) including Rose and Addison Parking Lot Reconstruction	\$2,662,413	\$376,451	\$570,263	\$608,138	\$0	\$731,110	\$376,451
2022	Industrial Park Replacement Project-Phase III (Halbur Road)	\$1,510,329	\$184,786	\$382,766	\$0	\$0	\$450,015	\$492,762
2022	S. 4th/Country Club Intersection Reconfiguration	\$750,000	\$0	\$0	\$0	\$0	\$100,000	\$650,000
2022	SRTS RRFB and Flashing Beacon/Radar-Indicated Speed Sign Project	\$424,760	\$42,480	\$0	\$0	\$339,800	\$0	\$42,480
2022	2022 Street Mill & Overlays and ADA Improvements	\$725,000	\$0	\$0	\$0	\$0	\$0	\$725,000
2022	State Aid Overlay	\$875,000	\$0	\$0	\$0	\$875,000	\$0	\$0
	TOTAL 2022	\$6,947,502	\$603,717	\$953,029	\$608,138	\$1,214,800	\$1,281,126	\$2,286,693
2023	Bruce Street Reconstruction (Charles to Willow)	\$1,513,808	\$130,998	\$197,445	\$360,728	\$0	\$693,640	\$130,998
2023	Cheryl Avenue Reconstruction Project - Eatros Addition Phase 1	\$1,627,638	\$177,056	\$394,646	\$454,719	\$0	\$306,123	\$295,094
2023	Legion Field Road Stormwater Study: Phase 2-Parkway Filtration Basin	\$583,333	\$0	\$0	\$0	\$0	\$583,333	\$0
2023	2023 Street Mill & Overlays and ADA Improvements	\$775,000	\$0	\$0	\$0	\$0	\$0	\$775,000
	TOTAL 2023	\$4,499,779	\$308,054	\$592,091	\$815,447	\$0	\$1,583,095	\$1,201,092

YEAR	PROJECT DESCRIPTION	TOTAL ESTIMATE	SPECIAL ASSESSMENTS	WASTEWATER FUND	MMU	MUNICIPAL STATE AID	SURFACE WATER MANAGEMENT UTILITY	AD VALOREM
2024	Williams St/George St (1st to Williams)/1st St/Greeley Reconstruction	\$3,100,335	\$367,160	\$748,246	\$813,927	\$0	\$559,069	\$611,933
2024	Runnings Pond	\$506,479	\$0	\$0	\$0	\$0	\$506,479	\$0
2024	Bladholm Street River Stabilization Project	\$319,000	\$0	\$0	\$0	\$0	\$319,000	\$0
2024	North High Street River Stabilization Project	\$319,000	\$0	\$0	\$0	\$0	\$319,000	\$0
2024	2024 Street Mill & Overlays and ADA Improvements	\$825,000	\$0	\$0	\$0	\$0	\$0	\$825,000
	TOTAL 2024	\$5,069,813	\$367,160	\$748,246	\$813,927	\$0	\$1,703,548	\$1,436,933
2025	Elaine Ave/Thomas Ave/Alan Ave Reconstruction Project - Eatros Addition Phase 2	\$3,013,070	\$361,542	\$908,073	\$674,142	\$0	\$105,201	\$964,112
2025	MnDOT College Drive Reconstruction - City Cost Participation	\$3,800,000	\$300,000	\$500,000	\$500,000	\$1,250,000	\$750,000	\$500,000
2025	Legion Field Road Stormwater Study: Phase 3-Legion Field Basin	\$784,666	\$0	\$0	\$0	\$0	\$784,666	\$0
2025	2025 Street Mill & Overlays and ADA Improvements	\$875,000	\$0	\$0	\$0	\$0	\$0	\$875,000
2025	USACE Betterments	\$175,000	\$0	\$0	\$0	\$0	\$175,000	\$0
	TOTAL 2025	\$8,647,736	\$661,542	\$1,408,073	\$1,174,142	\$1,250,000	\$1,814,867	\$2,339,112
	TOTALS 2021-2025	\$30,357,092	\$2,252,359	\$4,440,827	\$3,941,317	\$3,339,800	\$7,816,910	\$8,565,879
	% PARTICIPATION	100.0%	7.4%	14.6%	13.0%	11.0%	25.8%	28.2%

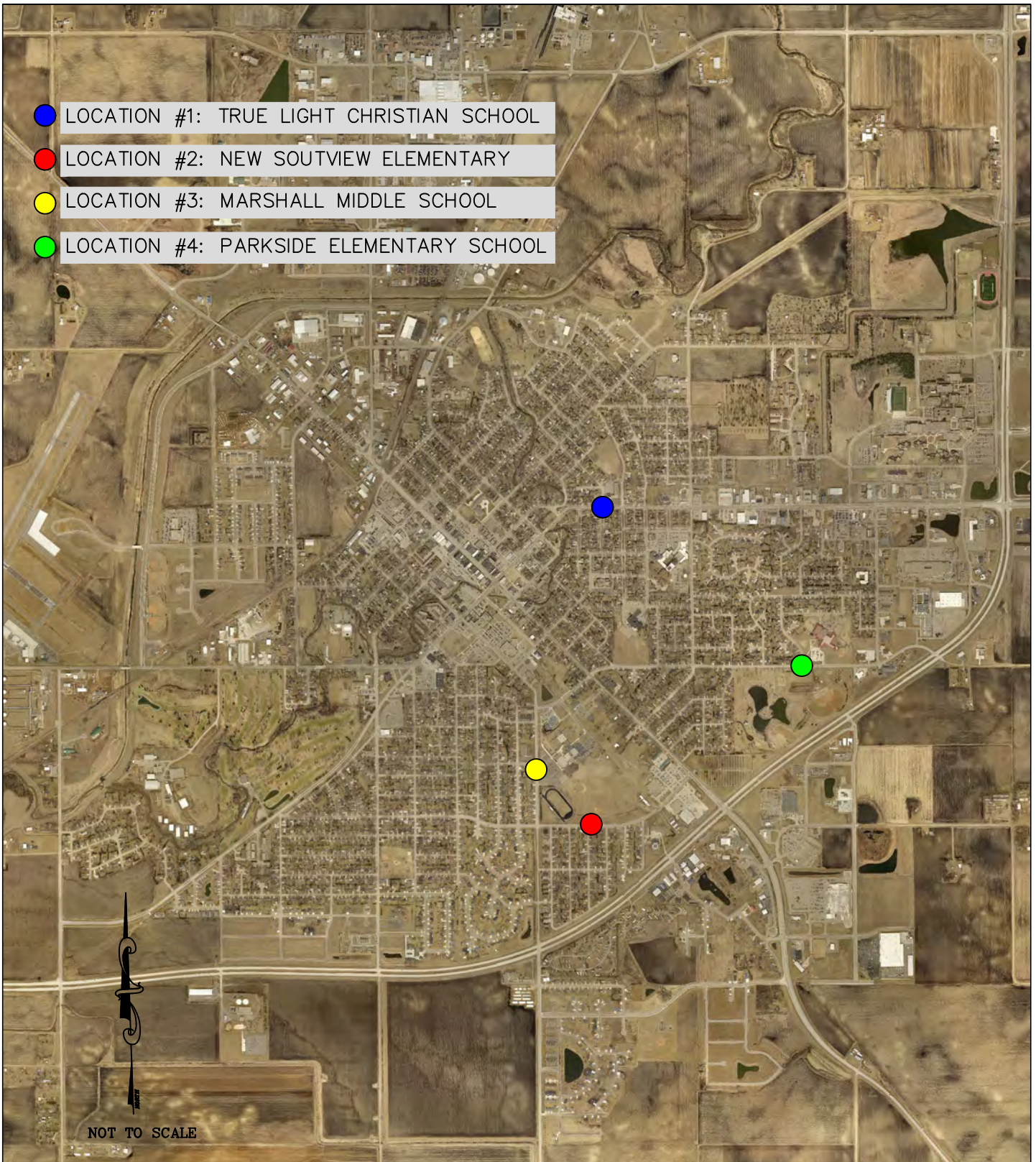
2026	N. 4th Street (Main to Bridge) Reconstruction Project - Phase 1	\$2,000,000	\$300,000	\$660,000	\$660,000	\$0	\$80,000	\$300,000
2026	Kennedy/Washington Sanitary/Watermain Replacement Project - Vanuden Addition Phase 1	\$1,954,761	\$226,946	\$489,419	\$544,117	\$0	\$89,089	\$605,189
2026	T.H. 23 and Hackberry Drive Watermain Replacement Project	\$313,439	\$0	\$0	\$313,439	\$0	\$0	\$0
2026	2026 Street Mill & Overlays and ADA Improvements	\$925,000	\$0	\$0	\$0	\$0	\$0	\$925,000
	TOTAL 2026	\$5,193,199	\$526,946	\$1,149,419	\$1,517,556	\$0	\$169,089	\$1,830,189
2027	Kathryn Ave/Donita Ave Reconstruction Project - Eatros Addition Phase 3	\$2,731,549	\$836,314	\$314,848	\$393,560	\$0	\$350,514	\$836,314
2027	S Hill St/Charles Ave Reconstruction - Liberty Park/Morningside Heights Phase 1	\$2,098,165	\$740,999	\$167,263	\$282,871	\$0	\$166,033	\$740,999
2027	2028 Street Mill & Overlays and ADA Improvements	\$925,000	\$0	\$0	\$0	\$0	\$0	\$925,000
	TOTAL 2027	\$5,754,714	\$1,577,313	\$482,111	\$676,431	\$0	\$516,547	\$2,502,313

YEAR	PROJECT DESCRIPTION	TOTAL ESTIMATE	SPECIAL ASSESSMENTS	WASTEWATER FUND	MMU	MUNICIPAL STATE AID	SURFACE WATER MANAGEMENT UTILITY	AD VALOREM
2028	N. 4th Street (Bridge to Mason) Reconstruction Project - Phase 2	\$2,000,000	\$400,000	\$660,000	\$660,000	\$0	\$80,000	\$200,000
2028	S Whitney St/S Minnesota St Reconstruction - Liberty Park/Morningside Heights Phase 2	\$1,530,258	\$532,044	\$162,147	\$209,017	\$0	\$95,008	\$532,044
2028	Glenn/Peltier/Simmons Street Reconstruction Project	\$893,117	\$219,202	\$125,258	\$182,668	\$0	\$146,787	\$219,202
2028	2028 Street Mill & Overlays and ADA Improvements	\$925,000	\$0	\$0	\$0	\$0	\$0	\$925,000
	TOTAL 2028	\$5,348,376	\$1,151,246	\$947,405	\$1,051,685	\$0	\$321,795	\$1,876,246
2029	N. 4th Street (Mason to Bruce) Reconstruction Project - Phase 3	\$2,000,000	\$400,000	\$660,000	\$660,000	\$0	\$80,000	\$200,000
2029	Central/Roosevelt/Lincoln Sanitary/Watermain Replacement Project - Vanuden Phase 2	\$1,527,193	\$429,859	\$124,181	\$202,989	\$0	\$340,305	\$429,859
2029	Fairview Street / Robin Hood Lane Project	\$4,461,565	\$401,411	\$12,668	\$652,387	\$875,000	\$513,042	\$2,007,057
2029	2029 Street Mill & Overlays and ADA Improvements	\$925,000	\$0	\$0	\$0	\$0	\$0	\$925,000
	TOTAL 2029	\$8,913,758	\$1,231,270	\$796,849	\$1,515,375	\$875,000	\$933,347	\$3,561,916
2030	E Marshall/Park Ave/S High St Reconstruction - Liberty Park/Morningside Heights Phase 3	\$2,143,742	\$615,853	\$292,269	\$287,050	\$0	\$332,717	\$615,853
2030	Commerce Industrial Park-Phase III (Pacific Avenue)	\$2,147,832	\$0	\$0	\$1,073,916	\$0	\$0	\$1,073,916
2030	Commerce Industrial Park-Phase III (Gulf Avenue & Atlantic Avenue)	\$2,430,936	\$0	\$0	\$1,215,468	\$0	\$0	\$1,215,468
2030	Commerce Industrial Park III - CSAH 33 Watermain Looping	\$301,418	\$0	\$0	\$150,709	\$0	\$0	\$150,709
2030	2030 Street Mill & Overlays and ADA Improvements	\$925,000	\$0	\$0	\$0	\$0	\$0	\$925,000
2030	USACE Betterments	\$180,000	\$0	\$0	\$0	\$0	\$180,000	\$0
	TOTAL 2030	\$8,128,929	\$615,853	\$292,269	\$2,727,143	\$0	\$512,717	\$3,980,946
	TOTALS 2026-2030	\$33,338,976	\$5,102,628	\$3,668,053	\$7,488,191	\$875,000	\$2,453,495	\$13,751,610
	% PARTICIPATION	100.0%	15.3%	11.0%	22.5%	2.6%	7.4%	41.3%

	TOTALS 2021-2030	\$63,696,068	\$7,354,987	\$8,108,879	\$11,429,508	\$4,214,800	\$10,270,405	\$22,317,489
	% PARTICIPATION	100.0%	11.6%	12.7%	17.9%	6.6%	16.1%	35.0%



- LOCATION #1: TRUE LIGHT CHRISTIAN SCHOOL
- LOCATION #2: NEW SOUTVIEW ELEMENTARY
- LOCATION #3: MARSHALL MIDDLE SCHOOL
- LOCATION #4: PARKSIDE ELEMENTARY SCHOOL



5/15/2020



**CITY ENGINEERS OFFICE**  
**344 WEST MAIN STREET**  
**MARSHALL, MINNESOTA**  
**56258**

**CITY OF MARSHALL, MN**

**Proposed Locations for Pedestrian**  
**Crossings & School Zone Speed Limit &**  
**Radar-Indicated Speed Signage**



## APPENDIX D – PUBLIC OUTREACH

The City of Marshall announced and advertised a Public Hearing to review and receive public comment regarding the implementation of the City of Marshall Americans with Disabilities Act Transition Plan for 2020.

The City of Marshall conducted the Public Hearing at the City Council meeting on August 11<sup>th</sup>, 2020. The draft of the City of Marshall ADA Transition Plan and following slides were made available at that Public Hearing for discussion.

The draft ADA Transition Plan was also sent to local groups that work with the disabled community. The United Community Action Partnership (UCAP) and Southwestern Center for Independent Living (SWCIL) are two groups that provided input and comments on the plan.

The ADA Transition Plan is also posted on the City of Marshall's website. The plan is made available to anyone interested in viewing the plan. The City of Marshall will continue to collect input and comments on the plan from the public and local groups. The City will review those comments for inclusion in updates to the plan.

# ADA Transition Plan

Open House Presentation



# What is an ADA Transition Plan?

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability.

As a provider of public transportation services and programs, the City of Marshall must comply with this Act. A Transition Plan is being developed detailing how the City will ensure that all facilities are accessible to all individuals.



The City of Marshall must meet these general requirements for individuals with disabilities:

- Access to all public programs and places
- Modification of policies that deny equal access
- Effective communication procedures
- An ADA Coordinator that coordinates ADA compliance
- Public notice of ADA requirements
- Grievance procedure for resolution of complaints

The City of Marshall has set a goal to provide ADA accessible pedestrian design features as part of the City's Capital Improvement Plan (CIP) projects. These standards and procedures will be kept up to date with nationwide and local best management practices.



# ADA Improvement Schedule

The City of Marshall ADA improvement schedule is based on items identified in the City's Capital Improvement Program (CIP) and includes the following schedule:

- All new construction and reconstruction projects with pedestrian facilities will be designed and constructed to conform with the most current ADA design practices to the extent feasible.
- ADA improvements on rehabilitation/resurfacing projects will be addressed on a case-by-case basis.
- ADA improvements requested by the public will be evaluated by City staff. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities.

City of Marshall Public Works Goals:

- After 20 years, 100% of accessibility features within the priority areas identified by City of Marshall staff would be ADA compliant.
- After 30 years, 100% of accessibility features within the jurisdiction of City of Marshall would be ADA compliant.

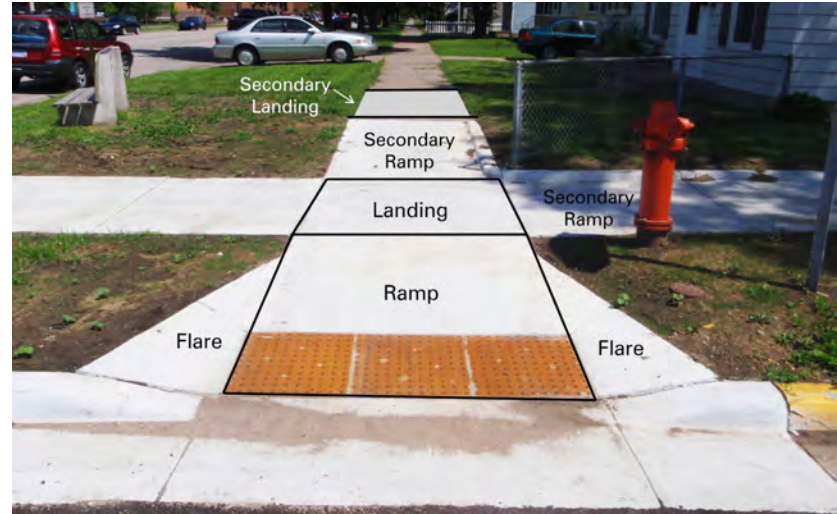




# Basic Ramp Elements

Without these basic ramp elements, sidewalk travel can be dangerous, difficult, and in some cases, impossible for people who use wheelchairs, scooters and other mobility aids.

Curb ramps allow people with mobility impairments to gain access to the sidewalks and to pass through center islands in streets. Otherwise, these individuals are forced to travel in streets and roadways and are put in danger or are prevented from reaching their destination.



# ADA Compliance Example

## Non-Compliant Ramp



## Compliant Ramp



# Contact Information

The City of Marshall has identified two roles within the City to oversee the City policies, procedures and implementation.



## ADA Title II Coordinator

Sheila Dubs, Human Resources Director

344 West Main Street

Marshall, MN 56258

Phone: 507-537-6790

E-Mail: [Sheila.Dubs@ci.marshall.mn.us](mailto:Sheila.Dubs@ci.marshall.mn.us)

## Public Right-of-Ways ADA Implementation Coordinator

Jason R. Anderson, P.E., Public Works Director/City Engineer

344 West Main Street

Marshall, MN 56258

Phone: 507-537-6773

E-Mail: [Jason.Anderson@ci.marshall.mn.us](mailto:Jason.Anderson@ci.marshall.mn.us)



## APPENDIX E – PUBLIC NOTICE

As part of the ADA requirements the City/County has posted the following notice outlining its ADA requirements:

### PUBLIC NOTICE

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, City of Marshall will not discriminate against qualified individuals with disabilities on the basis of disability in City of Marshall services, programs, or activities.

**EMPLOYMENT:** The City of Marshall 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 Americans with Disabilities Act (ADA).

**EFFECTIVE COMMUNICATION:** The City of Marshall 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 Marshall 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 Marshall will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City of Marshall programs, services, and activities. For example, individuals with service animals are welcomed in City of Marshall 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 City of Marshall program, service, or activity, should contact the office of ADA Coordinator, Sheila Dubs as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Marshall to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

The City of Marshall 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.

## APPENDIX F – GRIEVANCE PROCEDURE

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 Marshall. The City of Marshall 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:

**Sheila Dubs**  
**City of Marshall ADA Coordinator/ Human Resource Manager**  
**344 West Main Street, Marshall, Minnesota 56258**

Within 15 calendar days after receipt of the complaint, Sheila Dubs or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Sheila Dubs or her 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 Marshall and offer options for substantive resolution of the complaint.

If the response by Sheila Dubs or her 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 City Administrator Sharon Hanson or her designee.

Within 15 calendar days after receipt of the appeal, the City Administrator Sharon Hanson or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Administrator Sharon Hanson or her 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 Sheila Dubs or her designee, appeals to the City Administrator Sharon Hanson or her designee, and responses from these two offices will be retained by the City of Marshall for at least three years.

Those wishing to file a formal written grievance with City of Marshall may do so by one of the following methods:

### Internet

Visit the City of Marshall website (website) and click the "ADA" link to the [ADA Grievance Form](#). Fill in the form online and click "submit." A copy of The ADA Grievance Form is included in this Appendix.

### Telephone





Contact the pertinent City of Marshall staff person listed in the **Contact Information** section of Appendix E to submit an oral grievance. The staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

#### Paper Submittal

Contact the pertinent City of Marshall staff person listed in the **Contact Information** section of Appendix E to request a paper copy of the county's grievance form, complete the form, and submit it to ADA Coordinator Sheila Dubs. A staff person will utilize the Internet method above to submit the grievance on behalf of the person filing the grievance.

The ADA Grievance Form will ask for the following information:

The **name, address, telephone number, and email address** for the person filing the grievance

The **name, address, telephone number, and email address** for the person alleging an ADA violation (if different than the person filing the grievance)

A **description and location of the alleged violation and the nature of a remedy sought**, if known by the complainant.

If the complainant has filed the same complaint or grievance with the United States Department of Justice (DOJ), another federal or state civil rights agency, a court, or others, the **name of the agency or court where the complainant filed it and the filing date**.

The City of Marshall will acknowledge receipt of the grievance to the complainant within 10 working days of its submittal. City of Marshall will also provide to the complainant within 10 working days of its submittal; 1) a response or resolution to the grievance or; 2) information on when the complainant can expect a response or resolution to the grievance.

If the grievance filed does not concern an City of Marshall facility, the City of Marshall will work with the complainant to contact the agency that has jurisdiction.

3. Within 60 calendar days of receipt, an City of Marshall staff person will conduct an investigation necessary to determine the validity of the alleged violation. As a part of the investigation, the staff person would conduct an engineering study to help determine the City of Marshall's response. The staff person will take advantage of department resources and use engineering judgment, data collected, and any information submitted by the resident to develop a conclusion. A staff person will be available to meet with the complainant to discuss the matter as a part of the investigation and resolution of the matter. The City of Marshall will document each resolution of a filed grievance and retain such documentation in the department's ADA Grievance File for a period of seven years.

The City of Marshall will consider all specific grievances within its particular context or setting. Furthermore, the City of Marshall will consider many varying circumstances including: 1) the nature of the access to services, programs, or facilities at issue; 2) the specific nature of the disability; 3) the essential eligibility requirements for participation; 4) the health and safety of others; and 5) the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to City of Marshall.



Accordingly, the resolution by City of Marshall of any one grievance does not constitute a precedent upon which the county is bound or upon which other complaining parties may rely.

#### File Maintenance

The City of Marshall shall maintain ADA grievance files for a period of seven years.

Complaints of Title II violations may also be filed with the DOJ within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department of Justice (DOJ). The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

For more information, contact:

U.S. Department of Justice

Civil Rights Division

950 Pennsylvania Avenue, N.W.

Disability Rights Section - NYAV

Washington, D.C. 20530

[www.ada.gov](http://www.ada.gov)

(800) 514-0301 (voice – toll free)

(800) 514-0383 (TTY)

Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the DOJ or any other Federal agency, or to receive a "right-to-sue" letter, before going to court.

Copies of the City of Marshall ADA Grievance Form and ADA Discrimination Complaint Form are included on the following pages. These forms will also be available electronically on the City of Marshall's website.



## City of Marshall

### Americans with Disabilities Act Grievance Form

In accordance with Title II of the Americans with Disabilities Act (ADA) of 1990, the City of Marshall makes all programs and services associated with its operation of the City of Marshall accessible to all persons with disabilities. Please use this form to file a grievance if you believe that you were denied access to an City of Marshall program or service based on disability. You may submit your grievance to Sheila Dubs, ADA Coordinator, City Hall, 344 West Main Street, Marshall, Minnesota 56258, or office phone: 507-537-6790, or email

[sheila.dubs@ci.marshall.mn.us](mailto:sheila.dubs@ci.marshall.mn.us)

**Grievant Name:**

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**Address:**

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**Phone number with area code:**

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**Email Address:**

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**Description of Alleged Violation and Requested Remedy – Please include date, time, location and specific information. Please use additional sheets of paper if necessary.**

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## Americans with Disabilities Act Discrimination Complaint Form

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Please complete this form. Fields marked with an asterisk (\*) are required. If you wish to send attachments, you may do so after submitting this form. You will receive a response email after you have submitted this form that will contain a complaint reference number and instructions on how you may send attachments.

Person filling out this form:

First Name\*

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Middle

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Last Name\*

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Address\*

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City\*

---

State\*

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ZIP\*

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Telephone\*

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Email\*

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Person Discriminated Against (if other than the complainant) \*

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Discriminatory Incident\*: 

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Date when did the discrimination occur? \* 

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Primary type of disability (circle appropriate) \*: mobility,  
cognitive/intellectual/developmental, learning, mental/psychiatric, vision, hearing,  
seizure, speech, HIV/AIDS, diabetes, other not listed

Issue (circle appropriate) \* : physical access, other or don't know



Describe the acts of discrimination\*:

[illegible]





Has the complaint been filed with another Agency or US Department of Justice or any other Federal, State, civil rights agency or court\*?

\_\_\_\_ Yes \_\_\_\_ No

Agency or Court\*:

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## APPENDIX G – CONTACT INFORMATION

### ADA TITLE II COORDINATOR

Name: Sheila Dubs, Human Resources Director

Address: 344 West Main Street, City Hall, Marshall, Minnesota, 56258

Phone: 507-537-6790

E-mail: [sheila.dubs@ci.marshall.mn.us](mailto:sheila.dubs@ci.marshall.mn.us)

### PUBLIC RIGHT OF WAYS ADA IMPLEMENTATION COORDINATOR

Jason R. Anderson, P.E., Public Works Director/City Engineer

Address: 344 West Main Street, City Hall, Marshall, Minnesota, 56258

Phone: 507-537-6051

E-mail: [jason.anderson@ci.marshall.mn.us](mailto:jason.anderson@ci.marshall.mn.us)

### CITY ADMINISTRATOR

Sharon Hanson

Address: 344 West Main Street, City Hall, Marshall, Minnesota, 56258

Phone: 507-537-6761

E-mail: [sharon.hanson@ci.marshall.mn.us](mailto:sharon.hanson@ci.marshall.mn.us)

## APPENDIX H – AGENCY ADA DESIGN STANDARDS AND PROCEDURES

### DESIGN PROCEDURES

Implementing the US Access Board's Public Rights of Way Accessibility Guidelines (PROWAG) issued in 2005. All pedestrian facilities and shared use trails within MNDOT Right of Way must be constructed according to PROWAG (as of February 2010) and the 2010 ADA Standards, and MNDOT ADA construction guidance.

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### INTERSECTION CORNERS

Curb ramps or blended transitions will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of any project. Those limitations will be noted and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each intersection corner shall be made as compliant as possible in accordance with the judgment of City of Marshall Public Works staff.

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### SIDEWALKS / TRAILS

Sidewalks and trails will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, every sidewalk or trail shall be made as compliant as possible in accordance with the judgment of City of Marshall Public Works staff.

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### TRAFFIC CONTROL SIGNALS

Traffic control signals will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of City of Marshall Public Works staff.

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### BUS STOPS

Bus stops will attempt to be constructed or upgraded to achieve compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual bus stop locations to achieve full accessibility within the scope of any project. Those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless on if full compliance can be achieved or not, each bus stop location shall be made as



compliant as possible in accordance with the judgment of City of Marshall Public Works staff. New Transit facilities to be located within the limits of City of Marshall will be designed to meet all appropriate accessibility standards.

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#### OTHER POLICIES, PRACTICES AND PROGRAMS

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

#### DESIGN STANDARDS

City of Marshall has implemented PROWAG, as adopted by the Minnesota Department of Transportation (MnDOT), as its design standard. A copy of this document is included in the following pages of this appendix. Additional MnDOT ADA standards, details and plans can be found on the MnDOT Accessibility and ADA web page found at <http://www.dot.state.mn.us/ada/design.html>.

All designs need to be ADA compliant and follow the ADA Standards unless all alternatives have been explored and the results have been documented. While ADA compliance is the minimum standard that must be met, in order to meet the long term objectives, all designs must also be constructible, maintainable, and address the range of pedestrian user needs. The ADA Standards were created to implement best practices and incorporate lessons learned in a manner that provides construction tolerances and meets the long term maintenance and usability needs.

<div> <div>MnDOT</div> <div>PROWAG</div> <div>MUTCD</div> </div>			CURB RAMP DESIGN CRITERIA		revision: 1/12/2018
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ITEM		MIN	MAX	STANDARD	REASON*	GUIDANCE
LANDING		4' X 4'	VARIES	5' X 5'	C & U	1) Match Pedestrian Access Routes (PAR). 2) Enlarge landings to achieve perpendicular grade breaks. 3) Landings should be designed in one continuous plane.
RAMP SLOPE	(F)	2.0%	5.0%	4.0%	C, M & U	1) Maintains drainage in gutter. 2) Blend in better with surrounding terrain. 3) Reduce removal limits while minimizing v-curb. 4) For (S) Fans, see Curb Ramp Standard Plans 5-297.250 Pg 1 of 6 Note 10.
	(S)	5.0%	8.3%	7.0%		
	FAN	2.0%	5.0%	4.0%		
ONCE YOU HAVE REACHED THE 3" MIN CURB HEIGHT, THE CURB HEIGHT SHOULD MATCH PAR HEIGHT. SHOW INTERMEDIATE CURB HEIGHTS WHEN (A) LANDING ELEVATIONS ARE LESS THAN THE TYPICAL CURB SECTION OR (B) BOULEVARDS ARE LESS THAN 3 FEET AT THE CURB RAMP OR (C) WHEN SIDEWALK IS AT BACK OF CURB.					M & U	Avoid inverse sloped boulevards and keep landing above or within an inch of the top of curb to reduce trip hazards. Utilizing an appropriate ramp slope helps maintain the PAR height and provides a very usable pedestrian network, in addition to the guidance seen above.
RAMP WIDTH		4'	VARIES	6' MIN APS 6' MIN COMMERCIAL AREA MATCH TRAIL WIDTH	M & U	Match PARs.
RAMP LENGTH		3'	15'	4' MIN 6' MAX	C & U	Construction can build a minimum 2.5' ramp if necessary.
LANDING & RAMP CROSS SLOPE	POSITIVE FLOW		2.0%	1.0% MIN 1.5% MAX	C	Steep trails and side landings use 0.5% cross slope.
GUTTER FLOWLINE	POSITIVE FLOW		2.0%	1.0% MIN 1.5% MAX	C	Maintain positive drainage, flowline with radial domes should have a continuous grade, show tabling of curb and gutter with adequate construction limits if existing flowline is over 3%. If 2-3%, state designer intent to obtain <2% with note on plan.
ROADWAY CROSS SLOPE	POSITIVE FLOW		5.0%	1.0% MIN 5.0% MAX	C & U	Used when adjusting flowline, maintain positive drainage to edge of road and do not exceed 5%.

- (1) Design to the nearest minimum half-foot increment, one-foot increment (preferred) for all ADA and APS Applications.
- (2) When inverse grades are present, minimize the elevation change of the PAR unless proven necessary to maintain drainage.
- (3) With regards to v-curb/grading, see Curb Ramp Standard Plans 5-297.250 Pg 1 of 6 Note 7. Talk with property/land owners to find out which treatment they would prefer.
- (4) With regards to multiple ramps design at a quadrant, see Curb Ramp Standard Plans 5-297.250 Pg 2 of 6 Note 4. The “bump” typically happens when ramp separation is minimal on a combined directional and no (or narrow) boulevard is present. In these instances, a Fan/Depressed Corner will alleviate this problem and provide better maintainability and usability. 7’ min. separation between ramps should be achieved in areas with concrete boulevards while 5.5’ min. separation applies for areas with grass boulevards.
- (5) Flowlines need a 3" minimum freeboard to doorways. (3" below threshold i.e. depressed corners must not be used when adjacent to corner doorways at buildings).

\*C for Constructability, M for Maintainability, U for Usability.



ITEM	MIN	MAX	STANDARD	REASON*	GUIDANCE
PUSH BUTTON STATION SETBACK	1.5'	10'	4' MIN URBAN, 6-8' MIN RURAL, 9.5' MAX	M	Push button setback measured from the back of curb (urban) or edge of roadway (rural) at outside zero point.
PUSH BUTTON FROM INITIAL RAMP GRADE BREAK OR BACK OF WALK	0.75'	-	2' MIN	C & U	Place push button 2' min from edge of landing to provide usable push button access. 6' MAR takes priority over this criteria.
MAINTENANCE ACCESS ROUTE (MAR)	6'	-	-	M & U	Move push button to back of landing when 6' MAR cannot be achieved. Talk with local agencies to understand their snow and ice maintenance requirement widths.
PUSH BUTTON OFFSET FROM OUTSIDE EDGE OF CROSSWALK	0'	5'	-	U	When the push button is offset from the edge of crosswalk a walkable flare is preferred over a graded flare so users who depart from the push button will traverse a concrete surface. Distance is measured perpendicularly from extension of crosswalk.
PUSH BUTTON SEPARATION	10'	-	10.5' MIN	C	Must meet minimum MAR criteria at pork chop islands.

(1) A leveled landing shall be adjacent to all push buttons.

(2) Keep all push buttons outside of sidewalk PAR's. Push buttons shall not be in the middle of shared-use paths. Allowable push button encroachment: 2' on 10' wide trails and 1' on 8' wide trails if needed.

(3) When sidewalk is at the back of curb, the push button should be placed toward the back of walk. Typically placed at 8' - 9.5' from the back of curb.

(4) When installing new signal poles, it is preferred to get them out of the way as to not obstruct the pedestrian facilities. When in congested quadrants (i.e. downtown corridors), APS push buttons on signal poles are preferred although new signal poles need thorough underground utility coordination.

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ITEM	MIN	MAX	STANDARD	REASON*	GUIDANCE
LANDING	5' X 5'	VARIES	-	C & U	MATCH PARs, enlarge landings to achieve perpendicular grade breaks.
SIDEWALK CROSS SLOPE	POSITIVE FLOW	2.0%	1.5% MAX 1.0% MIN	C	For steep sidewalk running slopes greater than 5%, flatter cross-slopes should be used 0.5% typical.
SIDEWALK RUNNING SLOPE		5.0%	-	C, M & U	For sidewalk running slopes, the max. running slope is 5% (unless roadway grade is steeper).
SIDEWALK RAMP SLOPE	5.0%	8.3%	7.0%	C, M & U	Only for sidewalk not adjacent to roadway. A landing is needed for every 30" of vertical rise with compliant handrails on both sides of ramp For building access, ramp slopes are 5% max. unless covered.
SIDEWALK OFFSET AND TAPER	-	-	-	M & U	Maximum offset is 1/2 the width of the ramp. On Curb ramp retrofit projects the min. sidewalk taper is 1:3 with 1:5 being preferred. However the min. taper for sidewalk reconstruction projects is 1:10.
SIDEWALK WIDTH	5'	VARIES	-	M & U	1) Based on context and volume of users. 2) Talk with local partners to understand their snow and ice maintenance requirements. 3) Recommend 10' min measured from back of curb for commercial areas with doorways at back of walk.
SIDEWALK WIDTH AT BACK OF CURB (NON-COMMERCIAL AREAS)	5'-6'	VARIES	7' MIN 8' PREFERRED	M & U	The sidewalk minimums of 5'-6' should only be used if there are no driveway, lighting or sign impacts present with in the sidewalk.
SIDEWALK PAVED BOULEVARD SLOPE	POSITIVE FLOW	8%	1.0% MIN 5.0% MAX	M & U	Slopes greater than 8% can become tripping hazards for user traversing the curb and sloped boulevard. Adjust centerline road profile or flatten the shoulder/parking lane to raise the curb line to achieve desired boulevard slope.
PAVED BOULEVARD WIDTH	2' MIN	-	1/3 BLVD. WIDTH TO 2/3 PAR WIDTH	M & U	For example a 9' sidewalk at a min. should have 6' wide par with a 3' wide boulevard.
GRASS BOULEVARD WIDTH	3' MIN	-	4' FOR 4" HIGH CURB 6' FOR 6" HIGH CURB	M & U	When the boulevard width is less than 3', it should be paved.
PAR WIDTH	4' MIN	VARIES	6' MIN ADJ. TO BUILDINGS. 2/3 PAR MIN TO 1/3 BLVD	M & U	PAR width adjacent to buildings should be 6' min. to allow for a 1' buffer to the building and doorways. The 6' min. PAR takes priority over 2/3 PAR width to 1/3 boulevard criteria.

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ITEM	MIN	MAX	STANDARD	REASON*	GUIDANCE
APRON LENGTH	18"	-	6' FOR 6" CURB HEIGHT, 4' FOR 4" CURB HEIGHT	U	Add one foot of driveway apron length for every inch of designed curb height if Right-of-Way (ROW) allows.
COMMERCIAL APRON SLOPE	POSITIVE FLOW	10%	1.0% MIN 8.0% MAX	U	Design adequate slope for PAR to match designed curb height, maintain consistent PAR elevation and limit the sidewalk roller coaster effect.
RESIDENTIAL APRON SLOPE		12%			
PAR HEIGHT (6" C&G)	0"	6"	3" MIN, 6" PREFERRED	M & U	1) Minimize sidewalk roller coaster effect. 2) Desirable to keep PAR elevation continuous or at least in the upper half of curb height. 3) Do not introduce unnecessary elevation changes into the PAR. 4) Standard criteria do not apply to parallel driveway. Recommend to not have consecutive parallel driveway in a series.
PAR HEIGHT (4" C&G)	0"	4"	2" MIN, 4" PREFERRED		
PAR CROSS SLOPE	0.5%	2.0%	1.0% MIN 1.5% MAX	C, M & U	-
SIDEWALK RUNNING SLOPE (PAR) AT DRIVEWAY TRANSITIONS	2.0%	5.0%	4.0% MAX	C, M & U	Can match roadway slope if roadway profile is >5%
PEDESTRIAN ACCESS ROUTE (PAR)	4'	VARIES	5' MIN	C & U	Preferred to match sidewalk/trail widths
BACK OF CURB HEIGHT AT DRIVEWAY APRON	1"	3"	1"	M & U	1) Refer to Sidewalk & Driveway Standard Plan 5-297.254. 2) DW Curb Type 2 can be used to maintain drainage in gutter flowline at negative driveways. 4" curb height is preferred in sidewalk fill areas and in areas adjacent to negative driveways slipping downward from the roadway. 3) Only use DW Curb Type 3 with garage doors at back of walk or minor usage driveways like railroad access along tracks.

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