



Commission on Disabilities
Regular Monthly Meeting Minutes/ Annual Meeting Minutes
September 6, 2023

Commissioners: *indicate present (P) or absent (A)*

Laurie Berner - P
Ashlie Castaldo - P
Amanda Crosby - P
Allison Fochs - P
Dianne Naus - A
Samantha Smingler – P
Brooke Marinan - P
Chris Johnson - P

Also present:

Human Rights Office Carl Crawford
Officer Mark Bauer from Parking Commission
Emma Chehock - Human Rights Intern - Scholastic Political Science major

Chair Crosby called the **September 6, 2023** Commission on Disabilities meeting to order at 1:36 *pm*, there was a quorum.

Approval of current agenda: Motion - to complete planning and goals first prior to the regular meeting agenda. 1st Commissioner Berner, 2nd - Commissioner Castaldo

Chair Crosby review the role of the commission:

The duties of the commission shall be as follows:

(a) To assess the needs of persons with disabilities regarding matters such as employment, housing, transportation, accessibility, and equal rights, and to advise the

mayor and the city council of such assessments as the mayor or council may request or as the commission may deem appropriate;

(b) To advise the mayor and the city council about legislative matters pertaining to persons with disabilities, and to recommend proposed legislation impacting persons with disabilities;

(c) To advise the mayor and the city council on the application of the Federal Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act to the city;

(d) To promote and conduct programs designed to increase public awareness of issues affecting person with disabilities in the community;

(e) To promote proactive and holistic community policies, programs and resources to improve accessibility for everyone;

(f) To be a resource for persons with disabilities to access available rehabilitation, training and placement services, promote employment opportunities for persons with disabilities and to help employers recruit, hire, retain and advance workers with disabilities ;

(g) To encourage the development of coordinated, interdepartmental goals and objectives and the coordination of program, services and facilities among all city departments and private providers of service as they relate to persons with disabilities. (Ord. No. 8527, 7-14-1980, § 1; Ord. No. 8956, 10-2-1989, § 1. Ord. No. 10682, 3-10-2020, §2)

Highlights Mission and Vision

Mission: To ensure that people with disabilities have equal access to and can participate fully in the community

Vision: The Commission on Disabilities envisions a fully accessible city in which all persons may equally enjoy the right to live, work, and play in their community without barriers.

C. Smingler - I'm hopeful we can write goals to be more deliverable and less overarching like the last round.

C. Berner - we can make it a more of a living document that has a list of who is responsible and what the next steps are. Revisit the document quarterly. I will try to say less today, since I'll be off the commission in March.

C. Naus shared a note prior to the meeting with the Chair, she wants to keep goals general.

Idea Generation for updated goals:

- Develop a brief survey to distribute to various organizations and programs that currently conducts needs assessments with people with disabilities. Report identified needs and barriers to the Mayor and City Council.

- HR Office Crawford suggests considering facilities across town, city hall to park building, ex. Inaccessible Arlington Soccer field, many access needs. What spaces can be highlighted as doing well and needing the most change?
- C. Fochs- many elevators around town are out of order. All the doors in the sky-walk should have push button doors.
- C. Castaldo - have a form on our website to submit an access need.
- C. Fochs - but how to help folks know what the city actually has control over?
- C. Marinan - make a list of common accessibility things to look for. Focus on who it could help, so folks know the wider diversity of impact.
 - Ex. Braille signs on doors
- C. Johnson - what is the follow up for folks who submit access issues? Who filters the answers from the form submissions? Can C. Castaldo's partner volunteer to help sort and organize data?
- Chair Crosby - create a list similar to event access, incorporate universal design. Physical/sensory/etc.
- C. Castaldo - **“welcoming spaces look like this...poster with pictures.”** Can we get information about ADA to zoning and permitting from the city, builders and inspectors pushed to get things done on time - how can we get ADA regs at the beginning. Frame - that you save \$\$ big time to be accessible up front, compared to when you have to fix it down the road.
- C. Castaldo - TIFF is an example of a group that gets federal funding and has a time frame to fix ADA issues. Can we find a way to 'catch people doing good' - focus on the positive.
- C. Johnson - do a survey of where have folks had a good experience? Tool kit with graphic of low cost, medium cost, high cost checklist. Resource on who can do an audit. Invitation over condemnation.
- C. Berner - we are more a resource provider. Not one to do the audit. Report to the Great Lakes ADA Center. Can't enforce, but point folks to the right source.
- C. Marinan - can the good business get press? Can we encourage folks to respond when elevators on the skywalk are down- please put up a sign as to where the next closest one is.
- Chair - How can we look at how the DTA is affecting folks over the first year?
- C. Smingler -How can we help folks get feedback to the DTA?
- C. Berner - marketing, who we are and what we do. Free events or where we can share a table,
- C. Smingler - Have an outreach tool kit - Great Lakes ADA center, our brochure, event check list, common access/welcoming needs in a building space
- C. Johnson - a lot of potential in press releases
- Chair - continue to have a commissioner on the Parks and Recs commission and championing the 10 year plan
- C. Berner - focus on helping the city understand it's responsibilities. Get better connected with other commissions.
- C. Johnson - a presentation to share with other commissions
- C. Berner - Networking event for all the commissions - also open to the public. Not at city hall.
 - C. Fochs - the most accessible spot from bussing is the Public Library.

Summary of Goals Discussed:

Objective: Assess the needs of people with disabilities regarding matters such as employment, housing, transportation, accessibility and equal rights; advise the mayor and city council for such assessments.

- 1. Action: Complete a skywalk assessment to identify areas of improvement for individuals with mobility needs
- 2. Action: Develop a survey to identify access issues or access wins
- 3. Action: Monitor the new routes of the Duluth Transit Authority; collect feedback and work closely with the DTA to communicate feedback

Objective: Coordinate public education and outreach activities to promote awareness of the Commission on Disabilities, laws, regulations and barriers related to accessibility

- 1. Action: Attend three (3) public events wherein COD will table (or partner with another organization to table) and promote Commission goals and resources
- 2. Action: Distribute press releases, invite media interviews, and build media relationships to promote COD accomplishments, public surveys, or other news related to community accessibility
- 3. Action: Improve the COD website by adding resources for individuals with disabilities, including community partners and an accessibility toolkit

Objective: Encourage representation and communication between various City Commissions

- 1. Action: Maintain transparent communication with Parks and Recreation Commission, including but not limited to establishing a new COD liaison to the P&R Commission after the current Chair's term ends
- 2. Action: Identify tactics for greater COD outreach within other City Commissions, such as: Present about COD at other meetings; Invite Commissions to attend a presentation at COD meeting; and/or Build a networking event for all Commissions to engage with each other

Taking a break 3:04-3:25 -----

Approval of the August minutes: 1st - Commissioner Berner, 2nd Commissioner Fochs

- Note: with a correction to the address 4817 **West** 4th St. - approved

Public Comment/Information:

None at this time.

Guest speakers or presentations: N/A

Accessible Parking Update:

From the Aug 4th parking commission meeting:

(note the parking commission meets 2 days after the disability commission)

1. 1829 East 2nd Street - approved 5-0
2. 2515 Jefferson Street - approved 5-0
3. 1602 Minnesota Ave - approved 5-0

New Applications:

1. 502 North 22nd Ave West - across the street from another zone, neighbors notice new accessible zones being installed and someone else who could benefit puts in their own ask. Second request on that block. We try to limit each street to two stalls, to support public parking.
2. 20802 Minnesota Ave - St Andrews By the Lake Church. Currently have some homemade signs for ADA parking in two stalls. It is in the right of way for driving. Note there are high accessibility needs for those folks attending the church. No notable issues have been happening with the unofficial spots so far (city street plow crews, etc.). Does help keep other areas clear and follows the sentiment of the accessibility of the law.
 - a. Can it be for a specific time frame? - would complicate the messaging
 - b. Officer Bauer - a stall here would foster the community support amongst residence supporting other residence
 - c. Parking is currently happening in the right of way - but it is working safely.

Question from Chair Crosby- Officer Bauer, did you get a parking request from Arc Northland? - Not yet.

Parks and Rec Report:

- Action track chair - Fall activity schedule has a full page of details on it. The chair is not in Duluth yet. Plan is to just use it at Hartley. Don't yet have the infrastructure to take it to other places just yet. Feel great about it being tried out at Hartley.
- When will Lincoln Park open? Was supposed to be this month. Ribbon cutting should be soon. Parks website lists the end of 2023 for completion.
- Inquiry regarding the Giving Garden: Raised beds and accessible garden from Equilibrium. ADA accessible garden for next year's growing season. We hope they can come to a future COD meeting.

- Portland Square splash pad hopes - more info next month.
 - Commissioner Fochs - why are so many efforts focused in West Duluth? Or Hillside? Also - concern that Portland has a lot more needles.
 - Chair Crosby -Traditionally more resources were pushed into East and Central, so this is an effort to balance that history. But the wider mast plan accounts for all areas of Duluth.
 - Commissioner Johnson - is a splash pad viable in our climate?
 - HR Officer Crawford - they are much safer for kids, and kids can have a great time. Not all of our citizens can go jump in the lake safely.

Old Business:

R word

- Commissioner Castaldo will meet this month with the group of folks (loved ones of kids with disabilities)
- The youth and family at East that started with this concern were asked by the school admin to apologize to the bully - since the bully felt targeted. The family has unfortunately decided to leave the school district .
- HR Officer Crawford: No one gets a pass on enforcing the policy.
- Commissioner shares there was a recent physical altercation at Laura-MaCarthur Elementary. For a youth with disability again related to the R word.
- Commissioner Castaldo shares about a current TikTok challenge about using the 'R' word - but schools are not providing the education about how horrible the 'R' word is.
- Offer of support made - Arc, Officer Bauwer, HR Officer Crawford. Please share the date of this meeting, so we can show up to support.

Snow Removal Task Force

Chair Crosby- things have been moving quickly. Task force presented to city council and mayor. Asked for money and resources. Counselor Tomanek and several city officials to give a bigger background and share the making a case document. What came up was the complaint process. Many of the complaints are on sidewalks that are impossible to clear. They feel like they are wasting resources

pushing snow that just falls back. Ask - under the ADA, is it permissible to close a sidewalk and determine an alternative route. Asked that the resolution come to COD first for our review.

Commissioners shared:

- one concern is how long it takes then to cross the street and get to an accessible route. Secondly, want to make sure it doesn't give a pass to others to not shovel - as in anyone can choose to 'shut down' their sidewalk if they don't want to shovel.
- Question: what is on the sidewalk section they would close in the example shared? Answer: a retaining wall
- the sidewalk areas should still be shoveled with small snow falls.
- with this example, there is a major DTA spot right after the sidewalk that would be closed.

Chair - good idea, to close only with a big snowfall

- does this open other folks to want their sidewalk closed, because they don't want to shovel?
- should we officially close the sidewalk?

Chair/HR Officer Crawford - messaging would be important - closed for safety

- do we still need to problem solve where to put the snow

Chair - something is being worked on to have snow holding spots. Ex. two spots on Superior St to dump snow, then it gets picked up at night.

Chair Crosby - the task force and Commission on Disabilities was asked to make a resolution. Commissioner Naus put forth the sidewalk closure idea as a solution that is still consistent with the ADA.

- this should be just like other construction - where signs are required.

HR Officer Crawford - reminder of the real cost of putting up signage. Need a more specific ordinance.

Chair - I will reach out to Public Safety and city folks to build out more detailed language for the ordinance to enhance.

- Duluth Aging Support - is also launching an advertising campaign around snow and shoveling and why it's important. The \$5,000 grant ask to do more community education will be reviewed tomorrow.

Open Meeting Law

- Commissioner Berner shared this concern was brought up by many other commissions
- Would like to have a hybrid option for meetings to increase access
- Waiting for the next legislative state conversation. Will be removed from our agenda for now. For now, it's still a no since changes at the state level must happen first.

New Business:

- Commissioner Berner attended a meeting: Ben Van Tassel board and commission realignment
 - CRB - citizen review board and efficiency audit brought up
 - Want commissions to have 3 official sick days
 - Brought up a city wide forum - so commissioners meet each other
 - What is the on-boarding process to start a commission
 - What does our own commission do?
 - City considering a smaller window for on-boarding so it's no longer rolling applications. And it would be easier to provide a history.
- HR Officer Carl Crawford was just appointed Minnesota Council on African Heritage - Vice Chair!! Congratulations

Commissioner Marinan - considering the DTA is cutting a lot of bus stops. In some cities, people with disabilities are given signs in the winter to hold, so they get as close to the bus stop as they can, and the visual sign is something the bus driver sees - and then stops to pick them up.

- Officer Bauer - DTA, might have liability if they aren't picking folks up at a safety reviewed spot such as a bus stop.
- Commissioner Fochs - this might only work with certain people. I've had other bus drivers and riders get frustrated at people with hidden disabilities getting accommodations.
- It may be time to go back to the DTA access committee? Last attended in 2015.

Announcements:

- Stepping on Up. 18-24 year old homeless, transitional housing. Salvation Army, CHUM and other work too. Church is hoping to house

- Chair - Folks of Duluth FB Page- Max, the photographer, has a FB page. Just like People of New York. Trying to make human stories of real people. Show up at Zeitgeist right now.

Current Disability Issue: HR Office Carl Crawford

- New builds are accessible, but not livable. Ex. Ramp to get in the building, but all the cabinets at regular height.
- Mental health and labeling that is happening in schools. Mislabeled and causing more harm.
- Make sure the mental health piece is part of our goals.
 - Commissioner Fochs - cognitive disability is separate from mental illness - educate on the difference.

Adjourn: by Chair Crosby at 4:49pm

**Next meeting *October 4th*, 3:30 PM
City Hall Room 330**