



Columbus Advisory Committee on Disability Issues

Minutes of Meeting August 27, 2015

Members present: Mary Hiland – Chair, Karen Kostelac – Vice Chair, Kay Grier (OSILC), Tiffany McClain (CSCC), Rajai Saleh (OOTF), Ann Christopher (Goodwill Columbus, CADC), Tricia Kovacs

Provisional Members present: Jay Favuzzi (CSCC), Paul Walker

Members absent:

Members Excused: Marlene Stewart, Elizabeth Sammons

Staff: James Christian

Guests: Geri Cooper (Mobile), April Williams (COTA), David Cameron, Cheryl Bowshier (School Choice Ohio), Ronnell Tomlinson (Ohio Civil Rights Commission)

Call to Order: Mary Hiland, Chair, called the meeting to order at 1:02pm.

Guest Speakers:

Kevin Truitt, Attorney, Ohio Disability Rights Law and Policy Center

Ronnel Tomlinson, Director of Housing Enforcement, Ohio Civil Rights Commission

Our speakers were introduced by Paul.

Tricia mentioned that she did contact Laura Swanson of the Columbus Apartment Association, but she was unable to attend our meeting. Laura did mention that their organization provides regular Fair Housing classes.

Kevin Truitt is one of 15-16 attorneys of the Ohio Disability Rights agency, a non-profit which provides free legal representation. Their agency receives thousands

of calls per year so they have to focus their work. The agency has 4 teams: special education, abuse and neglect, employment, and community integration (Kevin's team).

Ronnel Tomlinson's organization works on housing issues, focusing on people with developmental disabilities, mental illness, and people in nursing homes. There is a lack of housing for people with disabilities. The Fair Housing Amendments act requires that new buildings with 4 or more apartments need to be accessible. Ronnel discussed a recent lawsuit in Westerville involving 5 different complexes which were not accessible.

Approximately 7 years ago, a judge ruled that the policy for discrimination does not include retrofitting of properties. Currently, new builds must be ADA accessible. Properties built after 1991 with elevators must be accessible. Investigations can be lengthy. Ronnel described one investigation which took 1 year to investigate before being turned over to the Attorney General in 2003, and it took until 2007 for resolution.

Common areas of buildings must be accessible. But the definition of accessible is debatable. A pool must be accessible but is not required to have a lift. A department store is not required to have automatic doors. Ronnel shared another story in which a department store owner's attorney asked why the store needed to be accessible to a person with quadriplegia. The attorney asked why the person would be shopping there without assistance.

Ronnel also shared his frustration that so many people are uneducated about disability issues. He feels that people should just observe their surroundings and identify how someone with a disability would obtain access. For example, a leasing office at an apartment without steps. Someone once asked Ronnel "Can't you turn it off?", regarding his observations of lack of accessibility. Ronnel

answered “No, you should turn it on”. Disability access is not as costly if it is built right during initial construction. The added property value of a home is 3-5 times the cost of the construction of accessible features.

HB293, introduced by Grossman and Stinziano, would provide state funding of \$1M to build accessible features. Each owner can apply for \$5000 for accommodations. This bill is called “Universal Visitability”, which includes getting into the house (e.g. ramps, doorway widening), navigating within the house and getting to the bathroom. The previous version of this was a tax credit. Kay asked “Is \$5000 enough?” This money can be used for new builds or renovations. We discussed that everyone wants a bigger kitchen and bathroom. Ohio has a large population of older individuals.

Ronnel also described what are reasonable accommodations and what is required by landlords. A landlord is not required to add accommodations (such as a ramp), but is required to allow it to be built.

A big issue that Ronnel deals with is service animals. Kevin told a story about a client with PTSD who had a dog. The landlord asked the tenant why she couldn't have a hamster or gerbil. There was a case regarding a miniature horse which went to federal court and was ruled a reasonable accommodation. This was involving a 15 year old girl who lived in an area with a zoning law that prohibited farm animals. Someone objected to the need for the miniature horse, saying that she could stand and walk without the horse.

How do people who legitimately need service animals document need? This is unnecessary. But the following questions are asked regarding the need for a service animal: What work/task does the animal perform? Is it necessary? Although documentation is not required, many service animal schools provide a photo of the person with the service animal. Columbus State has an ID for students with service animals. Our Columbus State members shared that there

have not been issues for students with service animals. There was a case where the school was concerned about a student taking chemistry that the chemicals in the lab might hurt the service animal.

A member asked Kevin about how likely parents can get help with special education? Kevin's organization gets a huge number of requests which often result in a due process hearing. One such hearing took 26 days, meeting 9-5. Schools often have an attorney who may resist accommodation of the special need student. Kevin's agency advises parents on the process and steps to resolve the issue. Sometimes just a letter helps.

The committee asked that the speakers return for further conversation.

Approval of June minutes: Karen moved, Tiffany seconded, all approved.

Announcements: We sorrowfully announced that Kathy Blair passed away on July 9, and Jim Christian's wife, Lynn, passed away on July 5. We extend our sympathy to Kathy's parents, Don and Ruth Carlock, and to Jim.

Address for Don and Ruth Carlock: 6011 Blue Spruce St, Columbus, OH 43231

Karen shared a review of the Columbus ADA celebration. She was disappointed that many politicians did not attend, although she invited them. She was also disturbed that a truck driver was blocking the curb ramp at the Columbus Commons, but when she complained, he moved the truck. The evening program was very nice. Thanks to Columbus State who hosted the program, there were 200 attendees. They did not run out of food or drink. The keynote speaker, Andy Imparato, was excellent. There was an art display and music by a band whose members are autistic. The Columbus Commons event was well attended by people with and without disabilities. Some issues identified were that the food trucks were not accessible, people outside taking orders would have helped.

There was a curb at the display tables which made them difficult to access. A map of the organization locations would have been helpful. Our organization needs a banner and a tablecloth for future events like this. Media attending or covering the event were channel 6, All Sides with Ann Fisher, Joe Blundo interviewing Mary. Mary and Elizabeth's winning essays are online here: <http://www.visionaware.org/blog/visually-impaired-now-what/crosswalks-to-civil-rights/12>

We discussed the problem with the CACDI and the Parks and Recreation websites that are not accessible to blind users. We would like to escalate this issue but may wait until January when we have a new mayor. In the meantime, Tricia will write a letter about the problems with the city website. Tricia invited David Debelek (Columbus web administrator) to the next US Access board meeting at which there will be a speaker on web accessibility.

Mary asked Kay if she would be working on a presentation for city council. Now that the ADA celebration is finished, Kay answered that she will turn her attention to this.

Kay mentioned that a parking meter on Park St is in the middle of the curb ramp. Ronnel shared that the Gay St parking meters by the condos are in the greenery next to the fence and he didn't think they were accessible. Jim said there has been a lot of complaints about the Gay St garden plots.

April shared that new COTA fliers are available on travel training and Mainstream.

Jay shared that the Amputational Recreation folks will have a new schedule. The VA is looking at therapeutic sports.

Tricia shared that she submitted a 311 request regarding a sign on a pathway across the railroad tracks on Marconi which depict a wheelchair, stroller, bicycle,

skateboard and skates with an arrow pointing to an alternate route. This sign directs users around 3 sides of the city block, rather than crossing the most direct route across the tracks. Since the pavement was resurfaced and the track gaps were filled with rubber stoppers, Tricia felt that the alternate route sign was unnecessary. But the 311 was closed with the resolution that the sign was a yellow warning, not a black and white regulatory sign, so users may use either route. Other members agreed that railroad crossings can be dangerous for wheelchair users because the small wheels can get caught in the rail gaps. Tricia will drop this issue.

Future meeting speakers are:

September: Marlene's daughter, Karen will also find a politician to speak

October: Tiffany has a speaker planned

November: no meeting

December 3: election of officers

Karen motioned, Ann seconded and the meeting adjourned at 3:00pm.