



Agenda
Village of Arlington Heights
Commission for Citizens with Disabilities
Buechner Room

January 8, 2019
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Minutes from 11/13/18

IV. REPORTS

V. OLD BUSINESS

- A. Captioning
- B. Connections Newsletter
- C. Spring Project/Presentation
- D. Budget Approved
- E. Proposal

VI. NEW BUSINESS

VII. OTHER BUSINESS

VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847)368-5793 (Voice), (847)368-5980 (Fax) or drobb@vah.com.



Item: Minutes from 11/13/18

Department: Health & Human Services

ATTACHMENTS:

Description	Type
November DC minutes	Minutes

**MINUTES OF THE REGULAR MEETING
OF THE ARLINGTON HEIGHTS
COMMISSION FOR CITIZENS WITH DISABILITIES**

November 13, 2018

I. CALL TO ORDER

The regular meeting of the Arlington Heights Commission for Citizens with Disabilities was called to order by Chairman Calibraro at 7:08 pm in the Buechner Room.

II. ROLL CALL

Present:

Roxanne Calibraro, Chair
Eva Mullinax
Peg McMahon
Marc Klein
Jackie McCarthy
David McCullum
Seth Goldberg

Absent:

Michele Ramsey

Also Present:

David Robb, Disability Services Coordinator
Stacy Shein-Stapleton, Sign Language Interpreter
Corey Axelrod, Arlington Heights resident &
President of the Illinois Association for the Deaf

III. APPROVAL OF THE MINUTES

A motion was made by Commissioner McMahon to approve the October 9, 2018 minutes as written, seconded by Commissioner Mullinax. Motion passed by unanimous consent.

IV. REPORTS

A. DISABILITY SERVICES UPDATE

1. Disability Services Coordinator (DSC) Robb reported that he chaired the Metropolitan Mayors Caucus ADA Coordinators' Group Meeting held at the Chicago Metropolitan Agency for Planning (CMAP) office in the Willis Tower on October 3rd. Kim Paarlberg, Architect and Accessibility Specialist for the International Code Council (ICC), discussed how all the Federal Accessibility laws have been incorporated into the International Building Code (IBC) either directly in the Accessibility Chapter or integrated into the various chapters such as the Egress Chapter. She explained that when jurisdictions adopt the IBC, it acts as a safe harbor for those involved with the building process including architects, developers, and builders from charges of disability discrimination for non-compliance with Federal accessibility requirements. The ICC began incorporating Federal accessibility requirements first under the cover of into the Building Officials and Code Authorities (BOCA) in the mid 1990's to the current IBC version. Ms. Paarlberg stressed that the "civil rights language" of the Federal Laws has been rewritten into "building code language."

2. The DSC supplied technical assistance on several matters including the use of truncated domes as a detectable warning in the public right of way.
3. The DSC received requests for public improvements for wheelchair accessibility at several locations in the community. The details were shared with Public Works (PW) for follow-up. PW was quick to respond, made several pavement repairs to curb cuts, and patched holes in the street near the curb cuts.
4. The DSC also coordinated the arrangements for the Commission's annual Disability Employment Awareness Award presentation and reception rescheduled from October 15th due to a power failure to November 5th. Culver's Restaurant was presented with the award plaque by Mayor Hayes.

B. DISABILITY LAW UPDATE

Chair Calibraro reported that the Department of Justice (DOJ) has written to Congress reminding them of the obligation to have everything on the internet accessible to people with disabilities. This includes access for people who use screen readers and other assistive technologies online. A lack of accessible websites results in discrimination against people with disabilities. DOJ stressed that Congress needs to enact laws that go beyond brick and mortar accommodations by making internet access readily available to and usable by persons with disabilities on an equal basis as those without disabilities. This has been an ongoing issue for a several years.

C. NORTH & NORTHWEST COOK & LAKE COUNTY WORKGROUP

Commissioner Klein had nothing new to report.

V. OLD BUSINESS

A. CAPTIONING

Coordinator Robb said he had nothing new to report. He is waiting to hear back from Kevin Corcoran about what else may be needed to caption a live feed for online streaming video. Not all meetings are broadcasted and then would not be closed captioned.

Commissioner Klein reported that he had recently watched a broadcast of the Village Board meeting where they presented on the Parking Study, on his WOWWay Channel 6 around 4:00 or 5:00 p.m. and the broadcast was not closed captioned. DSC Robb requested Commissioner Klein or any other Commissioner who sees a Village Board broadcast without closed captioning to report it to him.

Commissioner Goldberg commented that he noticed that the Captionist was not present at the November 5th Village Board Meeting. He asked if closed captioning is still available on broadcasts when the Captionist is not present. DSC Robb mentioned remote captioning is something the Village has provided in the past for other meetings, but he does not know if that was the case for the

November 5th Board of Trustee meeting. Rebroadcasts are aired at 8:00am, 3:00pm, and 8:00pm.

B. CONNECTIONS NEWSLETTER

Chair Calibraro is writing an article for the “Connections’ on the Disability Employment Awareness Award. DSC Robb reported on the articles received from Commissioners.

C. DISABILITY EMPLOYMENT AWARENESS MONTH

Chair Calibraro thought Disability Employment Awareness Award evening went well. Commissioners commented on Chair Calibraro’s speech and said it was very good and the reception went well. Commissioner Goldberg mentioned his conversation with Calver’s award recipients who commented on how much they appreciated receiving the award for a practice that they have found enhances their business in so many ways.

Several commissioners commented that in-person; face-to-face contact with business owners and managers is the best approach to advertising the Disability Employment Awareness Month to encourage a business to write a self-nomination.

D. SPRING PROJECT/PRESENTATION

Coordinator Robb reported that he has not heard back from Linda Mastandrea’s Office and that he supplied her office with a new date of April 10th as the ideal date.

VI. NEW BUSINESS

VII. OTHER BUSINESS

1. Chair Calibraro invited Corey Axelrod to present his “proposed Village Ordinance” to the Commissioners. Mr. Axelrod referred to his handout detailing his proposed Village ordinance and said the objective is to make sure Arlington Heights is accessible to individuals who are deaf and hard of hearing. He said the problem is that public places with televisions usually do not have the “Closed Captioning” turned on, which deprives him and others with various levels of hearing loss from receiving important information on an equal basis as others without a hearing loss. If there is a disaster or other type of emergency alert on TV without closed captioning, he and others with hearing loss miss out. He mentioned that this occurs at various venues including hospitals, bars, hotel lobbies, fitness centers, and the like.

Mr. Axelrod mentioned this is not a new idea as the cities of San Francisco and Ann Arbor Michigan with a population of about 110,000 have passed similar ordinances requiring closed captioning to be turned on in public places. Violations of Ann Arbor’s Closed Captioning Ordinance result in a civil penalty with a minimum fine of \$50 and a maximum fine of \$500.

Mr. Axelrod reported going to an Arlington Heights restaurant on several occasions with friends to eat lunch and watch football games and each time the

restaurant refused to turn on the closed captioning on the TV's. Mr. Axelrod said that the restaurant staff replied, "it wouldn't be fair to the other customers." He then took his business to another community where the restaurant accommodated his request for closed captioning on their TV.

Mr. Axelrod mentioned that the Americans with Disabilities Act (ADA) covers this type of access, but it is not being enforced. He sees his proposed ordinance as an opportunity for Arlington Heights to go beyond the law to demonstrate the fact that the Village cares about access for people who are deaf and hard of hearing in public places with TVs.

Commissioner Mullinax asked about the restaurant that refused to turn on the closed captioning. Corey said that it was a constant refusal from the restaurant so he stopped going there. He said it is not just this restaurant, but other places as well. He has met with administrators from the hospital on the same issue, as they do not display the closed captioning on their TVs throughout the hospital. This affects a wide range of the population as 1 in 6 people in the United States experience a degree of hearing loss. He said in Arlington Heights that equates to 10,000 to 12,000 that could benefit from closed captioning due to their level of hearing loss.

Mr. Axelrod reported that Maryland and Minnesota have State Laws and Portland has a city ordinance. His proposed ordinance is very similar to Ann Arbor's Ordinance. He said these ordinances have increased public awareness resulting in much better access for people who are deaf and those with hearing loss.

Commissioner Goldberg reported that he has experienced similar problems where he has asked for the volume turned up only to hear a muffled sound. He would prefer to go into an establishment with the closed captions already on versus having to ask the place to turn on the closed captioning.

Chair Calibraro asked, "who would enforce it?" Commissioner Goldberg replied "the Village." A discussion ensued.

Commissioner Mullinax agreed that it is important for captioning to be "on" in hotel lobbies, hospitals, and other public places. She mentioned the previous discussion by the Commission about a public awareness campaign to educate public places to the issue of access for the Deaf and hard of hearing community.

Coordinator Robb interjected and said that in the past (2005) when the Commission sought to recommend a "snow removal ordinance" the Village Manager's Office instructed the Commission to do a community awareness campaign instead. The commission then produced a snow removal video with Commissioner Jack Cunningham and his guide dog Kaplan. The video urges residents to be good neighbors by shoveling their snow and clearing out corners. The video usually airs every winter on the Village's cable access channels.

Commissioner Klein stated that he is 100 percent in favor of the ordinance and asked, "who is going to propose this ordinance to the Village Board, will it be by

us, our Commission or by somebody else? If by somebody else are you asking us to support it or are we the group presenting it?”

Corey stated that he is the author and that his objective was to get the Commission’s support and go to the Village Board with other residents who are Deaf and hard of hearing, along with the Commission to present his proposed ordinance.

Commissioner Klein stated just from a layman’s viewpoint, “captioning on a TV is 100 percent harmless, do you think anyone would care if it were on? It does not cost anything. Do you think restaurants would complain about it being on? I don’t think so.”

Commissioner Goldberg stated that he supports the ordinance a hundred percent and suggested it go through the proper channels, like legal, before going before the Board. He believes the Board will support it 100 percent. He went on to report that he has heard people in restaurants complain about captions being on and wanting it turned off.

Commissioner McMahon thanked Corey for bringing the issue to the Commission, per the Commission’s charge to address the needs and concerns of citizens with disabilities in the community.

Coordinator Robb mentioned the Commission’s approved proposal, by the Village Board, back in 2000, to add “real-time closed captioning” to the live broadcasts of Village Board Meetings. When the Board announced they would do live broadcasts of Village Board Meetings. Commissioner Jerry Strom, who was Deaf, suggested for equal access the broadcasts should be captioned. The Commission did their due diligence and researched all the forms of captioning including; closed captioning, open captioning, and real-time captioning. Mr. Strom suggested real-time closed captioning was the best approach at the lowest cost. A spreadsheet was created that compared costs, equipment, and accuracy rates for the finished product. The Village Board agreed and approved the purchase of equipment and the ongoing cost to add captioning to the live broadcasts, which have aired for nearly 20 years now.

Coordinator Robb suggested the Commission likewise do their due diligence by researching how others communities went about creating their ordinances to be better equipped should they decide to approach the Village Board with this proposal.

Mr. Axelrod said he could put all the information together for the Commission to review and would like to see an ordinance approved within the next six months or so.

Commissioner McCarty said that we support the concept, but the Commission still needs to decide how to proceed.

Mr. Axel disclosed that he is also the President of the Illinois Association for the Deaf. The Association has approached State Legislators with proposed

legislation, but they are not willing to introduce the legislation. He is now seeking passage at the Village level. He explained that texting originated from the Deaf Community's pagers as they used to text each other and this morphed into texting function on cell phones.

Commissioner Mullinax expressed her concern about adding another onerous regulation that a business has to comply with when they are already over regulated. She suggested that perhaps public education might be a good approach.

Chair Calibraro said that even with an ordinance, education would be key to the ordinance's success.

Mr. Axelrod concluded by stating that education definitely needs to be addressed, but that he believes it will not be enough to get captioning turned on in public places unless we have a Village supporting equal access to captioning in public places. He fears that without an ordinance, businesses will continue to shrug off requests to have the captioning turned on. He mentioned the problem he encounters at his health club due to the lack of captioning on TVs for the treadmills. He now feels excluded in restaurants and other public places who refuse to turn on the captioning.

Commissioner McMahon suggested that with the ordinance or not, as a Commission we still need to do the education to alert the public to the need.

Commissioners thanked Mr. Axel for the information.

2. Chair Calibraro reported that she received notification of the Budget Hearing occurring this week. The Commission's presence is not required.
3. Commissioner Goldberg announced that April 5th - 7th of 2019, the National Wheelchair Basketball Association would host the Division 3 National Wheelchair Basket Ball Tournament in Chicago for the first time since 1999. The event will take place at the Broadway Omni Gym in Chicago.
4. Commissioner Goldberg presented Commissioner McCarty with a gift card for her and her husband, John, for all their help in building the Commission's 4th of July Parade. Commissioner McCarty thanked the Commission and commented that the Commission won 1st Place this year but has not received an award plaque commemorating the award.

VIII. ADJOURNMENT

With no further business to discuss, a motion to adjourn the meeting was made by Commissioner Goldberg, seconded by Commissioner McMahon. Motion passed by unanimous consent. The meeting was adjourned at 8:50 pm.