



Dave Schlabowski
Chairman

Steve Brachman
Mark Buetow
Vince Bushell
Shirin Cabraal
Claude Krawczyk
Guy Smith
Angie Tornes
Robert Trimmier
Maurice Williams

December 21, 2007

Dear Mayor Barrett,

The members of your Bicycle and Pedestrian Task Force are concerned during the winter months about the lack of accessible walkways for people with disabilities. Many people with disabilities in the City of Milwaukee use city sidewalks and streets and the county transit system to get to work, to volunteer, to shop and contribute to the city's economic development in other ways. Winter time is especially difficult for people with mobility impairments, when snow and ice make it treacherous to walk, ride wheelchairs or motorized scooters. As a result, many people with disabilities, who pay fees for ice and snow removal, fail to receive the full benefit of these services.

While all City of Milwaukee tax payers deserve safe and effective snow removal services, for people who are elderly and disabled and have mobility impairments, the lack of accessible streets and sidewalks is a civil rights issue. In order for these persons to travel around the city, the sidewalks, crosswalks and curb cuts have to be clear.

In some cases, the City's current snow removal procedures exacerbate the problem for people with disabilities. Even if sidewalks and curb cuts have been shoveled, the city snow plows often pile the snow high against the curbs and block the curb cuts, which makes it impossible for someone with a mobility impairment to use a crosswalk. Manual or motorized wheel chairs and scooters frequently get stuck at these curb cuts and have to rely on other pedestrians for help, which impedes their ability to be independent. Snow removal at bus stops, bus shelters, crosswalks and curb is too low a priority.

Task Force members recently met with staff from Transit Plus and identified the stops where the most people with disabilities board. We feel the City could use this information to develop a plan to improve access during the winter months to many priority routes. We respectfully urge you to make this a high priority and consider the following recommendations made by the accessibility sub-committee of the Mayor's Bike and Pedestrian Taskforce:

1. DPW snow removal staff work to set up a committee to work with access specialists from this Task Force, MCTS Transit Plus, and the Milwaukee County Office for Persons with Disabilities;
2. A special city hotline and online system, dedicated to accessible sidewalk issues be set up and monitored by trained personnel who are patient and courteous. This hotline and electronic filing system could be used to identify and prioritize high priority routes to ensure these routes are accessible. (The 286- CITY number is used for too many other issues to be effective);
3. The snow at bus stops, bus shelters and curb cuts must be removed, not just moved, soon after each street is plowed to ensure accessibility. This may require some manual efforts or different equipment than currently used by the City;



Dave Schlabowske
Chairman

Steve Brachman
Mark Buetow
Vince Bushell
Shirin Cabraal
Claude Krawczyk
Guy Smith
Angie Tornes
Robert Trimmier
Maurice Williams

4. The city should more vigorously enforce the city snow removal ordinances, while publicizing assistance programs available through the City and non-profit organizations, for persons who are elderly or disabled. This could be done through free efforts like press releases, the city channel and some low cost promotional materials;
5. Special pilot projects implementing these recommendations in a few select routes could be established as soon as possible to see what works before we try to implement it Citywide. The Task Force suggests the Downtown, West Town and UWM areas;
6. Adequate resources must be allocated for this purpose.

The members of the Task Force have noticed and applaud recent improvements in some of these areas, but feel very strongly that City staff would greatly benefit by an ongoing dialogue with the Task Force's accessible winter walkways committee to discuss our recommendations. The insight and expertise offered by these committee members will be invaluable in the City's efforts to make Milwaukee accessible to all citizens throughout the year.

Signed on behalf of the members of the
Mayor's Bicycle and Pedestrian Task Force,

A handwritten signature in cursive script that reads "David Schlabowske".

David Schlabowske, Chairman

Cc: Jeffery Mantes
Alderman Robert Bauman ✓
Jeffery Polenske



OFFICE FOR PERSONS WITH DISABILITIES

Milwaukee County

DONALD G. NATZKE

DIRECTOR

Good Morning:

During its meeting of Monday, December 10, the Milwaukee County Commission for Persons with Disabilities addressed city of Milwaukee snow removal and its impact on people with disabilities. This issue is urgent, and we request your deliberate and decisive action to resolve our concerns.

As home to our community's elders, people with disabilities, and general citizenry: Milwaukee is required to provide reasonable and adequate snow removal. Many of our individuals are severely impacted by the City's failure to remove snow from the area of curb ramps, bus stops, and roadways. This limits our ability to live independently in the community. Leaving our homes becomes an impossibility, reducing our independence, and virtually imprisoning us in our home or forcing premature institutional placement.

For those venturing into this environment, hazards are dramatically increased. People relying on scooters or wheelchairs are often forced to traverse in roadways when walks and curb ramps are blocked. For others who are unsteady, there is greater risk for hazardous falls, a leading cause for hospitalization, institutionalization, and even death.

Consumers reliant on mass transit may no longer have this available to them when bus stops remain unclear and the paths to and from them are impassible. These riders with disabilities may be caused to forego an \$.85 bus ride and use paratransit at a personal cost of \$3.25 for a one-way trip.

As community leaders, we ask that you make the independence and safety of our citizens with disabilities a priority matter. Failure to do so is a cost to the richness of our community and will lead to preventable tragedies.

Respectfully,

A handwritten signature in black ink, appearing to read "Donald G. Natzke".

Donald Natzke, Director
Milwaukee County Office for Persons with Disabilities

Bauman, Robert

From: DSchlieman@aol.com
Sent: Wednesday, January 02, 2008 10:44 AM
To: Bauman, Robert
Subject: Snow removal.

Alderman Bauman,

I hope you are successful in your attempt to return to human beings shoveling snow at cross walks and bus stops.

For years I thought that waiting until all the streets were plowed and then doing a half hearted attempt at snow removal by mechanical means was bad at the least and terrible at the most. Putting snow removal of walks and bus tops off until last meant that ice formed and reformed. Snow and ice mounds had to be jumped to either get to the side walk and especially to buses. Only able bodied person could do so and it is not able bodied or young persons who ride buses.

I have a friend who is wheelchair bound and it is his only mood of transportation. Because of that it has been brought to my attention this winter what bad conditions our corners to sidewalks and bus stops are in. Even when the areas are finally cleared of snow by mechanical means there is a portion on the street, before getting to the sidewalk, which is either iced over, a pile of slush and ice or snow. This cannot be maneuvered by wheel chair. No traction. Removal of same by man instead of machine would clear the entire area.

Please include this e-mail in the file.

Thank you for your efforts to make Milwaukee a better city. Best to you and our City in the New Year.

Donna Schlieman
630 N. 4th St. apt. 717
Milwaukee WI. 53203

See AOL's [top rated recipes](#) and [easy ways to stay in shape](#) for winter.

Bauman, Robert

From: Eileen Hesseling [hesselin@execpc.com]
Sent: Thursday, January 03, 2008 8:46 AM
To: Bauman, Robert
Subject: Hand shoveling

3 January 2008

Alderman Bauman:

I thank you for and support your proposal to clear snow from intersections and bus stops by hand shoveling. Almost daily my husband and I walk from our home on South Quincy to the lake and back and have experienced great difficulty crossing the high sierras of snow and ice that are piled up at the intersections.

Eventually that snow and ice is moved, but two incidents persuade me that people with shovels are more effective than using only a machine.

1. When bus stops and intersections are cleared, the snow frequently is merely pushed across the sidewalk. Snow and ice fall off the sides of the bucket leaving two parallel barriers of snow and ice that block a previously cleared sidewalk.
2. When intersections are "cleared" using what looks like a riding snow thrower, it leaves inches of snow and ice. More frustrating, however, is the fact that these machines are then driven down the sidewalks, shoveled, snow and ice free sidewalks! The machines are a bit wider than the cleared walks and leave in their wake a sidewalk covered with snow. A woman we encountered on our walking route was completely irate. She had shoveled her sidewalk until it was completely free from snow and ice and the city kindly undid all her hard work. I would insist that these machines be confined to the streets.

Sincerely,

Eileen Hesseling
3353 S. Quincy Avenue
Milwaukee, WI 53207-2721

CoreComm Webmail
<http://www.core.com>

Bauman, Robert

From: Shirin Cabraal [shirinc@drwi.org]
Sent: Wednesday, January 02, 2008 9:59 PM
To: Bauman, Robert
Cc: Lynn Breedlove
Subject: Testimony in support of Resolution 071235 relating to removal of snow from bus stops and curb cuts
Follow Up Flag: Follow up
Flag Status: Red

Dear Alderman Bauman,

I am writing to you as a tax payer with a disability and as an attorney with Disability Rights Wisconsin, the Protection and Advocacy agency for people with disabilities in the state of Wisconsin. I am also a member of the Mayor's Bike and Pedestrian Taskforce.

Due to a prior commitment I may not be able to testify at the January 3, 2007 hearing. Therefore, I submit this written testimony in support of Resolution 071235. First I want to thank you for your prompt response to the concerns raised by a number of persons with disabilities who testified at the prior Public Works Committee hearing, about the difficulties they experience due to the failure of the city to **adequately and timely** clear the snow from city walkways. This is a problem not only for people who use wheel chairs and scooters, but also for elderly persons with mobility impairments, as well as for parents with young children.

The resolution, which calls for the hand shoveling of curb cuts and bus stops within 24 hours of a snow fall, addresses the problem head-on. The current practice of the city DPW is to plow the streets first so that cars, buses and other motorized vehicles can move freely. However, public sidewalks, curb cuts, and bus stops are not cleared until 2 to 3 days after a heavy snow fall. This practice discriminates against persons with disabilities in violation of the federal regulations that implement Title II of the ADA. See, 28 C.F.R.s.35.130 and 149.

... no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable b

This rule implements subtitle A of title II of the Americans with Disabilities Act, Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. The legislative history of title II of the ADA makes it clear that, under title II, "local and state governments are required to provide curb cuts on public streets." Education and Labor report at 84. As the rationale for the provision of curb cuts, the House report explains, "The employment, transportation, and public accommodation sections of . . . [the ADA] would be meaningless if people who use wheelchairs were not afforded the opportunity to travel on and between the streets." [Emphasis Added] *Id.* See also 28 C. F. R. s. 35.152(e)

The Act requires that, to the maximum extent feasible, facilities must be accessible to, and usable by, individuals with disabilities. In addition, s. 35.133 provides that a public entity shall **maintain** in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities.. This section recognizes that it is not sufficient to provide features such as accessible routes, elevators, or ramps, if those features are not maintained in a manner that enables individuals with disabilities to use them. Inoperable elevators, locked accessible doors, or "accessible" routes that are obstructed by furniture, filing cabinets, or potted plants are neither "accessible to" nor "usable by" individuals with disabilities. Similarly curb cuts and bus stops that are obstructed by piles of snow are neither "accessible" nor "usable" by people with disabilities.

In light of the clear federal mandate, the DPW policy of delaying the clearance of snow from public sidewalks, curb cuts crosswalks and bus stops, until the streets have been plowed, illegally discriminates against people with disabilities. Resolution 071235 will go a long way towards remedying this problem.

Thank you for this opportunity to provide testimony in support of Resolution 071235.

Shirin Cabraal, Managing Attorney
Disability Rights Wisconsin
6737 West Washington Street, Suite 3230
Milwaukee, WI 53214
Tel. 414-773-4646 ext. 20

January 3, 2008

Alderman Bauman and Members of the Public Works Committee:

Thank you for your earnest concern for timely and efficient snow removal in the city. As the daughter of a letter carrier in the city and the granddaughter of a Milwaukee bus driver, snow removal was a religion in my upbringing and this issue continues to capture my attention and passion.

Sometimes I feel like I am living the secret to a happy life in a city; that secret is living by choice without a car. Yes, I explicitly chose to live in Milwaukee as a pedestrian and mass transit user; and, while I am healthy and quite capable of climbing snow banks and navigating narrow, meandering paths through the snow at city crosswalks and bus stops, I know that many residents aren't able to do so. I witness their struggles everyday when I walk to and from my place of work, take care of my personal business and entertainment needs on foot in my District 4 neighborhood, or rely on the buses for more distant ventures.

I might be an eternal optimist, but, I wonder if residents, if given a shovel from the city to use, would volunteer to adopt assigned crosswalks and/or bus stops. This winter, I've unofficially done that on Warren Ave (across the street from Caesar's Park) as one of my elderly aunts lives there and she and her neighbors find it hard to reach their cars after the plows pass by on their street. I also read an article in this past weekend's *Milwaukee Journal Sentinel* about a gentleman who regularly shovels on Mitchell Street. I imagine there are other people in the city willing to do the same with a little encouragement and recognition. Shoveling snow is a perfect form of exercise, a physical activity with purpose, and many people (especially residents like me with work-related "to-do" lists that never end) might appreciate the concrete sense of accomplishment resulting from regularly keeping their neighborhood crosswalks and bus stops clear for those who rely on them.

While concerns about liability and organization of such an effort are sure to arise, if my 75 year-old mother, through her community service groups, can "Adopt a Highway" and is allowed to walk the highway near her home in a state-sponsored volunteer activity (with an orange vest and trash bags provided), it must be possible for an army of "Snow Angels" (sort of like the Guardian Angels who patrol city streets) to perform a shoveling function along our city streets. I also wonder if area agencies, educational institutions, or businesses could get involved or sponsor this activity.

Regardless of my crazy ideas, I want to thank you for bringing this issue to the attention of the City Council. I used to think of Milwaukee as a city that knew how to do snow removal (in contrast to places I've lived in the West where people simply waited for the sun to come out thus creating a cycle of packed snow, melting in the streets, and then dangerous sheets of ice). December has made me doubt that this characterization is still accurate. Reflecting this doubt, I just ordered a pair of chains for my running shoes so I could continue to enjoy winter runs between Veterans Park and Bradford Beach without landing flat on my back on the icy sidewalks.

I am definitely in favor of a cadre of *real people* shoveling snow and working to make sure that our crosswalks and bus stops are accessible and safe. Thank you again for your concern.

Terry Burant

1129 N. Marshall Apt. 12

Milwaukee, WI 53202

(414) 534-4576 (cell)

(414) 288-6772 (work)