

WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

AGENDA

TUESDAY, JANUARY 25, 2022

6:30 P.M. – ADMINISTRATION/COUNCIL OF THE WHOLE MATTERS:

2022-2023 Rules and Procedures for Council

THERE ARE TWO PIECES OF DRAFT LEGISLATION APPEARING IN THE APPROPRIATE COMMITTEES BELOW.

COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:

STANDING COMMITTEES

ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bailey

Members: Conison, Heck & Smith

DRAFT # 1

ORDINANCE NO. 005-2022 (*Adm & Fin. Mgmt – 3rd reading – ADOPT 03/01/2022–Bailey/*)

AMENDING 143.15 (d)(1) TITLED EMERGENCY MEDICAL BILLING.

WHEREAS, the cost of fire equipment, specifically medics and fire trucks has risen considerable since the Council of the City of Whitehall approved the original ordinance in 2003 establishing a maximum cash fund balance for new equipment and medical supplies, and

WHEREAS, in May of 2020, the percentage of monies allocated to the new equipment fund was changed temporarily from sixty percent to fifty percent due to the Covid impact on the General Fund and now, the Mayor and Fire Chief requests City Council consideration of amending the new equipment fund allocation back to sixty percent of revenue received from medical billing; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: The Council of the City of Whitehall approves the following amendment in order to ensure proper funding of the new equipment fund and medical supply funds to support needed safety and medical services to residents, workers and those that travel, shop and recreate in the City of Whitehall.

143.15 EMERGENCY MEDICAL SERVICE BILLING.

(a) **Definitions.** As used in this section and for reimbursement purposes, the following words and phrases shall have the meanings respectfully ascribed to them as follows:

“Advanced Life Support” means any pre-hospital intervention by personnel certified at the level of EMT Para-Medic as described in Ohio R.C. Chapter 4765. Such interventions include but are not limited to cardiac monitoring and interpretation of cardiac rhythms, external cardiac pacing, cardio version, end tracheal intubations, intravenous cannulation, intraosseous infusion, emergency needle thoracotomy and administration of medications.

“Basic Life Support” means any pre-hospital non-invasive intervention by personnel certified at the level of EMT-Basic as described by Ohio R.C. Chapter 4765. Such interventions include, but are not limited to non- invasive methods of airway control, oxygen administration, bleeding control, splinting of fractures, and treatment of shock, patient assessment and recording vital signs.

“Transport” means to carry or convey a person by a publicly owned and/or operated motor vehicle being used in response to a call for emergency medical assistance from one location to another.

“Fees for Service” means the fee associated with the emergency transportation of each individual requiring either basic life support or advanced life support shall be the usual, customary and reasonable (UCR) charge established by insurance companies within the region.

(b) Payment of Fee.

No Person shall be charged for basic life support or advanced life support treatment unless the City’s Emergency Squad transports he/she.

Every person being transported by the Emergency Squad or some other person on behalf of that person being transported shall complete and execute an assignment of benefits form at the time of such Emergency Squad transport. If either the person being transported or some other person on behalf of that person being transported, when, for any reason, the person being transported is unable to execute an assignment of benefits, fully, truthfully and accurately completes and executes an assignment of benefits form which entitles the City to recover its Emergency Life Squad transportation fee directly from the appropriate public or private insurer or any federal, state or county public welfare agency which may be responsible for paying the costs of the treated person’s emergency transportation, the person being transported shall not be held liable for all or any part of the fee set forth above.

If the person being transported or some other person on behalf of that person being transported provides incomplete, false or misleading information which prevents the City from recovering upon its assignment of benefits, the person being transported shall not be relieved of liability for the fee set forth above until a complete, truthful and accurate assignment of benefits form has been prepared, signed and presented to the Finance Department.

If in spite of the completion of an assignment of benefits form, the person being transported receives all or any part of the City’s Emergency Life Squad transportation fee, the person being transported shall not be relieved of liability for such fee until he or she has remitted to the City all moneys he or she received for payment of such fee for such Emergency Life Squad service.

If the person being transported has no insurance and no other payment source for the Emergency Life Squad fee exists, or if the appropriate public or private insurer or federal, state or county welfare agency pays less than the full Emergency Life Squad fee, the balance still due and owing for transportation of that person shall be waived by the City as payment in full unless this provision violates any state or federal law as it pertains to the collection of fees.

(c) Establishment of Rates. It is hereby authorized and approved that the third party administrator selected by the City shall establish the fee submitted to the insurance carrier, determinate upon the level of the service provided to the individual(s) being transported.

(Ord. 8-03. Passed 4-1-03.)

(d) Revenue Disbursement.

All revenues generated by the charges for emergency medical services shall be disbursed in the following manner: ~~Fifty~~ Sixty percent (~~50~~ 60%) to the Fire Department New Equipment Fund (301) until the cash fund balance reaches ~~seven~~ hundred fifty nine hundred thousand and no/100 dollars (~~\$750~~ 900,000.00); Twenty percent (20%) to the Medical Supply Fund (302) until the cash fund balance reaches one hundred fifty thousand and no/100 dollars (~~\$100,000.00~~ 150,000.00); the remaining revenues received shall be placed in the General Fund (101) of the City.

Administration fees to operate the program shall be paid to the administrator at the rate so established by contract.

SECTION 2: That this Ordinance shall go into full force and effect at the earliest date permitted by law.

Requested by: Mayor Kim Maggard and Fire Chief Preston Moore
Prepared by: Mayor Kim Maggard
Approved as to form: Michael T. Bivens, City Attorney MTB1/24/2022

COMMUNITY STANDARDS AND ENFORCEMENT – Chairperson Smith
Members: Kantor, Elmore & Dixon

No drafts or pending legislation.

COMMUNITY AND ELDER ADVOCACY – Chairperson Dixon
Members: Bailey, Heck & Smith

No drafts or pending legislation.

ECONOMIC DEVELOPMENT – Chairperson Kantor
Members: Conison, Elmore & Smith

No drafts or pending legislation.

INFRASTRUCTURE, MAINTENANCE AND SERVICES – Chairperson Conison

Members: Bailey, Kantor & Dixon

DRAFT # 2

RESOLUTION NO. 008-2022 (Infra, Maint. & Srv. – 2nd reading – ADOPT 02/15/2022–Conison/)

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT(S) WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR IMPROVEMENTS AT THE MAIN STREET AND HAMILTON ROAD INTERSECTION AND DECLARING AN EMERGENCY.

WHEREAS, the intersection of Main Street (US 40) and Hamilton Road (SR 317) is consistently rated as one of the most dangerous intersections for traffic accidents; and

WHEREAS, The City of Whitehall, the local public agency (LPA), desires to partner with the Ohio Department of Transportation (ODOT) on upgrades to the intersection to improve the safety for vehicles and pedestrians; NOW, THEREFORE

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO

SECTION 1: Project Description, the (LPA/STATE) has identified the need for the described project: Upgrading the intersection of US 40 and SR 317. This upgrade includes widening, addition of concrete medians, sidewalk and driveway replacement, and drainage updates along with other associated work within the City of Whitehall.

SECTION 2: Consent Statement, being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION 3: Cooperation Statement, the LPA shall cooperate with the Director of Transportation in the above described project as follows: The State shall assume and bear 100% of all of the costs of the improvement. The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION 4: Utilities and Right-of-Way Statement, the LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of way costs include eligible utility costs.

SECTION 5: Maintenance, upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6: Authority to Sign, That the Mayor is hereby authorized (Contractual Agent) (LPA) on behalf of the City of Whitehall to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

SECTION 7: That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the further reason to expedite the highway project(s) and to promote highway safety and that the deadline for this legislation to be passed is February 15, 2022; WHEREFORE, this Resolution shall go into effect immediately upon its passage and approval by the Mayor.

PUBLIC SAFETY – **Chairperson Elmore**
Members: Bailey, Heck & Dixon

No drafts or pending legislation.

PARKS AND RECREATION – **Chairperson Heck**
Members: Kantor, Conison & Elmore

No drafts or pending legislation.