

RESOLUTION NO. 005 -2024

A RESOLUTION AUTHORIZING THE CITY OF MAUMEE TO DECLINE
PARTICIPATION IN PROPOSED LUCAS COUNTY ALS AGREEMENT

WHEREAS, on November 2, 1993, the voters of Lucas County approved a ballot measure adding a .25% sales tax to all taxable sales made in Lucas County Ohio commencing January 1, 1994;

WHEREAS, the sales tax was advertised as necessary for purposes of funding, operating, and improving a county wide EMS service for all Lucas County residents;

WHEREAS, the Toledo Blade supported the passage of this additional sales tax but emphasized that voters should keep the "Lucas County Commissioners' feet to the fire on their promises and that the extra revenue from the tax should not be frittered away";

WHEREAS, City of Maumee residents and voters supported this tax levy and continue to pay this additional .25% sales tax on all purchases made within Lucas County which are subject to the tax;

WHEREAS, the City of Maumee and its residents support a Lucas County fully funded EMS/ALS agreement with countywide EMS/ALS service as promised to Lucas County residents in 1993;

WHEREAS, it is estimated that Lucas County is collecting over \$20,000,000 (Twenty Million) annually from this tax levy in 2023 and is proposing to distribute the the sum of \$8,546,739 to local municipalities from this tax collection amount for the provision of ALS Medical Services in Lucas County;

WHEREAS, On or about March 5, 2024, the Board of Lucas County Commissioners notified each of the subdivisions currently operating ALS service in Lucas County, including the City of Maumee- the final notice by email, of its intent to replace the current Lucas County Advanced Life Support (ALS) Emergency Medical Services (EMS) Agreement with a proposed successor agreement pursuant to Ohio Revised Code Section 307.05 that would be effective on June 3, 2024;

WHEREAS, the amount proposed to be distributed to Maumee pursuant to the proposed agreement is \$402,198.07, which is a fifty percent reduction from the payments under the current ALS agreement;

WHEREAS, costs are estimated to exceed \$1,600,000 to operate one ALS unit;

WHEREAS, Maumee residents, in November of 2023, approved a 5.6 mil levy to provide an additional round the clock unit in addition to the current unit; the implementation of the proposed ALS agreement would contradict the intention of the City of Maumee voters;

WHEREAS, the proposed ALS agreement would require that all Maumee ALS units both current and new would be subject to mandatory mutual aid throughout Lucas County;

WHEREAS, the proposed ALS agreement does not specify how many ALS units a jurisdiction must maintain to receive funding, which could negatively impact the number of mutual aid runs if a jurisdiction fails to staff an appropriate number of ALS units;

WHEREAS, the proposed ALS agreement allows the EMS policy Committee to remove funding from a jurisdiction if it is the consensus of the Committee that another service will provide a more efficient and effective response to an area;

WHEREAS, the proposed ALS agreement allows for billing of transport costs by Maumee, but is silent as to billing for other costs.

WHEREAS, the proposed ALS agreement does not specify how current EMS capital assets will be distributed, and indicates that those assets will be distributed equitably for all that sign, which excludes Maumee although Maumee residents have paid for those County assets through their taxes since 1994;

WHEREAS, the proposed ALS agreement is for a three (3) year term with no provisions for cancellation prior to June 2, 2027;

WHEREAS, if Maumee enters into the proposed ALS agreement, the residents and other individuals needing ALS services within the City of Maumee will be negatively impacted by the financial requirements and mutual aid requirements of the proposed agreement;

WHEREAS, over seventy-five (75%) percent of Maumee's ALS calls for service are outside of the City limits. The ALS agreement currently in effect requires that one Maumee unit be called into service throughout the county through an automatic aid, however, the proposed ALS agreement would require all of Maumee's ALS units to respond to calls throughout the county when called. Thus, there is a likelihood that all of the City's emergency vehicles could be responding to multiple calls outside of Maumee's city limits at any given time. In such event, the safety of Maumee's residents could be placed at risk if there are no emergency vehicles available to respond to calls for service within the City's limits;

WHEREAS, Maumee has been formally advised by Lucas County on March 28, 2024, that if Maumee fails to sign the proposed ALS agreement, that the following will occur:

1. A subdivision that opts out would not be provided funding from the County for ALS services. The funding originally allocated to the subdivision in the new Agreement would be reapportioned to one or more Responsible ALS Department(s) to ensure the best response for the countywide system.

2. A subdivision that opts out would not be eligible to participate in Capital Asset Allocation Meetings or to receive any additional County EMS capital assets.

3. A subdivision that opts out would not be subject to, or a beneficiary of, the mutual aid provisions of the new Agreement. Mutual aid with the opting-out subdivision would be provided in accordance with state, regional, and/or local mutual aid agreements which suggests that even though Maumee residents pay their share of the .25 sales tax levy, they would not receive any benefit/ALS service.

4. If a subdivision opts out, the County will provide an updated Agreement for all participating subdivisions to review and adopt. This updated Agreement would only require amendments to the response regions delineated in Section 2 (Maumee/Monclova) and funding allocations delineated in Section 5. All other sections would remain the same.

WHEREAS, significant modifications would need to be made to the current proposed agreement before acceptance by Maumee.

NOW, THEREFORE, BE IT RESOLVED by the Maumee City Council that:

1. The City of Maumee not participate as a party to the proposed ALS Agreement with Lucas County as it is currently drafted.
2. That the Lucas County Commissioners be provided with a copy of this resolution and reminded of the promises made to all of Lucas County residents and taxpayers in 1993.
3. That the City Administrator in consultation with the Law Director be authorized to take any steps necessary to address the Lucas County's plans to not provide mutual aid to the taxpayers and citizens of Maumee or pay any portion of the costs as they are for the rest of Lucas County.

Section 4. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Resolution to the Lucas County Commissioners.

Section 5. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken in open meetings of this Council or of its committees, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. Declaration of Emergency: Effective Date. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Resolution is required to be immediately effective so that it can be delivered to Lucas County and that other actions in response to the Lucas County Plans may be taken by the City of Maumee; wherefore, this Resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor.

MOTION TO DECLARE AN EMERGENCY: Kurt

Second: Leinbach

Yeas: 7 Nays: 0

Motion to Pass: Kurt

Second: Leinbach

Yeas: 7 Nays: 0

Passed as an emergency measure: April 1, 2024.


Mayor

ATTEST:


Municipal Clerk.

Approved as to form by:


Law Director

CERTIFICATE OF POSTING

I, Clerk of Council of the Municipality of Maumee, Ohio, do hereby certify that Ordinance/Resolution No. 005-2024 was duly posted on 4.2.2024 and remained posted for a period of fifteen days thereafter, in not less than five of the most public places in the municipality as determined by the Council of said Municipality.

Hosny Khalil
Clerk of Council

Date: 4.17.2024