

**CITY OF MARSHALL
ORDINANCE 22-003**

**ORDINANCE AMENDING CHAPTER 2, BOARDS, COMMISSIONS, AND
AUTHORITIES**

NOW THEREFORE, be it ordained by the Common Council of the City of Marshall, in the State of Minnesota, as follows:

SECTION 1: **AMENDMENT** “DIVISION 2-VI-6 HUMAN RIGHTS COMMISSION” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

DIVISION 2-VI-6 ~~HUMAN RIGHTS~~ DIVERSITY, EQUITY, AND INCLUSION
COMMISSION

SECTION 2: **AMENDMENT** “DIVISION 2-VI-11 SENIOR CITIZENS CENTER COMMISSION” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

DIVISION 2-VI-11 ~~SENIOR CITIZENS~~ ADULT COMMUNITY CENTER COMMISSION

SECTION 3: **AMENDMENT** “Section 2-145 Qualifications And Compensation” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 2-145 Qualifications And Compensation

- (a) All members to any board, commission, bureau, or authority must be a resident of the city with the exception of the MERIT Center Commission, ~~and~~ Diversity, Equity, and Inclusion Commission, Adult Community Center Commission, and Airport Commission.
- (b) All appointed board, commission, bureau or authority members shall serve without compensation, but may be reimbursed for out-of-pocket expenses incurred in the performance of their duties.

(Ord. No. 718 2nd series, 4-11-2017; Ord. No. 21-001, 1-26-2021)

SECTION 4: AMENDMENT “Section 2-227 Annual Report” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 2-227 Annual Report

~~The hospital board shall make, within five months of the end of the preceding fiscal year, an annual report to the council regarding the condition of their trust, showing the various sums of money received, and how the money has been expended and for what purposes, together with such other information which they may deem of general interest or which the council may request, and shall likewise, make monthly reports of their trust.~~

(Code 1976, § 2.21(5); Ord. No. 551, § 5, 6-5-06)

SECTION 5: AMENDMENT “Section 2-226 Rules And Regulations” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 2-226 Rules And Regulations

~~The hospital board shall adopt all necessary rules and regulations for their own guidance and for the proper management and operation of such hospital, for the admission of patients thereto, and shall formulate a schedule of charges to be made for all hospital services to be rendered by such hospital, all of which shall be certified to the council as soon as adopted.~~

(Code 1976, § 2.21(4))

SECTION 6: AMENDMENT “Section 2-225 Hospital Fund” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 2-225 Hospital Fund

~~All monies received and collected from the operation of said hospital, except those funds collected from a business venture defined in section 2-224(a), shall be deposited and credited to a special fund to be known as the hospital fund. The board shall have the exclusive control of said hospital fund and it shall be their duty to see that all fees and charges becoming due to said hospital for its services are properly collected and credited to said fund; and said monies shall be paid out of said fund only upon properly approved bills presented to the board and duly audited and allowed by them, and shall be paid out of said hospital fund by a check signed by the secretary of the board and countersigned by the city clerk. The board shall out of said hospital fund purchase all necessary supplies and material and employ a suitable director of nursing and such other employees as shall be necessary for the proper management, operation and conduct of said hospital, including all improvements and additions; provided, however, that the board shall not make any contracts involving any expenditures of more than \$150,000.00 for any single item of purchase, addition or improvement without first obtaining the consent of the council thereto and that any such contracts shall be subject to and conform with the applicable state law.~~

(Code 1976, § 2.21(2); Ord. No. 432, § 1, 3-6-2000; Ord. No. 537 2nd series, § 1, 10-17-2005; Ord. No. 551, § 4, 6-5-06)

SECTION 7: AMENDMENT “Section 2-224 Control And Management” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 2-224 Control And Management

~~The hospital board shall have the full and exclusive control and management of the Weiner Memorial Medical Center d/b/a Avera Marshall Regional Medical Center, and all hospital grounds and appurtenances thereto, and all apparatus, equipment and material of every nature used in the operation of such hospital. Whenever the word "hospital" is used in this division, it shall include such hospital, and all other hospitals, or branches of hospitals, including nursing homes, or branches of nursing homes, operated by the city. The hospital board has the authority and legal capacity to do the following: Entering into any of the business arrangements as set forth above, except for the investment in stocks through normal course of business by said hospital board, shall first require consent of the council thereto and that any such contracts or business agreements entered shall be subject to and conform with applicable state law. Join or sponsor membership in organizations intended to benefit the hospital or hospitals in general; Have members of its governing authority or its officers or administrators serve as directors, officers or employees of the ventures, associations or corporations; Offer, directly or indirectly, products and services of the hospital, organization, association, partnership or corporation to the general public; and Expend funds, including public funds in any form or devote the resources of the hospital or hospital district to recruit or retain physicians whose services are necessary or desirable for meeting the healthcare needs of the population, and for successful performance of the hospital or hospital district's public purpose of the promotion of health. Allowable uses of funds and resources include the retirement of medical education debt, payment of one time amounts in consideration services rendered or to be rendered, payment of recruitment expenses, payment of moving expenses and the provision of other financial assistance necessary for the recruitment and retention of physicians, provided that the expenditures in whatever form are reasonable under the facts and circumstances of the situation. Enter shared service and other cooperative ventures; Enter partnerships; Incorporate other corporations; and Own shares of stock in business corporations. The hospital board has the authority and legal capacity to do the following: Prior council consent is not required for authority and capacity concerning activities set forth in Sec. 2-224(b).~~

(Code 1976, § 2.21(3); Ord. No. 551, § 1—3, 6-5-06)

SECTION 8: AMENDMENT “Section 2-223 Powers” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 2-223 Powers

~~The hospital board shall have the power and authority to appoint and employ a secretary of such board, who shall qualify as stated in this section, and upon such qualification shall be the secretary of the board. Such secretary shall keep an accurate record in books kept by him for that purpose, of all the proceedings and business transactions of the board, and he is empowered and it is hereby made his duty, to collect all dues and charges becoming due from patients for hospitalization and care received in such hospital and charges for the use of the equipment and facilities of such hospital, and pay the same into the city treasury. He shall make a detailed statement of the same at the regular meeting of the board, which shall be held on the third Monday of each month. The board shall be required to furnish a corporate bond running to the city, in an amount to be fixed by the board, that he shall faithfully perform all the duties of his office as required of him by law. Such bond shall be approved by the board and filed with the city clerk/finance director. The compensation of the secretary shall be in such sum as may be determined by the board, but the compensation shall first be approved by the council. The board shall have the power to revoke such appointment and discharge such secretary at any time in its discretion, and thereupon to appoint another secretary.~~

(Code 1976, § 2.21(1))

SECTION 9: **AMENDMENT** “Section 2-222 Composition; Appointments” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 2-222 Composition; Appointments

~~The hospital board shall be comprised of seven members, each of whom shall be a resident of the city, and none of whom shall be an employee of the hospital. Members shall be appointed for terms of five years each. One member may be the mayor or a member of the council. It is permissible for the council to appoint up to one person at a time to serve on the board that is on the medical staff of the hospital. If such specific appointment is made, it shall not increase the seven person board.~~

(Code 1976, § 2.21)

SECTION 10: **AMENDMENT** “Section 2-221 Established” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 2-221 Established

~~A hospital board is hereby established.~~

(Code 1976, § 2.21)

SECTION 11: AMENDMENT “DIVISION 2-VI-5 HOSPITAL BOARD”
of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

DIVISION 2-VI-5 HOSPITAL BOARD

~~State law reference(s) — Municipal hospitals, Minn. Stat. § 447.05 et seq.~~

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor, Robert Byrnes	_____	_____	_____	_____
Councilmember, Craig Schafer	_____	_____	_____	_____
Councilmember, Steven Meister	_____	_____	_____	_____
Councilmember, John DeCramer	_____	_____	_____	_____
Councilmember, Russ Labat	_____	_____	_____	_____
Councilmember, James Lozinski	_____	_____	_____	_____

Presiding Officer

Attest

Robert Byrnes, Mayor, City of
Marshall

Kyle Box, City Clerk City of Marshall