

PROPOSED AMENDMENT TO CITY CHARTER

To the Mayor and  
To the Council of the City of Sauk Centre, Stearns County,  
Minnesota.

The Board of Freeholders or Charter Commission of the City of Sauk Centre, Minnesota, constituted by the Judges of the Seventh Judicial District of Minnesota in accordance with Section 410.05 of Minnesota Statutes of 1941, having duly met and acted in respect thereto, does hereby propose that the Charter of the said City, which Charter was made and adopted pursuant to the provisions of Section 36 of Article IV of the Constitution of the State of Minnesota, be amended and changed by adding thereto, the following:

"HOSPITAL AMENDMENT"

"Section 119. This Amendment to the City Charter consisting of Sections numbered 119 through Section No. 126, both inclusive, shall be known as the "Hospital Amendment".

"Section 120. It is declared that there is no hospital in the City and one is desirable and necessary for the care and treatment of sick and injured citizens of the City, including indigents whose support is the legal responsibility of the City, and a suitable hospital is an essential and urgent municipal need; and that the City does not have the power or means of financing a hospital which will adequately care for these needs, nor one which will provide facilities so that the methods and treatments of advanced, modern medical and surgical science would be available and used for diagnosis and treatment of ills and injuries; and that the Franciscan Sisters of Immaculate Conception, a charitable corporation of the State of Minnesota hereinafter referred to as the "Corporation" has offered that, if the City makes an appropriation therefore, the said Corporation will erect, construct, equip, maintain and operate, in the said City a hospital which will fulfill the said needs and that such procedure is the most feasible way of so doing.

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"Section 121. That irrespective of any other provision of this Charter the Council may appropriate and pay not to exceed \$150,000.00 to the said Corporation for the construction and equipment of a hospital in the said City and may convey to the said Corporation, as a site for the said hospital, any real estate, not situate in the Original Townsite of Sauk Centre, and now owned by the City or which may be donated to the City.

"Section 122. Such appropriation, payment and conveyance shall be made to such Corporation upon condition

(a) That the said hospital and the facilities and services thereof shall be open and available to the citizens of the City and for the care of persons whose care is a public obligation of the City, on equal terms and without discrimination due to race or religion.

(b) That the costs and rates for services rendered by the said hospital for citizens and public charges of the City will not be greater than the costs and rates for similar services to others.

(c) That the said hospital will be operated and maintained on a non-profit basis.

(d) That the said hospital will be of a size called "a 50-bed hospital" or larger and will be constructed, maintained and operated on a high standard which shall be more definitely determined by the Council.

(e) That the said Corporation will expend for the construction and equipment of the said hospital a sum equal or greater than the amount appropriated and paid by the City for such purposes.

(f) That the said hospital will be maintained and operated at the sole cost and expense of the said Corporation and without any obligation of the City therefor.

(g) That a hospital will at all times be maintained on the said premises and, if at any time within fifty years after patients are first received in said hospital and the operation thereof is commenced, the said Corporation shall fail or neglect to fulfill and carry out any or either of the said conditions in any material particular, the City may cancel the said grant or conveyance of the said premises and be re-invested with the title and ownership thereof and all improvements made thereon.

(h) That such other and further conditions may be attached to the said appropriation and conveyance as the Council may deem advisable.

"Section 123. Without further or other approval or authorization the Council may issue and sell general obligation bonds of the City in an amount not exceeding the maximum limit of debt permitted to the said City by law, and for such maturities and other terms and conditions as the Council may deem best, and may

use the proceeds of the sale of the said bonds and any other funds of the City lawfully available, for such hospital purposes but not to exceed the total sum of \$150,000.00.

"Section 124. That the Water, Light and Power Commission of the City may turn in to the general fund of the City all surplus funds, over and above the public utility fund, derived from the operation of light and power plant and from the operation of the waterworks plant of the City and the Council may use such funds for the said hospital purposes within the limit aforesaid.

"Section 125. The Council shall and may use its discretion and judgment in carrying out the powers herein granted and is empowered to pass and adopt such ordinances and resolutions and to take such other appropriate action as it deems necessary to carry out and effectuate the purposes of this Amendment and safeguard the interest of the City, in so doing.

"Section 126. The authority granted and contained herein shall expire five years from the adoption hereof, whether or not theretofore used."

Further, the said Board of Freeholders or Charter Commission return and deliver this the foregoing proposed "Hospital Amendment" to the Mayor of the said City of Sauk Centre, as provided by law.

IN TESTIMONY WHEREOF, the undersigned members of the said Board of Freeholders or Charter Commission have hereunto subscribed their names of this 8th day of October, 1945.

(Signed)

Fred T. Lux  
Ward Roberts  
D. B. Caughren  
F. L. Parsons  
Ed L. Rathe  
Geo. Strauss  
A. N. Cordell  
F. H. Walker  
E. F. Borgmann  
Carl Eckberg  
John B. Mondloch  
L. L. Kells

S. G. Schwarzbauer

Ben DuBois

F. S. Cooper

I hereby acknowledge that the foregoing proposed "Hospital Amendment" to the Charter of the City of Sauk Centre, Minnesota, was delivered to me on this 8th day of October, 1945, and I hereby transmit the same to the Council of said City to be submitted to the voters of the City and for other appropriate action as provided by the Constitution and Laws of Minnesota.

Dated October 8th, 1945.

(Signed) S. G. Schwarzbauer  
Mayor of the City of Sauk  
Centre, Minnesota

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STATE OF MINNESOTA )  
COUNTY OF STEARNS ) SS  
CITY OF SAUK CENTRE )

I, S. G. Schwarzbauer, as Mayor of the said City of Sauk Centre do hereby certify and return:

That I am, and at all times herein mentioned have been the duly elected, qualified and acting Mayor and Chief Magistrate of the said City.

That the foregoing "Proposed Amendment to City Charter" is a true and correct copy of an amendment to the Charter of the said City which was framed and made by the duly appointed, qualified and acting Board of Freeholders or Charter Commission of the said City and was duly delivered to me, as such Mayor, by the said Board or Commission and was then transmitted to the Council of the said City by me. That said Council caused said "Proposed Amendment to City Charter" to be duly published and to be submitted to a vote of the voters of the said City at a special election duly called for that purpose upon due notice and held on November 13, 1945. That the result of the said election was duly canvassed and declared by the said Council on November 14, 1945 and that 899 qualified voters of the said City voted at the said election and 840 of their ballots

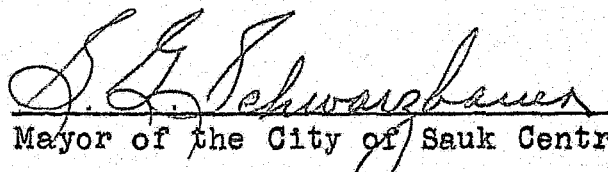
cast in such election were in favor of the adoption of the said amendment and 58 of such ballots were against such adoption and one ballot was missing, and that the said "Proposed Amendment to City Charter" was then and thereby duly ratified and adopted by the favorable vote of more than three-fifths of the voters, voting at such election and thereupon the said "Proposed Amendment to City Charter" became a part of such Charter to take effect as provided by law.

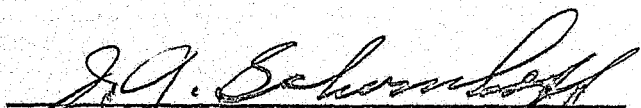
That the said "Proposed Amendment to City Charter" was duly made, framed and ratified, passed and adopted in accordance with and pursuant to Section 36 of Article IV of the Constitution of the State of Minnesota, and all proceedings, acts and matters hereinbefore referred to, as well as all other proceedings, acts and matters necessary thereto, were duly performed, done and carried out in accordance with the Constitution and laws of the State of Minnesota and the Charter of the said City.

That this certificate is hereby made and executed in duplicate in accordance with Section 36 of Article IV of the said Constitution for the purpose of authenticating and establishing proof of the ratification and adoption of the said "Proposed Amendment to City Charter".

IN TESTIMONY WHEREOF, I have set my official hand as the Mayor of the said City unto this instrument and have caused the same to be authenticated by the official seal of the said City and attested by the City Clerk on this fifteenth day of November, 1945.

Attest:

  
Mayor of the City of Sauk Centre.

  
Clerk of the City of Sauk Centre.

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( City Seal )