

#1978-9

RESOLUTION

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA, PASSED AT REGULAR SESSION ON THE 19TH DAY OF DECEMBER, 1978.

The Mayor and Council of the City of Gothenburg, Dawson County, Nebraska, met in regular session at the council chambers on the 19th day of December, 1978.

Mayor Rishel presided and the City Clerk, Connie Stull, recorded the proceedings.

It was moved and seconded that the following resolution be adopted:

WHEREAS, Metro Enterprises, Inc., of Scottsbluff, Nebraska, has applied, as provided by Ordinance Number 352, for a non-exclusive franchise to construct, install, operate, and maintain within the corporate limits of Gothenburg, for not to exceed twenty (20) years, a wired and cable television system, and

WHEREAS, The Mayor and Council of the City of Gothenburg find that subject to all the terms, conditions, limitations, requirements and provisions of its Ordinance Number 352, a non-exclusive franchise should be granted to said applicant provided that the following conditions are first complied with by said applicant, to-wit:

- 1) Applicant shall file with the City Clerk its acceptance in writing of terms and conditions of Ordinance Number 352;
- 2) Applicant shall file with the City Clerk a letter of credit in the amount of \$90,000, and performance bond called for by Section XXV of Ordinance Number 352; and the bond called for by Section XXX of Ordinance Number 352, or in lieu thereof, an agreement in writing by Licensee to monthly account to the City and pay into escrow to a name bank

or qualified trust company with place of business in Gothenburg, Nebraska, the consent of such escrow agent, and bond for \$3,000 as permitted by said Section XXX of Ordinance Number 352.

NOW, THEREFORE, be it resolved: That the Mayor and City Council of the City of Gothenburg hereby grant to Metro Enterprises, Inc., of Scottsbluff, Nebraska, a franchise for a term of ten (10) years from the effective date hereof, renewable for an additional five (5) year period as provided herein, unless sooner terminated pursuant to the provisions of Ordinance Number 352, to construct, install, operate and maintain within the corporate limits of the City of Gothenburg, a wired and cable television system provided that the following conditions are first complied with by Metro Enterprises, Inc., to-wit:

- 1) Applicant shall file with the City Clerk its acceptance in writing of terms and conditions of Ordinance Number 352.
- 2) Applicant shall file with the City Clerk a letter of credit in the amount of \$90,000, and performance bond called for by Section XXV of Ordinance Number 352; and the bond called for by Section XXX of Ordinance Number 352, or in lieu thereof, an agreement in writing by Licensee to monthly account to the City and pay into escrow to a name bank or qualified trust company with place of business in Gothenburg, Nebraska, the consent of such escrow agent, and bond for \$3,000 as permitted by Section XXX of Ordinance Number 352.
- 3) The franchisee may renew the franchise herein granted for an additional five (5) years after giving the City of Gothenburg notice in writing of its election to exercise this option, which notice shall be given not less than one (1) year before nor more than two (2) years prior to the expiration

of the initial period of this permit. Such renewal may be granted after consideration of the franchisee's legal, character, financial, technical and other qualifications as part of a full public proceeding affording due process.

4) The franchisee shall initially offer thirteen

(13) channels of service and entertainment as follows:

1. CBS Off Air
2. NBC Off Air
3. ABC Off Air
4. ETV Off Air
5. Channel 17 Atlanta, Georgia
6. Independent San Francisco or Chicago
7. CBN Christian Broadcasting Network
8. Live Sports Madison Square Garden
9. UPI News Color Video Plus Audio
10. Local Announcements Local Keyboard Insertion
11. 24-hour Time & Weather
12. HBO Regular Pay TV
13. HBO Family Pay TV

The franchisee shall charge the following initial

rates:

Residential Installation Rates

1st outlet, aerial utilities	\$14.95
1st outlet, underground utilities	49.95
1st outlet, underground utilities (new subdivision areas built after 1978)	Cost of time and materials

Additional outlets

9.95

Reconnection

9.95

Relocate outlet

9.95

Transfer of service

9.95

Pay television outlet \$24.95

Commercial Installation Rates

Actual cost of time and materials

Residential Monthly Service Charges

1st outlet	8.95
Additional outlets	2.50 each
Premium television outlet	9.95

Commercial Monthly Service Charges

1st outlet	8.95
Additional outlets	2.50 each

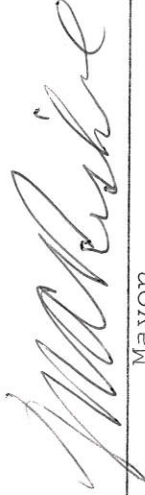
BE IT FURTHER RESOLVED that upon compliance by Metro Enterprises, Inc., with the above conditions for issuance of franchise, that said franchise be in full force and effect.

PASS AND APPROVED this 19th day of December, 1978.

CITY OF GOTHENBURG, DAWSON  
COUNTY, NEBRASKA

BY: \_\_\_\_\_

Mayor



ATTEST:

Connie Stull  
City Clerk.

APPROVED AS TO FORM:

Steve Anderson  
County Attorney.