

RESOLUTION NO. 1997- 11


RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF
GOTHENBURG, NEBRASKA.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF
GOTHENBURG, DAWSON COUNTY, NEBRASKA AS FOLLOWS:

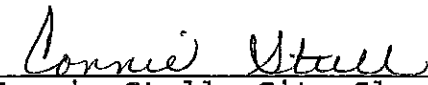
RESOLVED, that in consideration of the Gothenburg Library Foundation, Inc., providing funding to the City of Gothenburg, through its assets, grants, donations, and otherwise, for the construction of a library in the City of gothenburg, according to plan and specification therefor provided by the Clark Enerson Partners/Clymer Architects, constituting a remodeling of the existing library and an addition remodeling of the existing library and an addition thereon to the north thereof, the City of Gothenburg intends to the extent provided by law, and not in contravention to, budget for receipts and expenditures, and levy such taxes or otherwise pursue any and all lawful means for the acquisition of funds and revenue to provide for the payment of the current operating expenses on an annual basis, into the indefinite future, on said library from and after its construction and commencement of operation.

PASSED AND APPROVED, May 6, 1997.

CITY OF GOTHENBURG,
DAWSON COUNTY, NEBRASKA


Richard L. Blase, Mayor

ATTEST:


Connie Stull, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon, City Attorney

STEVE WINDRUM, P.C.

ATTORNEY AT LAW
P.O. Box 327 415 9th Street
Gothenburg, Nebraska 69138-0327
(308) 537-2321

Office Hours
8:30-12:00, 1:00-5:00
Mon.-Tues.-Thurs.-Fri.
8:30-12:00 Wed.

Steve Windrum

April 22, 1997

Mr. Michael L. Bacon
Attorney at Law
PO Box 208
Gothenburg, NE 69138

RE: City of Gothenburg/Library Foundation

Dear Mike:

At a meeting of the Foundation yesterday there was approved revised form of consent and resolution between the City and the Foundation and I enclose a copy of same herein (there is one more signature to obtain, as you can see, which it is anticipated will be accomplished within the next few days). I believe I have reworded the document per the concerns set forth by the Council of a couple weeks ago. By way of copy of this letter and the enclosure to Bruce, I ask that he put same on the agenda for the next City Council meeting wherein there will hopefully be one or more Board members there this time to provide input in regard to the matter to the extent that there is any additional input needed at this juncture (invitation on my part to the Board members to attend the last City Council meeting was extended but apparently everybody had a conflict).

Cordially yours,

Steve Windrum

SW/ma

enc.

pc: Mr. Bruce Clymer w/enc.

CONSENT IN LIEU OF MEETING OF MEMBERS AND DIRECTORS
OF THE GOTHENBURG LIBRARY FOUNDATION, INC.

The undersigned, pursuant to Sec. 21-1988 Neb. Rev. Stat. hereby authorize and undertake the action described herein in lieu of such action being taken at a meeting, to-wit:

The undersigned being all of the officers, members and directors of The Gothenburg Library Foundation, Inc. (Foundation), do hereby adopt and consent to the following resolutions, to-wit:

WHEREAS, the Foundation has received property of sufficient value to provide for funding of a substantial part of a proposed building and the site work related thereto, as the plans and specifications therefor have been presented to the Design Committee, the Foundation, and the City of Gothenburg, and


WHEREAS, the Foundation is desirous of providing funding for the construction of said building, in substantial part, but is equally concerned about the funding of the operating expenses for said building, upon its completion, in the near and not so near term, and

WHEREAS, the Foundation understands that the Mayor and City Council of the City of Gothenburg cannot, by law, bind themselves contractually at this point in time to allocating expenditures and levying tax dollars, nor monies from other sources, of a specific percentage level or amount, to provide funding for the operating costs of the proposed library building over the near and not so near term, but can nevertheless express their intention and desire in this respect

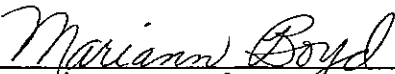
NOW, THEREFORE, BE IT RESOLVED that the Foundation will, subject to any other requirements provided and required by law, provide such funding as the Foundation has in assets and property, from time to time, for the construction of the proposed building for the library, and remodeling thereof, and the Foundation intends, to the extent the Foundation has such property and assets, after such construction, from time to time, not inconsistent with law, its Articles or By-Laws, or sound economic and fiscal principles, to fund for operating expenses thereof to the extent necessary and required, over and above the funding for such operating expenses provided by the City of Gothenburg, contingent upon the City of Gothenburg passing a resolution in substantially the following form:

RESOLVED, that in consideration of the Gothenburg Library Foundation, Inc., providing funding to the City of Gothenburg, through its assets, grants, donations, and otherwise, for the construction of a library in the City of Gothenburg, according to plans and specifications therefor provided by the Clark Enerson Partners/Clymer Architects, constituting a remodeling of the existing library and an addition thereon to the north thereof, the City of Gothenburg intends, to the extent provided by law, and not in contravention to, budget for receipts and expenditures, and levy such taxes or otherwise pursue any and all lawful means for the acquisition of funds and revenue to provide for the payment of the current operating expenses on an annual basis, into the indefinite future, of said library from and after its construction and commencement of operation.

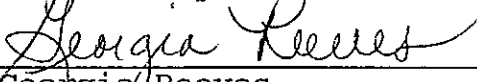
Dated this ____ day of April, 1997.



Janice L. Gill, President



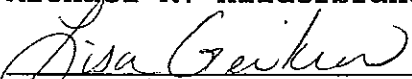
Mariann Boyd, Treasurer



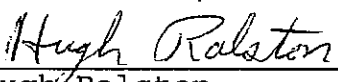
Georgia Reeves



Michael R. Hilderbrand, V.P.



Lisa Geiken, Secretary



Hugh Ralston

Lois Stebbins

4/18/97