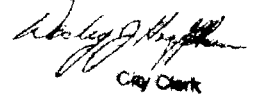


ORDINANCE NO. 2546

STATE OF ILLINOIS
CITY OF COLUMBIA
FILED FOR RECORD

APR 16 2007


City Clerk

AN ORDINANCE TO AUTHORIZE A COMPROMISE AND SETTLEMENT AGREEMENT BETWEEN THE CITY OF COLUMBIA, ILLINOIS AND CHARTER COMMUNICATIONS ENTERTAINMENT I, L.L.C., A LIMITED LIABILITY COMPANY, WITH REGARD TO DISMISSAL OF MONROE COUNTY, ILLINOIS ORDINANCE VIOLATION CASE NO. 07-OV-8 INVOLVING OPERATION OF A CABLE TELEVISION SYSTEM IN THE RIGHTS-OF-WAY OF THE CITY WITHOUT A CABLE TELEVISION FRANCHISE

WHEREAS, the Cable Television Franchise of Charter Communication Entertainment I, L.L.C., a Limited Liability Company, ("Charter") expired on February 7, 2007 and notwithstanding the expiration thereof Charter has continued to operate its cable television plant, system and facilities in the City of Columbia, Illinois (the "City") rights-of-way, in violation of the law;

WHEREAS, the City has charged Charter with an ordinance violation of the City's Cable and Communications Code, which was enacted by City Ordinance No. 2527, enacted February 7, 2007, which ordinance remains in full force and effect and which ordinance violation case remains pending in the Monroe County, Illinois Circuit Court in and for the Twentieth Judicial Circuit of Illinois, in Waterloo, Illinois in Cause No. 07-OV-8;

WHEREAS, the City and Charter, through aggressive negotiations, have agreed to make and enter into a new three (3) year term Cable Television Franchise Agreement to allow Charter to continue to utilize the City's rights-of-way for the operation of its cable television system and in connection therewith but independent thereof, the parties hereto have agreed to make and enter into a Compromise and Settlement Agreement resolving all matters at issue and in dispute in Monroe County, Illinois Case No. 07-OV-8 which Compromise and Settlement Agreement is authorized and approved, by and on behalf of the City, by this ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. The Compromise and Settlement Agreement by and between the City and Charter, of even date herewith, with regard to the resolution and settlement of all matters at issue in Monroe County, Illinois Case No. 07-OV-8, a copy of which is on file in the office of the City's City Clerk and available for inspection and copying at said

office upon proper request in compliance with the requirements of the Illinois Freedom of Information Act, is hereby approved as to form. The Mayor is hereby authorized and directed to make and enter into said Compromise and Settlement Agreement, for and on behalf of the City, in as many counterparts as the Mayor shall determine; and, the City Clerk is hereby authorized and directed to attest the same and affix thereto the corporate seal of the City.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Alderman Conrad moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl, and the roll call vote was as follows:

YEAS: Aldermen Conrad, Ebersohl, Agne, Niemiets, Unnerstall, Huch and Mayor Hutchinson.

NAYS: None.

ABSENT: Aldermen Koesterer and Row.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 16th day of April, 2007.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

(SEAL)