

CITY OF NOKOMIS, ILLINOIS

SPECIAL ORDINANCE 2005-927

AN ORDINANCE APPROVING A FRANCHISE AGREEMENT FOR CABLE SERVICES WITH CONSOLIDATED COMMUNICATIONS NETWORK SERVICES

WHEREAS, Consolidated Communication Network Services, Inc, has applied for a franchise for operating a community cable system to provide cable services within the City of Nokomis (“the City”); and

WHEREAS, the City may license, franchise and tax the business of operating community cable services and grant cable operators the right and permission to use public streets and rights of way and other public grounds pursuant to state enabling statutory authority provided in 65 ILCS 5/11-42-11; and

WHEREAS, Charter Communications, a limited liability corporation duly organized and validly existing under laws of the State of Delaware, legally holds a cable television franchise within the City that was originally granted to Enstar Income Program II-2, L.P. of Nokomis extended by Ordinance 2001-881 adopted March 12, 2001; and

WHEREAS, a municipality may grant licensing to more than one cable operator pursuant to state enabling statutory authority provided in 65 ILCS 5/11-42-11(e) on terms no more favorable nor less burdensome to the applicant than those terms required under the existing cable franchise; and

WHEREAS, the time is now appropriate for the City Council to determine, based upon the foregoing factors, whether it is in the best interest of the municipality to grant the additional cable franchise.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF NOKOMIS, COLES COUNTY, ILLINOIS, as follows:

Section 1. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. The City Council hereby determines that it is in the best interest of the municipality to grant an additional community cable system franchise.

Section 3. The mayor is authorized to sign a Franchise Agreement with Consolidated Communication Network Services, Inc., a copy of which is attached and incorporated herein by reference.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

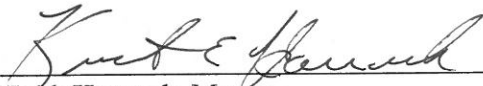
Section 5. This ordinance shall be effective upon its approval as provided by law.

AYES (Names): Commissioner Keele
Commissioner Lehnen
Commissioner Hill
Mayor Pro-Tem Murphy

NAYS (Names): None

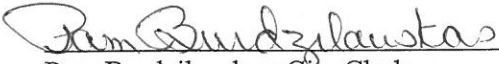
ABSENT (Names): Mayor Hancock

Approved this 10th day of October 2005.



Keith Hancock, Mayor
City of Nokomis, Montgomery County, Illinois

ATTEST:



Pam Burdzilauskas, City Clerk

Recorded in the Municipality's Records on October 10, 2005.