

CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3690

**AN ORDINANCE AUTHORIZING A MUNICIPAL SERVICES AGREEMENT FOR
THE PROVISION OF CITY OF COLUMBIA WATER SERVICE TO CERTAIN
PROPERTY LOCATED IN UNINCORPORATED MONROE COUNTY**

WHEREAS, the City of Columbia (“City”), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, Hillcrest Properties, LLC (“Owner”), a validly existing Limited Liability Company organized under the laws of the State of Illinois, is record owner of a parcel of land assigned Monroe County PIN #07-02-100-003-000 located at 8787 Rickhouse Road (“Property”); and

WHEREAS, Owner has petitioned the City for municipal water service to serve a commercial development under construction on the Property; and

WHEREAS, the Property is not located within the corporate limit of any municipality and is not yet contiguous to the City of Columbia’s corporate boundary; and

WHEREAS, the City desires to provide municipal utilities to the subject property; however, Section 13.02.010 of the Columbia Municipal Code requires annexation or an agreement to annex before providing said services to properties located outside city limits; and

WHEREAS, Section 2-2-12 of the Illinois Municipal Code (65 ILCS 5/2-2-12) grants the City the authority to contract and be contracted with; and

WHEREAS, a Municipal Services Agreement, establishing the terms whereby Property will receive water service from the City, has been approved by Owner; and

WHEREAS, pursuant to the terms of a certain Service Area Agreement between the City and the Fountain Water District, the City has the option to purchase the Fountain Water District facilities installed in an area defined by said Service Area Agreement; and

WHEREAS, in June, 2022, the City notified Fountain Water District of its intent to exercise said option; and

WHEREAS, the Property is situated within the area contemplated in the Service Area Agreement; and

WHEREAS, Owner, in order to receive water service from the City, is incurring costs related to the extension of a water distribution main to be dedicated to the City;

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution provides that units of local government may use their credit, revenues, and other resources to pay costs and to service debt related to intergovernmental activities; and

WHEREAS, the Corporate Authorities of the City have determined it is in the best interests of the City that the Municipal Services Agreement be approved, and Owner be reimbursed for certain costs.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Columbia, 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 Municipal Services Agreement between the City of Columbia and Hillcrest Properties, LLC, attached hereto as Exhibit A, is hereby approved.

Section 3. The Mayor is hereby authorized and directed to execute the Agreement on behalf of the City, and the City Clerk is hereby authorized and directed to attest to the same.

Section 4. Upon presentation of documentation by Owner substantiating costs incurred for the infrastructure contemplated by the Municipal Services Agreement, along with any necessary lien waivers or other documentation required, the Director of Finance, with the concurrence of the City Administrator, is authorized to issue payment for reimbursement to Owner.

Section 5. The City Clerk is hereby directed to record a copy of this Ordinance in the Office of the Monroe County Clerk & Recorder.

Section 6. This Ordinance shall be in full force and effect from and after the date of its passage and approval, as provided by law.

PASSED by the City Council and **APPROVED** by the Mayor of the City of Columbia, Illinois and deposited and filed in the office of the City Clerk on the 21st day of January, 2025, the vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES: Aldermen Niemietz, Huch, Holtkamp, Riddle, Khoury, Lawlor, Nobbe, and Hitzemann.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

APPROVED:



BOB HILL, Mayor

ATTEST:



DEREK REICHERT, City Clerk

(SEAL)