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**THE CITY OF ROCHELLE  
Ogle County, Illinois**

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**RESOLUTION  
NO. \_\_\_\_\_**

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**A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY PURSUANT TO A  
VEHICLE SALES AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, INC.**

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**JOHN BEARROWS, Mayor  
ROSE HUERAMO, City Clerk**

**TOM McDERMOTT  
BIL HAYES  
KATE SHAW-DICKEY  
DAN McDERMOTT  
ROSAELIA ARTEAGA  
BEN VALDIVIESO  
City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Ottosen DiNolfo Hasenbalg & Castaldo, Ltd. – City Attorneys  
2441 Warrenville Road, Suite 310, Lisle, Illinois 60532

**CITY OF ROCHELLE  
Ogle County, Illinois**

**RESOLUTION NO. \_\_\_\_\_**

**Date Passed:**

**A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY PURSUANT  
TO A VEHICLE SALES AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT,  
INC.**

**WHEREAS**, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

**WHEREAS**, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

**WHEREAS**, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

**WHEREAS**, Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), provides that corporate authorities may determine by a simple majority that personal property is no longer necessary, useful to, or beneficial to the municipality; and

**WHEREAS**, on June 10, 2024 the City approved a R24-0038, which authorized a consignment agreement with Enterprise Fleet Management (“Enterprise”) to assist the City in disposing of its surplus vehicles; and

**WHEREAS**, the City has determined that the following five vehicles: a 2012 Dodge Charger, a 2013 Dodge Charger, a 2018 Dodge Charger, a 2016 Dodge Charger, and a 2000 Honda Accord, are no longer necessary or useful and their use is no longer in the best interests of the City; and

**WHEREAS**, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to approve the sale of said surplus property and authorize the Interim City Manager to execute Vehicle Sales Agreement Certificates for the aforementioned vehicles.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

**SECTION ONE:** The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Resolution as if fully set forth in this Section One.

SECTION TWO: That the Mayor and City Council of the City of Rochelle hereby approve the sale of the 2012 Dodge Charger, 2013 Dodge Charger, 2018 Dodge Charger, 2016 Dodge Charger, and 2000 Honda Accord by Enterprise Fleet Management and the Interim City Manager is hereby authorized to execute a Vehicle Sales Agreement Certificate and any ancillary documents necessary for Enterprise to dispose of said surplus property, subject to review and revision as to form by the City Attorney.

SECTION THREE: If any provision of this Resolution or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Resolution is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Resolution are more restrictive than comparable provisions imposed by Resolution in any other local law, ordinance, resolution, rule or regulation, the regulations of this Resolution will govern.

SECTION FIVE: The City Clerk shall publish this Resolution in pamphlet form.

SECTION SIX: This Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 9<sup>th</sup> day of February 2026.

AYES:

NAYS:

ABSENT:

APPROVED THIS 9<sup>th</sup> day of February 2026.

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MAYOR

ATTEST:

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CITY CLERK

