
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION

NO. _____

**A RESOLUTION AUTHORIZING AN INTERFUND LOAN
IN THE AMOUNT OF \$655,000**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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ROSAELIA ARTEAGA
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City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson and Murray, LLC, City Attorneys
1301 W. 22nd Street, Ste. 500 Oak Brook, Illinois 60523

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Ogle County, Illinois

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**A RESOLUTION AUTHORIZING AN INTERFUND LOAN
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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, on April 23, 2023, the City approved Resolution 23-72 authorizing the purchase of 13800 East Gurler Road, Rochelle, Illinois in the amount of \$655,000; and

WHEREAS, 95% of the \$655,0000 purchase price will be covered by federal entitlement dollars through the FAA and IDOT; and

WHEREAS, the City has not yet received the federal entitlement dollars, but staff is confident the funds will be reimbursed within 90-120 days of closing; and

WHEREAS, an interfund loan from the Landfill Fund to the Airport Fund would allow the City to close on the purchase of 13800 East Gurler Road; and

WHEREAS, once the federal entitlement dollars are received, the Airport Fund will reimburse the Land Fill fund the full amount plus any accrued interest at the rate of 5% per annum; and

WHEREAS, the Mayor and City Council have found that it is in the best interest of the City to loan \$655,000 from the Landfill Fund to Airport Fund.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS:

SECTION ONE: That the City hereby incorporates all of the recitals above into this Resolution as if fully set forth herein.

SECTION TWO: The Mayor and City Council of the City of Rochelle hereby approve an interfund loan in the amount of \$655,000. The Director of Finance is authorized and directed to establish an interfund loan from the Landfill Fund to the Airport Fund in the amount of \$655,000. The loan shall be for a term of one year and the interest shall accrue at the rate of 5% per annum.

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 elsewhere 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.

APPROVED THIS 25th day of March 2024.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. _____, “A RESOLUTION AUTHORIZING AN INTERFUND LOAN IN THE AMOUNT OF \$655,000” which was adopted by the Mayor and City Council of the City of Rochelle on March 25, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 25th day of March 2024.

CITY CLERK