
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A JOINT FUNDING
AGREEMENT FOR STATE AND FEDERALLY FUNDED CONSTRUCTION BETWEEN
THE CITY OF ROCHELLE AND THE ILLINOIS DEPARTMENT OF
TRANSPORTATION FOR THE CITY OF ROCHELLE TRANSLOAD YARD/RAILROAD
EXTENSION EAST OF STEWARD ROAD AND .01 MILE NORTH OF THE OGLE/LEE
COUNTY LINE SEC NO. 23-00118-00-RP**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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

**SURFACE TRANSPORTATION – URBAN, ORDINANCE AUTHORIZING
JOINT FUNDING AGREEMENT NON-HOME RULE CITY OF ROCHELLE –
CITY OF ROCHELLE**

ORDINANCE NUMBER _____

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A JOINT FUNDING AGREEMENT
FOR STATE AND FEDERALLY FUNDED CONSTRUCTION BETWEEN THE CITY OF
ROCHELLE AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE CITY
OF ROCHELLE TRANSLOAD YARD/RAILROAD EXTENSION EAST OF STEWARD ROAD
AND .01 MILE NORTH OF THE OGLE/LEE COUNTY LINE WITH SEC NO. 23-00118-00-RP**

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 regulation 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 permit. A local ordinance may impose more rigorous or definite regulation 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, the City of Rochelle, Ogle County, Illinois has been planning to make improvements to the City’s Railroad transload yard and extension; and

WHEREAS, the Engineering project estimate, which includes Engineering fees, scope of

improvements and construction is over 6.8 million dollars (\$6,849,569.76); and

WHEREAS, the project has been approved for Illinois Department of Transportation (IDOT) and National Highway Freight Program (NHFP) funds in an amount not to exceed \$5,205,569.76; and

WHEREAS, with State and Federal funds, the City's financial share of the project will be approximately \$1,644,000; and

WHEREAS, the City Engineer is requesting a five percent (5%) contingency for change orders or unexpected expenditures, for a total of \$1,727,000; and

WHEREAS, the use of City funds and State and Federal Funds requires a joint funding agreement (a copy of which is attached herein as Exhibit 1); and

WHEREAS, the transload yard/railway extension improvements will be a significant benefit to the City of Rochelle; and

WHEREAS, the Mayor and City Council of the City of Rochelle ("the Corporate Authorities") have determined that it is advisable, necessary and in the best interests of public health, safety and welfare to enter into a Joint Funding Agreement for the improvements to the transload yard and railroad extension and authorize the allocation of up to \$1,727,000 for the project.

NOW THEREFORE, be it ordained by the Corporate Authorities of the City of Rochelle, Ogle County, Illinois, as follows:

SECTION 1. The City hereby allocates up to \$1,727,000 for its contribution toward the Rochelle Transload Yard/Railroad Extension project.

SECTION 2. That the form and substance of said Agreement (the "Agreement"), between the City of Rochelle (the "Local Agency" or "LA") and the Illinois Department of Transportation (the "State") for the City of Rochelle Transload Yard/Railroad Extension as attached herein as Exhibit 1 is hereby

approved. Furthermore, the City Manager's Designee (the Mayor) and City Clerk are hereby respectively authorized and directed to and on behalf of the City to execute the Joint Funding Agreement attached herein as Exhibit 1, and that this Resolution shall become Attachment 3 of said Joint Funding Agreement.

SECTION 3. That the proper officials, agents and employees of the City are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the City in accordance with the provisions of the Agreement.

SECTION 4. That the City Clerk is directed to transmit three (3) copies of the Agreement and Resolution to IDOT District 1 Bureau of Local Roads and Streets.

SECTION 5. That all ordinances or resolutions in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage as provided by law.

PASSED by the Corporate Authorities

On March 10, 2025.

Approved _____, 2025.

Mayor John Bearrows,
City of Rochelle, Ogle County, Illinois

AYES: _____ NAYS: _____ ABSENT: _____

ATTEST:

City Clerk
City of Rochelle, Ogle County, Illinois

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Hueramo, 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 Ordinance No. _____, “An Ordinance
Authorizing the Execution of a Joint Funding Agreement for the State and Federally Funded Construction
Between the City of Rochelle and the Illinois Department of Transportation for the City of Rochelle
Transload Yard/Railroad Extension East of Steward Road and .01 Mile North of the Ogle/Lee County
Line with Sec No. 23-00118-00-RP” which was adopted by the Mayor and City Council of the City of
Rochelle on March 10, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle on this 10th day of March 2025.

CITY CLERK