
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

A RESOLUTION TO AMEND THE PERSONNEL POLICIES MANUAL

JOHN BEARROWS, Mayor
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City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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Ogle County, Illinois

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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, previously the City has adopted a policies and procedures manual for employees and elected officials (“Personnel Policies Manual”) setting forth the policies and procedures in current force and effect for City employees and elected officials; and

WHEREAS, by its nature, the Personnel Policies Manual, otherwise referred to as the Employee Handbook is in constant need of review and revision to be consistent with all applicable laws and best practices; and

WHEREAS, at this time Human Resources recommends that the Policies Manual be revised to update the stipend for hourly employees for personal cell phones and the proposed updates are attached herein as Exhibit A; 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 update the Personnel Policies Manual as reflected in the attached Exhibit A.

NOW, THEREFORE, be it Resolved by the corporate authorities of the City of Rochelle the following:

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: The City hereby amends the Personnel Policies Manual as reflected in the attached Exhibit A, subject to final review and revisions by the City Attorney.

SECTION THREE: All prior Ordinances, Resolutions and Personnel Policies in conflict or inconsistent herewith are hereby expressly repealed but only to the extent of such conflict or inconsistency.

SECTION FOUR: 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 14th day of April, 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 14th day of April, 2025.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A
PROPOSED Amendment TO THE PERSONNEL MANUAL

Update to CHAPTER 5, Article P: Cell Phone Policy (pg 66 of Employee Handbook)

Cell Phone Stipend: The Cell phone stipend is designed to offset the cost to hourly employees for using his/her personal device for City business during working hours only. Staff eligible for the stipend are strictly prohibited from using the phone for City business after business hours, unless he/she does so on approved overtime. During required on-call hours, the employee is required to utilize their personal phone, unless a department specific phone is given prior to the on-call shift.

An employee receiving the cell phone stipend must retain an active cell phone or smartphone as long as the stipend is in place. The employee must provide any change in cell phone number to his/her Department Director within 48-hours of such change. Members receiving a cell phone stipend are expected to carry the cell phone or smartphone on their person while on duty and respond when called for City business.

The cell phone or smartphone under this option is considered a personal item, owned by the employee. As such, the employee is responsible for all costs associated with replacing a lost, stolen or damaged cell phone or smartphone. The employee is also responsible for all costs associated with the purchase of accessories.

If, prior to the end of any vendor contractual obligations, a personal decision by the employee, or an employee's misconduct, or misuse of the cell phone or smartphone, results in the stipend being discontinued, the employee will bear the cost of any fees associated with that change or cancellation.

Employee is expected to maintain any work-related apps requested by the City while receiving a stipend. Appropriate apps will be identified by the employee's department head.

Employee shall preserve all text messages, for business related activities, as the messages and phone records may be requested under the Illinois Freedom of Information Act (FOIA).

The monthly stipend will be set by the City Council upon a recommendation from the Finance Director and would be reviewed as directed or needed. The cell phone stipend is set at \$30 per month, to be paid through payroll processing.

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Huéramo, 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 TO AMEND THE PERSONNEL POLICIES MANUAL” which was adopted
by the Mayor and City Council of the City of Rochelle on April 14, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 14th day of April, 2025.

CITY CLERK