
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS OF LOCAL 3445**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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

RESOLUTION NO: _____

Date Passed:

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS OF LOCAL 3445**

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, the Rochelle Fire Department’s Firefighters are members of Firefighters Local 3445 (“the Union”); and

WHEREAS, the City and the Union have a Collective Bargaining Agreement (“CBA”), effective May 1, 2023, through April 30, 2027; and

WHEREAS, during the most recent negotiations for the CBA, in order to increase staffing in the Fire Department, the Parties agreed to certain conditions contained in Article 12 of the CBA; and

WHEREAS, the City met the hiring deadline imposed on it by 12(a)(1) before the original deadline of January 1, 2024, and, therefore, minimum staffing per shift has been adjusted accordingly; and

WHEREAS, on December 21, 2024, the Union filed a grievance against the City regarding the terms of the collective bargaining agreement; and

WHEREAS, the City and the Union have a disagreement with regards to the filling of certain vacancies following the hiring and training of the additional staff identified in Article 12(a)(2); and

WHEREAS, the City has added the rank of Captain to the Fire Department staffing model such that certain statements in the CBA related to numbers of Firefighters/Paramedics are no longer valid; and

WHEREAS, the Parties have an opportunity to lessen the impact of the staffing vacancies by returning a former fully certified Firefighter to employment with the City; and

WHEREAS, the City and the Union have come to a mutually beneficial agreement to modify the language in the Collective Bargaining Agreement; and

WHEREAS, a Memorandum of Understanding is necessary to reflect the City and the Union's agreement to amend the Collective Bargaining Agreement (a copy of which is attached herein as Exhibit A); and

WHEREAS, the Corporate Authorities of the City of Rochelle hereby find it is in the best interest of the health, safety and welfare of its residents to enter into a Memorandum of Understanding with Fire Fighters Local 3445.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Rochelle as follows:

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

SECTION TWO: The Memorandum of Understanding with Fire Fighters Local 3445, attached herein as Exhibit A is hereby approved and the City Manager or his designee is authorized to execute said Memorandum.

SECTION THREE: If any provision of this Resolution 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.

PASSED AND APPROVED this 25th day of March 2025.

ATTEST:

City Clerk

Mayor

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. _____,
“RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS OF LOCAL 3445” which was adopted
by the Mayor and City Council of the City of Rochelle on March 25, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 25th day of March 2025.

CITY CLERK