
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A
SCHOOL RESOURCE OFFICER WITH THE BOARD OF EDUCATION OF ROCHELLE
ELEMENTARY SCHOOL DISTRICT #231**

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
Peterson, Johnson and Murray, LLC, City Attorneys
1301 W. 22nd Street, Ste. 500 Oak Brook, Illinois 60523

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ELEMENTARY SCHOOL DISTRICT #231**

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 Board of Education of Rochelle Elementary School District #231, Ogle County, Illinois (hereinafter “School District”) is a public school district operating under the authority of Article X of the Constitution of the State of Illinois and the Illinois School Code (105 ILCS 5/1-1 et seq.); and

WHEREAS, Article VII, Section 10 of the Constitution of the State of Illinois and the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) authorizes units of local government, including municipalities, and school districts to contract and otherwise associate among themselves to exercise, combine, or transfer any power or function, in any manner not prohibited by law or ordinance; and

WHEREAS, the City’s police officers have performed the duties of Student Resource Officer since 2018 pursuant to a prior Intergovernmental Agreement that expired on September 1, 2021; and

WHEREAS, the School District desires to continue to have the services of one of the City’s police officers to perform duties of a School Resource Office (“SRO”) for the School District; and

WHEREAS, it is mutually beneficial for the City and the School District for the Rochelle Police Department to provide a School Resource Officer to the School District for the public safety of the citizens of Ogle County; and

WHEREAS, the Mayor and City Council have found that it is in the best interest of the City to enter into the Intergovernmental Agreement with the School District for a School Resource

Officer, a copy of the Agreement is attached herein as Exhibit A.

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 attached Intergovernmental Agreement between the City of Rochelle Police Department and the Board of Education of Rochelle Elementary School District #231 is hereby approved and the City Manager or his designee is authorized to executed said document.

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 22nd day of July 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 TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A SCHOOL RESOURCE OFFICER WITH THE BOARD OF EDUCATION OF ROCHELLE ELEMENTARY SCHOOL DISTRICT #231” which was adopted by the Mayor and City Council of the City of Rochelle on July 22, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 22nd day of July 2024.

CITY CLERK