
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING THE PURCHASE AUTHORITY FOR THE PURCHASE
AND INSTALLATION OF CYCLONE STREETLIGHTS**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

TOM MCDERMOTT
BIL HAYES
KATE SHAW-DICKEY
DAN McDERMOTT
JOHN GRUBEN
ROSAELIA ARTEAGA

City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys
200 W. Adams, Suite 2125 Chicago, IL 60606

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**AN ORDINANCE AMENDING THE PURCHASE AUTHORITY FOR THE PURCHASE
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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, as part of the Lighthouse Pointe Tax Increment Financing (“Lighthouse Pointe TIF”) Redevelopment Plan, the City of Rochelle must purchase 40 Cyclone streetlights to comply with the terms of a 2010 development agreement with Wal-Mart; and

WHEREAS, on March 22, 2021, the City approved an Ordinance waiving the competitive bidding requirements and awarding Wesco Distribution the purchase order for the purchase and installation of Cyclone streetlights (Ordinance No. 21-5227); and

WHEREAS, the original purchase order from Wesco Distribution was in the amount of \$369,880.00; and

WHEREAS, due to inflation and supply chain disruptions, the price for purchase order is now \$441,545.00, which will only be honored until August 15, 2022 (See Exhibit 1, Revised Purchase Order); and

WHEREAS, the City desires to authorize the increased expenditure for the purchase order for the purchase and installation of 40 Cyclone streetlights, which are to be installed along Route 38; 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 authorize the increased expenditure for the purchase and installation of 40 Cyclone streetlights in the amount of \$441,545.00; and

BE IT ORDAINED 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 Ordinance as if fully set forth herein.

SECTION TWO: The Mayor and City Council of the City of Rochelle hereby authorize the increased expenditure for the purchase and installation of 40 Cyclone streetlights in the amount of \$441,545.00; as set forth in Exhibit 1, and the Mayor and/or City Manager are hereby authorized to execute any agreement to effectuate the purchase and installation of the Cyclone Street lights, subject to review and revision as to form by the City Attorney.

SECTION THREE: If any provision of this Ordinance 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 ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION FIVE: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 25th day of July, 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 25th day of July, 2022.

MAYOR

ATTEST:

CITY CLERK

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 AMENDING THE PURCHASE AUTHORITY FOR THE PURCHASE
AND INSTALLATION OF CYCLONE STREETLIGHTS ” which was adopted by the Mayor
and City Council of the City of Rochelle on July 25, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 25th day of July, 2022.

CITY CLERK