
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE
ILLINOIS DEPARTMENT OF TRANSPORTATION REGARDING THE MAINTENANCE OF
STATE ROUTES**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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

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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, the Illinois Department of Transportation (“IDOT”) has submitted an updated Intergovernmental Agreement (“IGA”) to the City of Rochelle for the routine maintenance of certain State routes located within the City’s corporate limits, a copy of which is attached herein as Exhibit A; and

WHEREAS, the term of the agreement is from July 2025 to July 2035, and the scope of work and identified areas of responsibility are more particularly described in Parts 4 and 5 of the IGA with an approximate total compensation amount of \$782,349 to be paid over the duration of the IGA; and

WHEREAS, the Public Works Department frequently provides first response for immediate maintenance issues within City limits, and the IGA identifies designees authorized to negotiate, review, and approve minor modifications and invoicing under the agreement or maintenance limits; and

WHEREAS, staff recommends that the City identify the City Engineer, the Public Works Director, and the City Manager as authorized designees on behalf of the City (under parts 4 and 5 of the Agreement); and

WHEREAS, the City Engineer and Public Works director have reviewed the IGA and recommend the City to enter into the IGA with a re-evaluation of State performance 3 years from the date of approval of this IGA but no later than December 31, 2028; and

WHEREAS, the City of Rochelle (Governmental Body) may terminate this agreement upon written notice in accordance with part 4C.

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 Resolution as if fully set forth herein.

SECTION TWO: The City Council hereby approves of the IGA with IDOT attached herein as Exhibit A. The Mayor is authorized to execute said Agreement, and the City Engineer, Public Works Director, and City Manager are hereby designated as the City's designees for purposes of negotiation, review, and approval of modifications and invoicing as described in Parts 4 and 5 of the Agreement.

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 September 2025.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

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 AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION REGARDING THE MAINTENANCE OF STATE ROUTES" which was adopted by the Mayor and City Council of the City of Rochelle on September 22, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 22nd day of September 2025.

CITY CLERK