
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY PURSUANT
TO A VEHICLE SALES AGREEMENT CERTIFICATE WITH ENTERPRISE FLEET
MANAGEMENT, INC.**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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

CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION NO. _____
Date Passed:

**A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY
PURSUANT TO A VEHICLE SALES AGREEMENT CERTIFICATE WITH
ENTERPRISE FLEET MANAGEMENT, INC.**

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, Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), provides that corporate authorities may determine by a simple majority that personal property is no longer necessary, useful to, or beneficial to the municipality; and

WHEREAS, on June 10, 2024 the City approved a R24-0038, which authorized a consignment agreement with Enterprise Fleet Management (“Enterprise”) to assist the City in disposing of its surplus vehicles; and

WHEREAS, the aforementioned consignment agreement requires the City to execute a Vehicle Sales Agreement Certificate (attached herein as Exhibit A) authorizing the sale of each individual surplus vehicle; and

WHEREAS, the City has determined that two vehicles: a 2013 Ford F-150 and a 2008 Ford F-450, have reached their useful life and are surplus property; 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 approve the sale of said surplus property and authorize the City Manager to execute Vehicle Sales Agreement Certificates for the 2013 Ford F-150 and the 2008 Ford F-450.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

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: That the Mayor and City Council of the City of Rochelle hereby approve the sale of the 2013 Ford F-150 and the 2008 Ford F-450 by Enterprise Fleet Management and the City Manager is hereby authorized to execute said Exhibit A, and any ancillary documents necessary for Enterprise to dispose of said surplus property, subject to review and revision as to form by the City Attorney.

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 by Resolution 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 THIS 9th day of December 2024.

AYES:

NAYS:

ABSENT:

APPROVED THIS 9th day of December 2024.

[SIGNATURE PAGE TO FOLLOW]

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 Resolution No. _____, “A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY PURSUANT TO A VEHICLE SALES AGREEMENT CERTIFICATE WITH ENTERPRISE FLEET MANAGEMENT, INC” which was adopted by the Mayor and City Council of the City of Rochelle on December 9, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 9th day of December 2024.

CITY CLERK