
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**A RESOLUTION ALLOCATING MOTOR FUEL FUNDS FOR THE IMPROVEMENT
OF STEWARD ROAD WITH SEC#24-00119-00-RS UNDER THE ILLINOIS
HIGHWAY CODE**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Law Offices of Peterson, Johnson, & Murray, LLC – City Attorneys
1301 W. 22nd Street – Ste. 500 Oak Brook, Illinois 60523

ORDINANCE NO: _____

**A RESOLUTION ALLOCATING REBUILD ILLINOIS FUNDS AND MOTOR FUEL
TAX FUNDS FOR THE IMPROVEMENT OF STEWARD ROAD WITH
SEC#24-00119-00-RS UNDER THE ILLINOIS HIGHWAY CODE**

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, Steward Road was identified as a necessary capital improvement project under the Rebuilt Illinois Funds (RBI) P3 project; and

WHEREAS, the 2024 Steward Road improvement project will include pavement improvements, hot mix asphalt (HMA) shoulder upgrades and pavement striping of the existing roadway alignment; and

WHEREAS, the project will extend from the west side of the BNSF overpass to the Lee County line for a total of 1.6 miles; and

WHEREAS, the project is a capital improvement that will be paid for with Rebuild Illinois Funds (RBI) and Motor Fuel Tax funds (MFT); and

WHEREAS, the Illinois Department of Transportation (IDOT) requires a Resolution (attached as Exhibit A) authorizing the improvements and allocating the use of the City’s RBI and MFT funds for the project; and

WHEREAS, the Mayor and City Council find that it is in the best interest of the City and its residents to authorize the execution of the Illinois Department of Transportation’s Resolution (attached as Exhibit A) and allocate \$1,520,000.00 of RBI and MFT funds for the 2024 Steward Road improvement project with Sec#24-00119-00-RS.

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 hereby approve the allocation of \$1,520,000.00 of RBI and MFT funds for the 2024 Steward Road improvement project with Sec#24-00119-00-RS and authorize the City Clerk to execute the Illinois Department of Transportation's Resolution (attached as Exhibit A).

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.

APPROVED this 10th day of June 2024.

ATTEST:

City Clerk

Mayor

EXHIBIT A



**Illinois Department
of Transportation**

Resolution for Improvement Under the Illinois Highway Code

Is this project a bondable capital improvement?

☒ Yes ☐ No

Resolution Type

Original

Resolution Number

Section Number

24-00119-00-RS

BE IT RESOLVED, by the Council

of the City

Governing Body Type

Local Public Agency Type

of Rochelle

Name of Local Public Agency

Illinois that the following described street(s)/road(s)/structure be improved under

the Illinois Highway Code. Work shall be done by Contract

Contract or Day Labor

For Roadway/Street Improvements:

Name of Street(s)/Road(s)	Length (miles)	Route	From	To
Steward Road	1.61	FAU 5450	2400' west of BNSF RR	Ogle/Lee Co Line

For Structures:

Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

HMA surface removal and replacement, HMA shoulder improvements, reflective crack control, pavement striping and other incidental base repair

2. That there is hereby appropriated the sum of One million five hundred twenty thousand and no/XX

Dollars (\$1,520,000.00) for the improvement of

said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Rose Hueramo

City

Clerk in and for said City

Name of Clerk

Local Public Agency Type

Local Public Agency Type

of Rochelle

Name of Local Public Agency

in the State aforesaid, and keeper of the records and files thereof, as provided by

statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by

Council

of

Rochelle

at a meeting held on June 10, 2024

Date

Governing Body Type

Name of Local Public Agency

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this

Day

Month, Year

(SEAL, if required by the LPA)

Clerk Signature & Date

Approved

Regional Engineer Signature & Date
Department of Transportation

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. _____, “A
RESOLUTION ALLOCATING MOTOR FUEL FUNDS FOR THE IMPROVEMENT OF
STEWARD ROAD WITH SEC#24-00119-00-RS UNDER THE ILLINOIS HIGHWAY CODE”
which was adopted by the Mayor and City Council of the City of Rochelle on June 10, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 10th day of June 2024.

CITY CLERK