
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION OF THE CITY OF ROCHELLE AUTHORIZING THE CITY
MANAGER TO ISSUE A NOTICE OF WITHDRAWAL TO THE ILLINOIS MUNICIPAL
INSURANCE COOPERATIVE (“IMIC”)**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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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
Law Offices of Peterson, Johnson, & Murray—Chicago, City Attorneys
200 W. Adams, Ste. 2125, Chicago, IL 60606

RESOLUTION NO. _____
Date Passed: April 25, 2022

**A RESOLUTION OF THE CITY OF ROCHELLE AUTHORIZING THE CITY
MANAGER TO ISSUE A NOTICE OF WITHDRAWAL TO THE ILLINOIS MUNICIPAL
INSURANCE COOPERATIVE (“IMIC”)**

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 City is currently a member of the Illinois Municipal Insurance Cooperative (“IMIC”); and

WHEREAS, the City intends to issue a Request for Proposals (“RFP”) for insurance coverage; and

WHEREAS, pursuant to the IMIC By-Laws, Article XII, Section 1, the City must authorize the Notice of Withdrawal to IMIC; and

WHEREAS, the City’s staff recommends issuing the Notice of Withdrawal to IMIC and commencing the RFP process for the City’s insurance needs; and

WHEREAS, the Mayor and City Council after consideration, now concur that it is advisable, necessary, and in the best interests of the residents of the City of Rochelle to authorize the City Manager to issue the Notice of Withdrawal to IMIC; and

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 authorize the City Manager to issue the Notice of Withdrawal to IMIC as required by IMIC’s By-Laws,

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 25th day of April, 2022.

AYES:

NAYS:

ABSENT:

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 OF THE CITY OF ROCHELLE AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF WITHDRAWAL TO THE ILLINOIS MUNICIPAL INSURANCE COOPERATIVE (“IMIC”),” which was adopted by the Mayor and City Council of the City of Rochelle on April 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 April, 2022.

CITY CLERK