
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION APPROVING AN AGENCY AGREEMENT FOR THE
AIRPORT IMPROVEMENT PROGRAM WITH THE ILLINOIS
DEPARTMENT OF TRANSPORTATION**

CHET OLSON, Mayor
SUE MESSER, City Clerk

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JOHN BEARROWS
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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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 (“City”), 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, pursuant to 50 ILCS 510/1 of the Illinois Municipal Code, the City of Rochelle (“City”) is authorized to negotiate and enter into agreements for engineering services on the basis of demonstrated competence and qualifications for the type of services required at a fair and reasonable price; and

WHEREAS, the Illinois Department of Transportation (“IDOT”) has determined through its pavement evaluations and studies that a portion of the asphalt center ramp at the Rochelle Municipal Airport (“Airport”) is in need of replacement with concrete;

WHEREAS, the City has received federal and state grant money to cover the majority of the costs associated with the Airport; and

WHEREAS, the City desires to enter into an Agency Agreement with the IDOT in order to complete the afore-mentioned improvements at the Airport; 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 enter into said Agreement with the IDOT; and

BE IT RESOLVED 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 Mayor and City Council of the City of Rochelle hereby approve the said Agreement with the IDOT, substantially in form attached hereto as Exhibit 1 , and the Mayor and/or City Manager are hereby authorized to execute said Agreement and all other necessary certifications, 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 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.

PASSED THIS _____ day of July, 2018.

AYES:

NAYS:

ABSENT:

APPROVED THIS _____ day of July, 2018.

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 APPROVING AN AGENCY AGREEMENT FOR THE AIRPORT IMPROVEMENT PROGRAM WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION,” which was adopted by the Mayor and City Council of the City of Rochelle on July 9, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 9th day of July, 2018.

CITY CLERK