

ORDINANCE NO. 2338-24

AN ORDINANCE RATIFYING AND CONFIRMING THE EXECUTION OF A
PREVIOUSLY EXECUTED AGREEMENT—
ANCEL GLINK—SPECIAL COUNSEL SERVICES

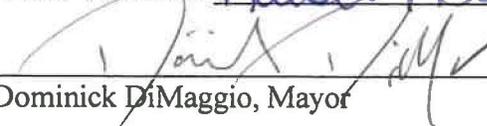
BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Illinois, that this ordinance is ratification in furtherance of a previously executed Agreement with Ancel Glink. Such Agreement is by and between the Village of Hawthorn Woods and Ancel Glink, a copy of which is attached hereto as Exhibit "A", and, by this reference made a part hereof.

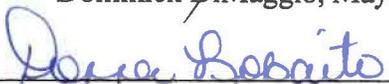
The foregoing Ordinance was adopted by a roll call vote as follows:

AYES: McCarty, Ryschek, Hurst, Roman

NAYS: 0

ABSENT AND NOT VOTING: Kaiser, Bayer

APPROVED: 
Dominick DiMaggio, Mayor

ATTEST: 
Donna Lobaito, Village Clerk

PASSED: March 25, 2024

APPROVED: March 25, 2024



A Professional Corporation
140 South Dearborn Street, Suite 600
Chicago, IL 60603
www.ancelglink.com

Adam B. Simon
asimon@ancelglink.com
(P) 847.856.5440
(F) 847.247.7405

March 14, 2024

Via Email: pnewton@vhw.org

Pam Newton
Chief Operating Officer
Village of Hawthorn Woods

Re: Legal Representation – Village of Hawthorn Woods (Special Counsel Engagement)

Dear Pam:

It was a pleasure talking to you and the Mayor this afternoon about our engagement as special counsel to assist the Village with various zoning and land use issues. This letter provides the terms for our engagement as special counsel in this matter.

1. Client; Scope of Representation. Our client in this matter would be the Village of Hawthorn Woods. The scope of our engagement would be to consult with the Village and its primary attorneys, Schain Banks Kenney & Schwartz, on the legal issues raised in connection with the development and use of the local property, including but not limited to pending litigation. You may limit, eliminate or expand the scope of our representation provided that any substantial expansion must be first reviewed for conflicts and agreed to by us.

2. Term of Engagement. Either of us may terminate the engagement at any time for any reason by written notice, subject on our part to applicable rules of professional responsibility. Following such termination, any otherwise non-public information you have supplied to the firm which is retained by us will be kept confidential in accordance with applicable rules of professional responsibility. If, upon such termination, you wish to have any documents delivered to you, please advise us. Otherwise, all such documents will be transferred to the person responsible for administering our records retention program. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to destroy or otherwise dispose of any such documents retained by us, absent contrary instructions from you.

3. Team. Adam Simon and Kurt Asprooth would serve as lead attorneys for the Village in this engagement. Adam and Kurt are each partners at Ancel Glink and focus their practice on representing local governments. Each has extensive experience advising and consulting with clients in local government and land use matters. Other attorneys, paralegals, or law clerks may assist in this matter.

4. Fees and Expenses. Our fees are based on time spent providing services to the client by our professional staff at each person's applicable hourly billing rate. Our schedule of hourly billing rates is based upon years of experience, specialization and training and practice, and level of professional attainment. Those rates (which would remain in effect for 12 months from the date of our engagement) are as follows:

ANCEL GLINK
Village of Hawthorn Woods
March 14, 2024
Page 2

- Partners/Senior Attorneys will be billed at \$275 per hour.
- Associates will be billed at \$225 per hour.
- Paralegals will be billed at \$145 per hour.

Any expenses, disbursements and other charges incurred on your behalf will be billed to you in addition to our charges for professional services in accordance with our regularly established procedures. We are reimbursed standard charges for copies, computer research, and messenger/courier delivery charges. You will be responsible for the payment of all costs incurred on your behalf.

On our invoices, our time and expenses are fully itemized and documented. Each monthly bill for services includes the initials of the individual performing the assigned task, the date on which the work was performed, a description of the work and the amount of time spent completing the assignment. Our billing invoices are prepared monthly, and payment is due within 30 days of the date of statement.

If you have any questions about our services, please do not hesitate to contact me. If you are agreeable to this representation, please sign below and return a copy to me.

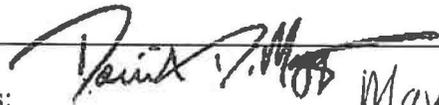
Very truly yours,



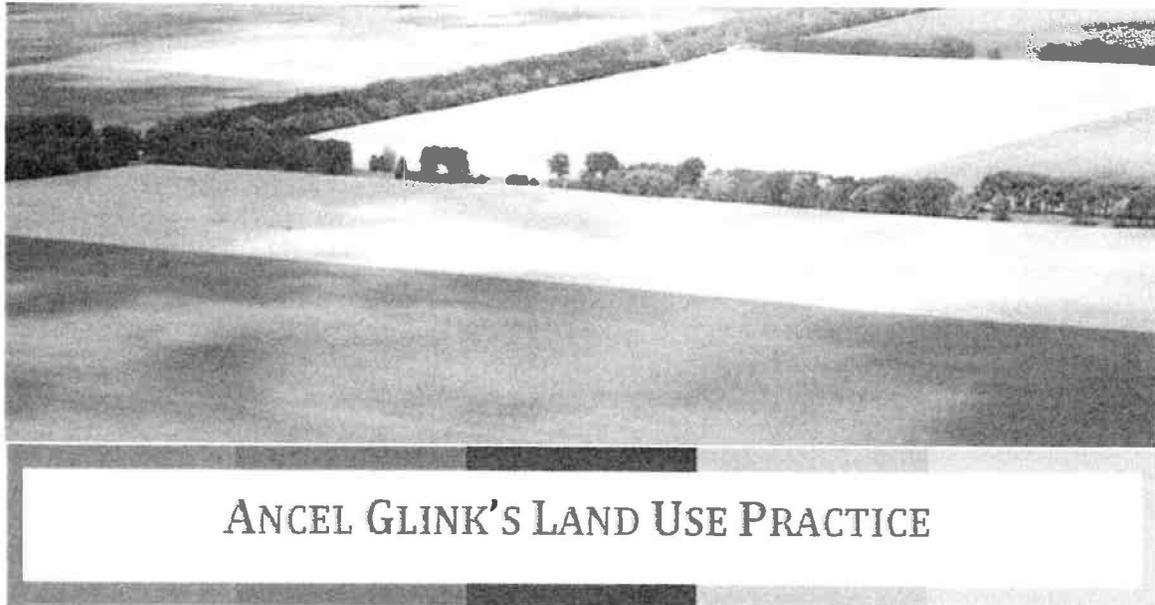
Adam B. Simon

ACCEPTED

VILLAGE OF HAWTHORN WOODS

Its:  Mayor

Date: 3/20/24



ANCEL GLINK WILL HELP YOU ACHIEVE YOUR COMMUNITY AND DEVELOPMENT VISION.

Ancel Glink's land use practice has experience in all areas of land use and development, from annexation to zoning, and everything in between. Our attorneys advise local governments and property owners and developers on economic development, environmental consulting, real estate, construction, and telecommunications matters. Whether modernizing a zoning code or opening pathways for new development, our land use team can put your vision into action.

The following are a few examples of our land use services and recent projects:

- Comprehensive rewrite of numerous zoning, subdivision, unified development, and form-based codes.
- Negotiate public/private agreements for sale and development of land in a TIF district.
- Successful defense of municipalities in annexation and zoning challenges.
- Eminent domain litigation for major downtown redevelopment project.
- Serve as lead environmental counsel on large-scale federal Superfund remediation cases, including a 60-acre municipal landfill site.
- Innovative strategies to reduce costs of environmental remediation and compliance.
- Advise municipalities, negotiate with developers and prepare documents for creation of wind energy and solar energy projects

Ancel Glink attorneys have written books, articles, and chapters on a wide variety of land use and economic development topics. Ancel Glink also publishes the Municipal Annexation Handbook, Zoning Administration Handbook, Zoning Administration Tools of the Trade, and the Economic Development Toolbox for Local Officials, all available for download in the Resource Center on the firm's website.

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ZONING & LAND USE

Ancel Glink's representation in land use matters spans the state and involves the full range of residential, commercial, and industrial development and redevelopment. In addition to the daily zoning and land use services we provide to our local government clients, the firm serves as special counsel for communities in complex annexation and development negotiations, updating or rewriting zoning, subdivision and other land use regulations, and establishing procedures for zoning petitions and hearings. Ancel Glink also conducts workshops and training sessions for planning and zoning staff and advisory boards.

The following are a few examples of our zoning and land use practice:

- Comprehensive rewrite of zoning, subdivision, unified development, and form-based codes.
- Drafted new zoning regulations to classify a large scale planned unit development with appropriate regulations and negotiated planned unit development agreement.
- Represented a community in annexing and zoning property for agritourism, including negotiating future uses for the property.
- Negotiated annexation agreement with property owners for gravel mining and subsequent redevelopment of property for residential and commercial uses.
- Draft and negotiate boundary and planning agreements for neighboring municipalities.
- Draft rules of procedure for zoning hearings.
- Attend Plan Commission and ZBA hearings on behalf of municipal and developer clients.
- Counsel a city in multi-phase disconnection and annexation process to bring large residential and commercial area within city's jurisdiction.
- Successful application on behalf of a private client for the rezoning of 230 acres of property to an industrial use with 60 year land use plan.
- Review development applications and analyze compliance with development codes.

ECONOMIC DEVELOPMENT

Ancel Glink counsels clients in all aspects of public/private partnerships, including the provision of public assistance for development or redevelopment projects. We have experience drafting and negotiating redevelopment agreements covering all types of projects, including downtown redevelopments, town center and mixed-use developments, transit-oriented developments, commercial and industrial parks, and residential planned developments, and Enterprise Zones.

Our TIF services run the gamut, from the creation and administration of TIF districts to statutory compliance matters. Depending on the nature of the development and improvements to be supported with public assistance, a special service area or business development district may be more appropriate. We have worked with communities to more equitably distribute the true cost of public improvements without saddling residents with excessive property tax burdens. Business districts are being recognized as an effective economic development tool for commercial developments which result in less intergovernmental tension. Regardless of the tool which fits your plan the best, our expertise will ensure all of the procedural and substantive requirements are satisfied so that your goals can be accomplished.

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We also assist with a wide array of debt-issuance transactions, ranging from straightforward general obligation bonds to financings secured by TIF districts, special service areas, special assessments and business development districts. Our attorneys also advise public and private clients regarding the use of tax abatements and sales tax rebates, including the important distinctions between home rule and non-home rule communities, and have been involved in the following projects recently:

- Assist in the establishment of TIF districts, special service areas, and business development and redevelopment districts.
- Creation of TIF district for office campus headquarters of an international corporation.
- Create a Business Redevelopment District for a 600,000 sq. ft. retail center.
- Negotiate a public/private agreement for sale and development of land in TIF District.
- Assist with the creation of a public-private partnership to reclaim and plan uses of 100 year old quarry, including pioneering land-use regulations on reclamation, master plan for properties, and coordination of property transfers and uses.
- Defend municipality against lawsuit seeking to invalidate TIF district.

ENVIRONMENTAL & ALTERNATIVE ENERGY

Ancel Glink provides legal expertise to guide clients through the complex environmental laws and regulations that a project may encounter. Our environmental attorneys focus on all areas of environmental law, from due diligence to large-scale Superfund remediation. We also routinely partner with engineering consultants to provide streamlined, multidisciplinary legal advice. Ancel Glink's tailored environmental practice offers an efficient and cost effective alternative to the high-cost, and often outdated, approach offered by some firms. The environmental practice also provides support to our real estate practice to assist our clients in protecting their investments.

In addition, our attorneys have participated in Section 39.2 landfill siting hearings in a variety of roles, including as the hearing officer and staff attorney advising the corporate authorities. We are familiar with both the political, legal and scientific hurdles that must be navigated to reach a sound local siting decision.

Recently, our environmental group attorneys have been involved in the following projects:

- Local siting review for new and expanded regional landfills.
- Serve as lead environmental counsel on large-scale federal Superfund remediation cases, including a 60-acre municipal landfill site.
- Management of IEPA brownfield remediation and leaking underground storage tank projects
- 17 acre remediation of former landfill and asphalt plant into recreation and municipal center.
- Develop innovative strategies to reduce costs of environmental remediation and compliance.
- Ensuring CERCLA due diligence compliance, including brownfield properties.
- Devise RCRA strategies for compelling properties to voluntarily clean up past contamination.
- Amending boundaries of Enterprise Zones for energy project equipment and access
- Negotiating with developers regarding terms, conditions, tax incentives, and fees for both EZ and non-EZ energy projects
- Preparing ordinances and development agreements for alternative energy projects

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LAND USE LITIGATION

From procedural challenges to constitutional claims, Ancel Glink attorneys have decades of experience with zoning and land use litigation. As counsel to numerous local governments and zoning boards, our attorneys have developed a unique and valuable perspective on the zoning process which guides our legal strategy. For both public bodies and private companies, Ancel Glink provides a distinct advantage in any land use dispute. Our attorneys have extensive experience in complex eminent domain litigation for our governmental entities, including service as Special Assistant States Attorneys for counties negotiating road project condemnations.

The following are just a few examples of our litigation experience:

- Eminent domain litigation for major downtown redevelopment project.
- Successful defense against a takings claim challenging a municipal zoning decision.
- Successful prosecution and defense of municipal and private foreclosure actions.
- Prosecute demolition cases involving blighted commercial and residential properties.
- Successful defense of municipality in an action by developer seeking to overturn denial of special use permit application.
- Successful defense of impact fee agreements for park districts.
- Represent a school district in complex litigation arising from a TIF redevelopment agreement, resulting in a \$20 million settlement for the school district.
- Negotiate economic development agreements for TIF projects throughout the state.
- Represent industrial land owner in multi-million dollar eminent domain action by IDOT for expansion of interstate highway.

REAL ESTATE

Although our firm is primarily known for its involvement with governmental entities, risk pool defense litigation and land use issues, the firm has cultivated a practice in real estate, both residential and commercial. A number of attorneys, both in our Chicago and Vernon Hills offices, spend a significant amount of their time in the practice of real estate. The firm has handled the purchase of golf courses, commercial leases, residential and commercial closings.

Approximately twenty-five percent of our real estate work is done in the conveyance of real estate to and from not-for-profit organizations or governmental entities with the remaining seventy-five percent being residential and commercial closings. A real estate closing can be a stressful process for a buyer or a seller. Ancel Glink has developed an expertise and organizational process that minimizes the time, effort and costs of real estate transactions and ensures the client remains fully informed from contract execution to post-closing review. Ancel Glink is also an agent of a national title insurance company, which enables us to simplify the closing process.

- Represented park districts in acquiring, protecting and developing open space and parks.
- Negotiated development agreements and contracts to purchase land, including financing, for \$20 million commercial redevelopment of an industrial area.

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CONSTRUCTION

Ancel Glink has the background, experience and expertise to help you manage all of the risks inherent in your construction project and to help pave your way to final completion. Our vast experience in the public sector means that we have negotiated hundreds of contracts with design professionals, contributed to the conditions set forth in hundreds of bid packages, and helped to resolve a substantial number of disputes through litigation, arbitration, mediation and negotiation. We have lawyers that have worked in construction, know how to read construction drawings, are familiar with how the job site functions, and know how to steer the contract negotiations and any litigation in your favor. We have represented owners, architects, engineers, contractors and subcontractors in all of the delivery methods, including design/build, and we have substantial experience in handling mechanics' lien issues and dealing with sureties.

Ancel Glink attorneys have authored chapters on Construction Law in the Municipal Law treatise and School Law treatise published by the Illinois Institute of Continuing Legal Education. We are familiar with the most popular families of documents (e.g., AIA, EJCDC) and we have written model contracts to assist our clients in managing smaller projects at minimal expense and delay.

We can help you from concept to final completion, including providing the following services:

- Assisting clients in the Qualifications Based Selection process for design professionals.
- Advising clients on contract terms that save you money now and down the road.
- Drafting and editing general and supplementary conditions to construction contracts.
- Advising clients on the public bid process and compliance with the Prevailing Wage Act.
- Representing clients in pursuing or defending construction-related claims.

TELECOMMUNICATIONS

Ancel Glink offers advocacy, consulting, and drafting services for telecommunications law. We understand the demands of cellular companies and the pitfalls that can arise when leases or the rental rights are sold or assigned. We can also assist communities through the treacherous landscape of federal laws regulating local authority to zone cellular antennas.

Now that Illinois has adopted a state-wide franchising scheme for cable and video services, we can help your community be prepared for new entrants in the video market. New laws contain important services and payments that do not become enforceable by default, so local governments must know what to request and when to request it. We can help keep your ordinances up-to-date so you are ready for when a new provider offers competition to your incumbent cable operator.

One area of law that has received a lot of attention following the change in cable franchising rules is right-of-way management. Making sure your right-of-way ordinance is up to date is an important step in protecting the aesthetics and welfare of your community.

- Assist in drafting model cable/video regulatory ordinances for the Metropolitan Mayors Caucus.
- Assist in drafting a model cable franchise agreement for the Metropolitan Mayors Caucus.
- Draft and negotiate numerous cellular tower leases and other agreements.

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Ancel Glink

ABOUT OUR FIRM

For over 90 years, Ancel Glink has built and modernized the practice of local government law in Illinois. From litigation to land use and labor relations—our clients enjoy access to top attorneys and large firm resources in a small, personalized setting. Our specialized legal staff has one fundamental goal: Empower our clients. We present legal advice in a form that can be easily understood, evaluated and applied. We tailor our services to your unique needs and give clients tools to reduce their reliance on legal advisors. Every step of the way, Ancel Glink is working for your success.

Chicago Office

140 S. Dearborn Street, 6th Floor
Chicago, IL 60603
312.782.7606

DuPage County Office

1979 N. Mill Street, Suite 207
Naperville, IL 60563
630.596.4610

North Suburban Office

175 E. Hawthorn Parkway, Suite 145
Vernon Hills, IL 60061
847.247.7400

McHenry County Office

101 N. Main Street, Suite 2
Crystal Lake, IL 60014
815.477.8980

Central Illinois Office

202 N. Prospect Drive, Suite 203
Bloomington, IL 61704
309.828.1990

Western Illinois Office

1515 5th Avenue, Suite 320
Moline, IL 61265



THE FIRM AND ITS ATTORNEYS

ANCEL GLINK, P.C. was founded more than 85 years ago. As one of the preeminent local government law firms in Illinois, our firm has a tradition of excellence and innovation. ANCEL GLINK has adhered to the principle of providing the quality of work normally associated with the largest firms within a small firm environment. Our goal is to offer our clients effective and comprehensive representation at a reasonable cost. Our legal services and strategies match our clients' needs and resources. We represent and advise clients statewide, often serving as special counsel in assisting local attorneys with complex matters.

ANCEL GLINK attorneys bring to our clients diverse educational and occupational backgrounds. Our attorneys have joined ANCEL GLINK from the fields of government, education, business and insurance. Others served as members of governmental boards and administrators, hearing officers, court arbitrators, and law clerks for both trial and appellate courts. Several attorneys have taught at universities and law schools in the Chicago area. Our attorneys regularly lecture on each area of law practiced by the firm, and the firm periodically sponsors seminars on new developments affecting local officials and practitioners.

Our lawyers have chaired the local government committees of both the Chicago and Illinois State Bar Associations, and have served in various capacities for the Illinois Municipal League, the Illinois Association of School Boards, and the Illinois Association of Park Districts. ANCEL GLINK enjoys the highest rating, "AV," given by Martindale Hubbell and is listed by the A.M. Best Company in its Directory of Recommended Insurance Attorneys.

We advise elected and appointed officials in a nonpartisan manner and are successful in creating practical and lawful ways to accomplish the objectives of our clients. We are not hesitant to suggest new and innovative ideas and approaches while, at the same time, we are conscious of the need to contain the costs of representation.

Perhaps the best way to learn about ANCEL GLINK is to visit our web site at www.ancelglink.com. There you will find a description of the history of the firm and our current attorney roster. You can also review dozens of commonly asked questions and answers and download materials and publications from the ANCEL GLINK Resource Center, including our 10 pamphlets relating to local governmental issues.

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OUR CLIENTS

The essence of our practice is the representation of governmental entities of all types both as general corporate counsel and as special counsel on a wide variety of legal issues. The firm also represents businesses and real estate owners and developers, particularly in their relationships with and before governments.

Municipalities

Our clients include cities, villages, and towns throughout the state. We serve as the regular corporate attorney for many municipalities and as special counsel to communities that seek our assistance for particular matters. We have represented communities with fewer than 1,000 residents and those with over 100,000 residents. We have originated, written, updated or edited many publications, including the *Illinois Municipal Handbook*, published by the Illinois Municipal League, and the four volume *Illinois Municipal Law Series*, published by the Illinois Institute for Continuing Legal Education.

Townships

In the last decade, ANCEL GLINK has become a premier firm in the representation of townships. The firm can offer not only legal assistance, but practical expertise for both standard and complex issues. We can assist our township clients in complex and mixed questions of law, economics, finance, general assistance, open space, personnel and collective bargaining. ANCEL GLINK attorneys are the authors of the Township of Illinois Laws and Duties Handbook. The firm also assisted in the Creation of the Illinois Township Supervisors Guide.

Park Districts

Illinois park districts recognize ANCEL GLINK's expertise in this field. We currently represent

more than 50 park districts and special recreation associations as general counsel or special counsel in unusual or complex matters. Our attorneys author the handbook *Illinois Park District Law*, published by the Illinois Association of Park Districts. The firm has been awarded the Lifetime Appreciation Award by the Illinois Association of Park Districts.

School Districts

We represent school districts as their general attorney and as counsel on special matters. Creative and innovative approaches to problem solving are what these difficult and constantly changing circumstances demand and what the firm's experience makes possible. Our firm also serves as chief defense attorney for several educational self-insurance pools, which keeps us in constant contact with the problems faced by more than 100 Illinois school districts. One of our partners is the founding General Editor and current Co-Editor of the two volume treatise published by the Illinois Institute for Continuing Legal Education entitled *Illinois School Law*.

Libraries

ANCEL GLINK represents a number of library districts and boards throughout the state. Whether a library operates as a separate district or as a municipal library board, it is no longer possible to maintain and operate a library without developing substantial knowledge of finance, personnel issues, zoning and property questions, and liability

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concerns. We have the resources to assist in all of these areas, either on a day-to-day or consulting basis.

ANCEL GLINK attorneys are authors of the Financial Manual for Illinois Public Libraries, which is published by and available through the Illinois Library Association.

Fire Protection Districts

ANCEL GLINK helps fire protection districts, whether big or small, volunteer, full-time or a combination, solve any number of problems involved in the operation of a fire department. Our attorneys have decades of experience providing advice and assistance to Chiefs and Board of Trustees to control district affairs and the provision of fire prevention services. The firm is the author of a financial manual for fire departments published by the Northern Illinois Alliance of Fire Protection Districts.

Special Districts and Other Units of Local Government

ANCEL GLINK attorneys are experienced in the representation of community colleges, sanitary and water districts, and specialized intergovernmental agencies. Generally, only sketchy statutory language and sparse case

law govern the operations of these important governmental bodies. Our experience is extremely important in guiding these special districts through uncharted areas. As one example, we represented a water agency which financed and constructed, under budget and on time, a system serving more than one hundred thousand users.

Self-Insurance Pools

ANCEL GLINK has helped organize and has represented more governmental self-insurance pools than any other law firm in the United States. In 1978, we wrote the contract and by-laws for one of the first comprehensive governmental self-insurance pools in the country. In addition to developing general liability defense pools, the firm has developed specialized pools to provide high-level excess coverage, for workers' compensation and for group health and accident coverage of employees.

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OUR GOVERNMENT PRACTICE

ANCEL GLINK offers full service representation to our clients. We have substantial experience in general and litigation matters involving all aspects of government law including:

- Policies and Meeting Practices
- Ordinance and Resolution Drafting
- Governmental Finance
- Purchase and Sale of Property
- Eminent Domain
- Liability and Civil Rights Defense
- Special Service Areas and Special Assessments
- Business Development Districts
- Tax Increment Financing
- Economic Development
- Contracts for Goods and Services
- Contracts
- Collective Bargaining and Personnel
- Workers' Compensation
- Zoning and Planning
- Annexations
- Insurance
- Risk Management
- Intergovernmental Agreements
- Cable Television and Telecommunications
- Public Relations
- Recreational Programs
- Student Issues

Our areas of practice are described in more detail in the individual practice group materials that follow, including descriptions of our local government, land use, labor and employment (including workers' compensation), litigation, and election practice groups.

THE FUTURE

Although our firm's history is very important to us, so is our future. Recently, we opened additional offices to better serve our growing and diverse client base. We updated our technology so we can respond to our clients. We continue to employ attorneys with special experience and interest in serving our clients.

We pledge to continue our long tradition of scholarship and innovation and to offer superior services at prices that governments can afford. We are confident that we can provide the highest quality legal services to local governments at a reasonable cost.

If you would like to discuss what we can do for you, please contact one of our senior

partners Thomas DiCianni, Keri-Lyn Krafthefer, Derke Price, Scott Puma, Julie Tappendorf, Margaret Kostopulos or David Silverman. We would be happy to visit with you to discuss our services.

We also invite you to review our website at www.ancelglink.com. There, you can learn more about the firm and download many pamphlets and articles from the Resource Center.

4817-4388-7804, v. 1

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Adam B. Simon

Partner



Adam emphasizes responsiveness and pragmatic solutions when counseling clients.

North Suburban Office

175 E. Hawthorn Parkway, Suite
145
Vernon Hills, IL 60061

Direct Phone: 847.856.5440

Email:

asimon@ancelglink.com

Practice Areas

Local Government
Park Districts
Land Use
Elections
Libraries

Education

J.D., Georgetown University
Law Center
B.A., Washington University in
St. Louis

Memberships

Illinois City/County
Management Association
Illinois NATOA
Lake County Bar

Adam's practice focuses on a variety of areas, including public finance, zoning and economic development, real estate law, and telecommunications.

Adam combines his experience in economic development and public finance to counsel municipalities on public private partnerships which leverage public financing and private investment to create new public improvements and enhance economic development opportunities. He has helped to organize special service areas, business redevelopment districts and tax increment financing (TIF) districts.

With respect to general public finance, Adam has presented seminars and counsels the firm's clients on the preparation and calculation of the annual tax levy, preparation of the annual budget ordinance and cooperates with independent financial advisors to create capital expenditure plans. Adam serves as issuer's counsel for the sale of general obligation, revenue and alternate revenue bonds. He has also counseled a number of clients on successful referendum campaigns related to capital improvements and increases in the limiting rate and debt service extension base.

Adam counsels the firm's clients on cellular zoning and ground leases, right-of-way management and franchising. More recently, Adam has developed materials for our clients related to the regulation and siting of solar farms and community solar projects.

Adam has served as corporation counsel to more than a dozen local governments throughout Illinois.

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Experience

- Solar Farm Zoning Regulations, City of Charleston, 2018
- Debt Service Extension Base Referendum, Clarendon Hills Park District, 2010
- Limiting Rate Referendum, Channahon Park District, 2011
- Section 39.2 Landfill Siting Application Staff Review, City of Zion, 2010
- Wind and Solar Energy Zoning Ordinance, Village of Lincolnshire, 2009
- Business District Redevelopment Agreement, Antioch Marketplace, Village of Antioch, 2008
- Sign Ordinance, Village of Lincolnshire, 2009
- TIF Redevelopment Agreement, Antioch Corporate Center, Village of Antioch, 2008
- Transportation Improvements Special Service Area, Village of Lincolnshire, 2011
- Model Cable/Video Regulatory Ordinance, Metropolitan Mayors' Caucus, Co-Author, 2007
- Model Comcast Cable Franchise, Metropolitan Mayors' Caucus, Co-Author, 2010

Presentations

- Danger Zone: Managing Controversial Zoning Hearings, ILCMA Winter Conference, February 2018
- Public Pfinance for Parks, Ehlers and Ancel Glink Webinar, October 2017
- Sex, Guns and God!, the First and Second Amendments and Local Regulations, American Planning Association, July 23, 2013
- I was at a meeting until 2 a.m. last night, what did you do?, ILCMA Summer Conference, June 14, 2013
- Lake County Municipal League Newly Elected Officials Seminar, 2013 and 2017
- 2012 Legislative Changes that Impact Local Government: Compensation Posting and Other New Laws; ILCMA and Alliance for Innovation Webinar, February 15, 2012
- Park Finance: Making Ends Meet; Purchases, Bids and the Prevailing Wage Act; and Intergovernmental Cooperation: Collaboration is More Essential Than Ever, 2012 IAPD/IPRA Conference, January 27-28, 2012
- Open Meetings Act and Freedom of Information Act, IAPD Boot Camp, October 27, 2011
- State and Federal Legal Issues; Illinois NATOA Public, Educational and Governmental Programming Seminar, May 10, 2011

Publications

- Land Use Law: Zoning in the 21st Century, co-author, January 2015
- The FCC once again more made it easier to locate cellular antennas, In the Zone, Spring 2015
- Zoning for Economic Development, ILCMA Newsletter, April 2016
- Service Animals and Segways, ILCMA Newsletter, April 2012
- Adult Use Regulation, IICLE Municipal Law Series, Volume 2, Chapter 4
- Tax Increment Allocation Financing, IICLE Municipal Law Series, Volume 3, Chapter 6
- So Just Who is Allowed to Speak at a Public Meeting?, ILCMA Newsletter, April 2011

ANCEL GLINK, P.C.

Kurt S. Asprooth

Partner



Chicago Office

140 S. Dearborn Street,
6th Floor, Chicago, IL 60603

Direct Phone:

312.604.9139

Email:

kasprooth@ancelglink.com

Practice Areas

Local Government
Land Use
Litigation
Elections

Education

B.A., The George Washington
University
J.D., Chicago-Kent College of Law

Bar & Court Admissions

Illinois
Northern District of Illinois

Memberships

Chicago Bar Association
Illinois Local Government Lawyers

Kurt has dedicated his career to representing municipalities and other units of local government.

Kurt has represented local governments for his entire legal career. Through his experience, Kurt has come to understand the dynamics of how public entities operate and the legal issues that they face. He advises municipalities and other local governments on a broad array of legal topics, including compliance with the Open Meetings Act and the Freedom of Information Act, employment matters, competitive procurement requirements, and general transactional matters. Kurt has represented municipalities, park districts, school districts, townships, public libraries, and community college districts over his career.

Kurt also concentrates on land use and zoning matters and regularly attends plan commission and zoning board hearings on behalf of municipalities. He advises municipalities on economic development strategies, annexation and development agreements, real estate transactions, and tax increment financing. He also represents private entities in zoning and land use matters.

In addition to his corporate practice, Kurt has considerable litigation experience representing governmental entities at both the trial and appellate level. He has successfully defended municipalities in numerous zoning and land use disputes. Kurt also represents local governments in suits involving constitutional violations, breach of contract claims, election challenges, and employment disputes.

Kurt graduated from The George Washington University in Washington, D.C., and earned his law degree from Chicago-Kent College of Law. While in law school, Kurt received Dean's List Honors, and was awarded the CALI Award of Excellence for earning the highest grade in Commercial Law.

ANCEL GLINK, P.C.

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Experience

- Successfully defended a village from a lawsuit challenging the sale and development of municipal property for a downtown mixed-used commercial and residential development. *Station Place Townhouse Condo. Ass'n v. Village of Glenview*, 2022 IL App (1st) 211131.
- Successfully defended a city from a lawsuit disputing ownership and maintenance obligations for a subdivision drainage system. *Reich v. City of Lake Forest*, 2022 IL App (2d) 210515-U.
- Assisted municipalities in developing creative economic incentive programs in response to the COVID-19 Pandemic.
- Drafted municipal zoning regulations to respond to the legalization of recreational cannabis.
- Successfully defended a village's zoning restriction on the size and location of highway billboards. *WC Media, Inc., v. Village of Gilberts*, 2020 IL App (2d) 190250.
- Resolved numerous FOIA and Open Meeting Act challenges filed with the Illinois Public Access Counselor on behalf of local governments.
- Successfully defended a city from a class action lawsuit alleging that the city's reduction in health care contributions to retirees violated the pension protection clause of the Illinois Constitution. *Dawson, et al, v. City of Geneseo*, 2018 IL App (3d) 170665.
- Successfully defended a township in a challenge to the validity of its tax levy ordinance under the Truth in Taxation Law. *Mandigo v. Stolman*, 2019 IL App (2d) 180466.
- Assisted a solar energy company in obtaining a special use permit for a large solar farm.
- Successfully obtained a special use permit for a medical cannabis dispensary from the Chicago Zoning Board of Appeals.
- Drafted and negotiated a wide variety of contracts and intergovernmental agreements on behalf of local governments, including annexation agreements and economic incentive agreements.

Presentations/Publications

- Co-Author of "Home Rule" in the IICLE Municipal Law Series Handbook (Illinois Institute of Continuing Legal Education, 2020).
- IICLE 7th Annual Local Government Law Institute, "Standing on the Precipice of Legalization: The State of Local Authority under the Cannabis Regulation and Tax Act" (2019).
- 2022 APA-IL State Conference, "From Town of Gilbert to City of Austin – The Changing Law on Sign Regulations."
- 2019 APA-IL State Conference, "Common Zoning Questions Answered" and "Quorum Forum Podcast Live, Cannabis Q&A."
- Illinois Municipal League Annual Conference, "Sports Betting and Gaming: Latest from the Legislature" (2019).
- Illinois Municipal League Annual Conference, "Using Your Powers for Good: Tips for Uniting your Board" (2018).
- American Planning Association, "Rules of the Game: A Framework for Fair & Effective Zoning Hearings" (2018).
- Municipal Clerks of Illinois Institute, "New Laws, Conflicts, and Trends to Watch" (2017, 2018, 2019, 2021, 2022).
- Frequent contributor to Ancel Glink's local government blog, *Municipal Minute*, and the Ancel Glink land use e-bulletin *In the Zone*.