



Committee of the Whole Meeting Minutes

Monday, February 10, 2025, at 6:30 P.M.

Five Points Washington, 360 N. Wilmor Road, Washington, IL 61571

Mayor Manier called the meeting to order at 6:30 p.m., with a quorum present.

Present: Alderpersons Adams, Blundy, Brownfield, Butler, Martin, McIntyre, Smith and Stevens

Also Present: Planning & Development Director Oliphant, City Engineer Carr, Finance Director Baxter, Public Works Director Rittenhouse, Police Chief McCoy, City Treasurer Carol Crocker, City Clerk Brod, Attorney Derek Schryer

- ALDERPERSONS WISHING TO BE HEARD:** *Aldersperson Stevens motioned to do a straw poll to see who wants to postpone amphitheater talks until the new Council is seated in May; Aldersperson Blundy seconded the motion.* Aldersperson Martin asked for clarification whether this regards approval or gathering information. Aldersperson Stevens clarified that this would only delay decision making. Alderspersons McIntyre and Blundy are in favor of waiting until after the election for decisions, Aldersperson Martin is in favor of moving forward with gathering information but doesn't feel they are ready to make decisions. Aldersperson Butler feels they are not elected to put City business on hold. Aldersperson Brownfield also is in favor of gathering information but is not ready to make decisions. Aldersperson Adams feels they were elected to make difficult decisions, and they are not ready to make decisions yet. He doesn't feel it is fair to the process if all information is gathered, and they hold consideration for a decision, noting that they wouldn't wait for a new council to pass the budget. Aldersperson Smith would like to continue to gather more information but is in favor of postponing the decision. Mayor Manier explained that Council has never put the City on hold and favors moving forward with gathering information. Aldersperson Martin noted that Council had already agreed to move forward and gather information, and no one is ready to vote. Aldersperson Adams noted that they had the open house, they received opinions, they have heard the public's opinion, and he wonders if every single question was answered, would Aldersperson Stevens still say not to vote on it. Aldersperson Adams explained that he would currently vote no but he wants to move forward with gathering information. He questioned if this was asked for political reasons. Aldersperson Stevens feels they were given this with no planning, the mayor broke the tie, and they will be talking about a letter of intent. Aldersperson Brownfield shared that this could be like the Phase 2B project that goes back to ground zero to educate every new council. He noted that a new Council won't have the information except what they have heard in meetings or on social media. Aldersperson Blundy is concerned that they don't have information and now they are talking about a letter of intent. He favors putting discussions on hold. He asked about remote attendance. City Engineer Carr shared that staff is working on a solution. Aldersperson Blundy noted that the Zoom meetings worked and we paid a lot and don't have a solution.
- CITIZENS WISHING TO BE HEARD:** Washington resident Mark Barra shared that he lost his home in the tornado, but they didn't leave and convinced their neighbors to stay. He is in favor of the amphitheater. He wonders if other towns have been gifted a \$12 million project. He has seen many opposing comments on Facebook. He has talked to many people who support the project and look forward to the acts. He feels there is a misconception on social media that the City would own the amphitheater. He wonders if the conflict of interest opinion will be made public.

Washington resident Robin Hahn provided a letter that is attached and made part of these minutes. It is regarding the amphitheater finances, noise ordinances, and an independent sound expert review. She stated that what is provided is a biased report by City staff. She feels it is incomplete staff work, noted the perimeter of the circle on the Devon Amphitheater map, feels the topographical areas should be evaluated, asked about a sensitivity analysis, and wondered what happens if the foundation can't pay property taxes.

Washington resident Jackie Mason provided comments that are attached and made part of these minutes. They included comments regarding tax impacts, a 90-day hold, petitions given to the City Clerk, the total cost, and gave ideas where Mr. Hengst could spend his money.

A new resident who moved to Washington in July shared that she was a teacher, moved back to take care of her mother, bought a house because she loves the community but wouldn't have bought her house if she knew this. She feels companies are having staffing issues and people go to Chicago, St. Louis, Bloomington and Peoria for big shows. She doesn't see a need for it. She said grants and education are being cut. She would like Mr. Hengst to give the money to the schools for their music programs.

Washington resident Ruth Freeman provided comments that are attached and made part of these minutes. Her comments included that people are concerned about this, not enough is known, wonders about details about the foundation, asked why there isn't a referendum, feels Five Points needs to be updated and maintained, wonders if Five Points can be renamed, and would like a town hall meeting.

Cody Doremus corrected his previous comment regarding the mayor receiving 300 tickets to Chicago. He noted JammSammich's small crowds are 1,500 at Mackinaw Winery. He feels Washington will be hard to get a crowd. He noted petitions and insinuated that the City is throwing some away. He said there are at 600+ signatures as well as comments expressing concerns. He feels the letter of intent is a binding document. He noted past studies and feels ticket sales are his biggest concern. He wonders how Washington will beat Decatur's numbers. He shared that Bill Woosly said all the profits don't stay with the house. He shared that he spoke with Scott Robbins who stated that acts won't come here, and most of the competitors are struggling. He claims the City will raise taxes. He feels Council has not done research and shared that he has spoken to people in the industry. He gave unfavorable quotes about Nick Leroy from anonymous people.

3. APPROVAL OF MINUTES: Alderperson Brownfield motioned to accept the January 13, 2025, minutes; Alderperson McIntyre seconded. Passed by voice vote.

Deputy Chief Steven recognized Fire Department members Kevin Reynolds for receiving Employee of the Year, Brian Barron who received Member of the Year and has been with the Fire Department for 25 years, and Tim Weis who received Most Improved Member.

4. NEW BUSINESS:

- A. *Procurement Policy Spending Limits* – Finance Director Baxter explained the last revision was done in 2019. It established a \$15,000 threshold and triggered the competitive bidding requirements. Staff previously stated that the competitive bidding requirements had increased from \$25,000 to \$35,000 but upon further research, it was found that the increase applies to school districts, the \$25,000 limit still applies for non-home rule municipalities only, and there is no limit for home-rule municipalities except in the case of change orders. Staff suggests applying the competitive bidding processes only on an engineered capital project. For smaller projects, staff recommends obtaining three written quotes. The CPI has increased by over 20% since previously reviewed. Staff suggested increasing the threshold to \$20,000. They are also in the process of creating a comprehensive procurement policy. Alderperson McIntyre appreciated staff's work and noted that all prices have increased. He noted the bidding process is time consuming and would be in favor of increasing the limit to \$24,999 because of the inefficient process. He noted that department heads oversee budgets approved by Council. Alderperson Stevens noted that these amounts are for budgeted items. Alderperson Blundy would like to see the spending limit for the city administrator kept at \$15,000 and anything over \$20,000 would go out for a sealed bid for any project. Alderperson Martin is flexible. He noted that \$15,000 is good for oversight but doesn't favor Council hammering staff when they bring items forward, so he would support an increase. Alderperson Adams favors what is outlined in the packet. He feels there is both policy and common sense and sometimes they overlap. He noted the need to work more efficiently and to not waste time on things that don't make sense. Alderperson Brownfield agreed with Alderperson Adams.
- B. *Jetter Truck Replacement Discussion* – Public Works Director Brian Rittenhouse shared that this request is early because the current truck has the potential for big repair costs. Mr. Rittenhouse shared that the VacCon is used almost daily. He shared that this is safer than the backhoe, especially around utilities. The current service provider is in Troy, Illinois and it requires two employees to take it in for repairs. Alderperson Brownfield wondered about obtaining one on trade and asked Mr. Rittenhouse to investigate the option of heaters. Alderperson McIntyre noted that the City only has one. He understands that underground utilities are a concern. Alderperson Stevens is not in favor of investigating yet and would like to wait until issues happen. Alderperson Brownfield noted previous issues with the truck. Public Works Director Rittenhouse shared that it is used extensively, put into extreme conditions, it is a time saver, and it is safer. Alderperson Adams doesn't see an issue with bringing information back for Council to review. Alderperson Martin agreed that they should look into it and not wait for it to break. He noted that if it breaks, it could impact the trade in value and older equipment is more expensive to fix due to safety issues. Alderperson Blundy favors bringing quotes and creating a detailed analysis. He also wondered about lease options or contracted services. Alderperson Butler favors looking into the cost so Council can learn the trade in value weighed against possible repairs.
- C. *The Dee Amphitheater – Open House Follow-up* – Bob Brown working with the Hengst foundation, shared a letter from Mr. Atterberry. Mr. Atterberry explained that the foundation a 501c3 and will be self-funded. They will place no financial burden on the City of Washington. The board is in the process of evaluating the design with the current \$12 million budget. Contingency funds have been set in place and they will create an endowment to cover construction over time. The City will not be financially responsible. They are committed to the success of the Amphitheater. He noted benefits to local businesses, potential employees, performers, and audiences. He asked everyone to visit www.thehengstfoundation.org for updates, submit questions and review the FAQ section for previous answers.
- Nick Leroy shared his credentials including that he has been in the entertainment industry for 15 years. He has worked with Grammy winners. They are risk assessors, do marketing, and are in the top 10 businesses of their type in the Midwest. He thanked Five Points for allowing a meeting to discuss how they could coexist. He expressed concern for mistruths on the internet and doesn't feel the Dee Amphitheater will be in competition with Five Points. They won't seek the same talent or share the same timing. He feels most people would rather be outside in the summer instead of in a dark theater. He shared that the Dee Amphitheater would advertise Five Points at their venue. He feels Lee Greenwood had low numbers because Five Points isn't the correct venue for him. He noted that they can forward calls to Five Points if it doesn't fit their venue. He noted that 70% of the attendees come from 50 miles away or further and those visitors will go to local shops, restaurants and hotels. He said live events and entertainment are the backbone of some communities' economy and he feels the group gathered for this are the best of the best. He said Corey Doremus claims to be part of the event community, but the owner of Limelight doesn't know him, and his research found that he was the assistant to the office administrator and didn't put together the events. He feels it is a mistruth to say that bands don't want to play in Washington because they like tertiary communities that are the heart of their fans. He shared that Bloomington Center for the Performing Arts and Grosinger Arena have just posted their biggest years. Peoria Civic Center has seen record numbers, and it is city owned. He clarified that this venue is privately owned and will bear no burden to the City of Washington. He noted that a band that can only sell 3,500 won't book the Civic Center or Five Points but might book the Dee. He noted that Mr. Doremus wrongly referred to sound as hertz, but sound is measured in decibels. He doesn't feel sound will impact the neighbors because they will address it. He said almost any city would welcome this because the operational costs won't be covered by taxpayers.
- Kevin Gram from Terra Engineering clarified that the noise levels in the initial feasibility study were for a different design. What was provided was the noise study without any structure or design. It allowed them to understand what they must design to help control it. He said the next phase will include topography, vegetation, onsite noise measurements of ambient noise, building a noise model, orientation, impact of terrain, and noise mapping. They will use 3D acoustic simulations to make sure they adhere to sound codes. He noted that they now have a building that blocks the sound and future monitoring of the

concerts can modify concerts to reduce sound. He also noted that ordinances can be written to help hold them accountable and their goal is to be a good neighbor.

Aldersperson Blundy feels they are getting a marketing pitch and not detailed information. He noted there is a letter of intent but no information. He is still waiting for an answer about board members' compensation. He was told no but the form 990 shows Nick Maloof was compensated. He is concerned that Council asked for a townhall meeting but didn't get it.

Aldersperson Adams was hoping that tonight's meeting shows the community that they are listening. He feels the name calling by both sides is inappropriate. He noted misconceptions on social media. He also feels they wouldn't have had an open house if their goal was to push this through. He noted speculations that there would be votes already. He appreciates everyone who has reached out to him. He shared that he loves this City and he intentionally looks for positives.

Aldersperson Stevens thought they would talk about the questions and answers from the open house. She read the question "when does the residents get to vote on this" and the answer was stated that no public input was requested on Freedom, Hilldale and Catherine. She noted there were public meetings for Freedom Parkway, North Lawndale and Holland projects. She said projects involving the Tri-County Planning Commission usually receive public input.

Aldersperson McIntyre noted that this is a professional meeting and respect is requested. He noted emotions and concerns. He also wondered what the questions were and how they can relate to moving forward. He hears a marketing pitch as well, and he struggles with not having more information. He seeks due diligence and has no respect for someone to pick on a resident of the community.

Aldersperson Stevens noted that the memo refers to leasing the land but they haven't made that decision.

Aldersperson Martin clarified that Council has only been asked if they are interested. He is not sure they are ready for a town hall meeting. They are not ready to vote and need more details. He favors having money put into escrow.

- D. *Proposed Dee Amphitheater Neighboring Impacts* – P&D Director Oliphant shared that it is staff's belief that the City is only responsible for the infrastructure and detention basin. They feel a letter of intent will go to the City Attorney and it will be brought to Council for discussion. Engineer Carr shared that he is not a professional in acoustics, and he said he is disappointed that there is an attempt to discredit him. He was trying to provide the community with a way to visualize the area. He shared that he asked the GIS department to show the radius of the same size at the Devon Amphitheater. He shared that they met with the previous and current park district directors in Decatur and asked about noise complaints. The directors shared the complaint area as a red box on a map. Engineer Carr shared that multiple people are saying it is pointed at their backyard, but the cone is facing away from them. He overlaid the Devon Amphitheater sound cone on Washington's map. He noted that it is not apples to apples and there is a lot of fear generated on Facebook. The map shows that if this was the same set up as the Devon, where the sound will affect homes in Washington. He noted the structure will help block noise, which the Devon does have. He feels it is commonsense that a better design will produce better results. Engineer Carr shared that people are saying the new road can't handle event traffic, but he disagrees and used the Devon and Tinley Park as examples. He shared that the road is three lanes, but they will likely use two lanes coming out. He explained that the Devon clears out in 30 minutes and the much larger Tinley Park takes an hour for an event of 35,000 visitors to clear. He also explained that traffic will move quickly with its proximity to the bypass.

Aldersperson Blundy shared that Council has not yet received the letter of intent. Mayor Manier clarified that the letter of intent is non-binding and it will detail their ask. P&D Director Oliphant shared that when received, it will show an agreement of responsibilities and can be countered. A binding document would be a development agreement. The letter of intent will show a reasonable amount of insurance that they can move forward before they provide more financial commitments. City Attorney Schryer clarified that it is hard to speculate about the document before they see it.

Aldersperson Blundy read a statement. He feels Mr. Morris has shared his analysis with Council and Facebook. Aldersperson Blundy does not want to be a tax burden or nuisance. He does not believe that the infrastructure will be \$3.5 million and would like a detailed cost breakdown of Nofsinger and Freedom Parkway. He noted \$1.2 million received through sales tax which includes direct spending and indirect spending. The Foundation shared that over a ten-year period, the county sales tax would be \$277,000, and county hotel tax would be \$499,000. He asked if the county, City of East Peoria and the schools would provide financial support. He noted that Five Points does not pay any property tax and asked for assurance that they will pay property tax. He doesn't trust the revenue numbers in the feasibility study, because they are based on a \$31 million facility. Aldersperson Blundy wonders what would happen if events get canceled or they don't sell enough tickets. He wonders if the foundation covers the losses.

Aldersperson Blundy does not feel this will meet local or state requirements. He feels design must be done to mitigate issues. He noted that staff has suggested that our municipal code be used to govern the amphitheater but feels the ordinance does not address such a facility. Aldersperson Blundy feels it should move to Freedom Parkway because commercial businesses will be less concerned with sound. He feels the City should sell the 223 property and focus on other areas. He does not support voting for a letter of intent at this time.

Attorney Schryer further clarified that the letter of intent is non-binding and there would be no ramifications if they didn't go through with it. It is only to show good faith.

Aldersperson Adams stated that Staff has done the best they can with the information that we have, and he feels the comments are a low blow and questioned only going with opinions from Facebook. He noted that the City owns this property. He also noted that Central School District has high tax dollars and developing the 223 residentially could cause Central to create a referendum to build a new school.

Aldersperson Adams noted the loss of control if the property is sold.

Aldersperson Blundy is disappointed with the staff. He feels staff didn't go through it objectively to analyze it, but Bob Morris did.

Mayor Manier clarified that it is not a staff job because it is not owned or run by the City.

Aldersperson Blundy doesn't feel the numbers add up sharing that there is a significant amount of capital from the City. He doesn't feel it is in line with the comprehensive plan.

Mayor Manier noted more residential development also impacts police, fire and schools.

Aldersperson Butler feels the feasibility was created for the foundation to see if they should donate

millions of dollars for the project. He appreciates Alderperson Blundy and noted that Alderperson Blundy's numbers didn't include the cash flow from the lease that will cover the infrastructure. He is also not in favor of burdening the taxpayers but if this will pay for itself, he will support it. He noted the value of its green space and that the City has been waiting many years to develop it. He would like more discussion and disagrees with delaying it until after an election, noting that the City can't run its business on politics. Alderperson McIntyre appreciated the presentation and shared that several people have contacted him about noise. He researched the Devon Amphitheater and noted its topography is not on a flat field. He shared that he attends a small county fair that can be heard over a mile away and he would like to verify that it will not be a noise burden. He noted the property was bought to limit residential growth and doesn't think Washington is limited on expansions in other directions. He wonders why nothing has developed on the corner of Cummings and US24. He is not concerned about their business model, but he doesn't want to go into something that might fail.

Alderperson Martin agreed that sound is the biggest concern. He feels that sound mitigation needs more information. He also noted that Council could lower curfews and decibel levels. He noted the distance between the house behind it is similar to the distance between Five Points and McDonalds. He noted that property taxes from other businesses haven't been a concern, and this will greatly increase the value of our own property. He clarified that if the foundation wanted to put something else there, they would still want the infrastructure. He appreciates that students, bands, graduations and Good Neighbor Days could use the facility. He also clarified that no one has said that they are raising taxes.

Engineer Carr feels it would be a good idea for Council to make amendments to the current noise ordinance.

E. *Proposed Capital Improvement Plan FY26-FY30* – City Engineer Carr shared the following:

FY24/25 Construction Review – Contracted

- The Freedom Parkway total bid was \$6.6 million, and the estimated actual was \$6.5 million
- The Nofsinger Realignment total bid \$6,850,000 and the estimated actual was \$6,800,000.
- The Catherine Street Section Project was budgeted for \$2 million and the estimated actual was \$1.6 million
- The Eagle Avenue Sidewalk Project was budgeted for \$150,000 and the estimated actual was \$110,000.
- The Felker's Drainage Improvements Project was the only one to come in over budget. It was budgeted for \$300,000 and the estimated actual was \$310,000

Mayor Manier noted that he is not planning a 2025 strategic planning meeting.

FY24/25 Construction Review – In-house

- The Water System Upgrades included the Nofsinger Road extension, Jackston Street extension, and 20 lead service replacements
- Other projects included Jackson Street culvert and an effluent trough
- 1,700 tons of asphalt paving was done at the fire department and High Street parking lots
- The sanitary sewer lining completed over 8,000 feet on the east side of town.

FY26/30 Capital Improvement Program for Streets and Storm

- FY25/26
 - Shown on slide 13 of the presentation in the agenda packet, the total for streets is \$2,579,500 and the total for Storm is \$825,000.
 - It includes projects such as Catherine Street Section 2, North/Grant SRTS, in-house paving projects, curb and gutter projects, 223 road engineering, Sunnyland Plaza concrete ditch repair and the storm bond payment.
 - He noted that as requested, they budgeted for 223 improvements.

Engineer Carr clarified that they can let Tri-County know of any possible future projects to be listed and receive a project number. He also shared that what is included are items that were previously discussed.

- FY26/27
 - The North Main Street bridge design may need to be moved up because it is coming up to its end of life.
 - This includes the Elgin Pond construction.
 - Projects may be moved allowing careful detouring.
 - Moving Devonshire back a year and North Main Street up a year would help.
 - Lots of roads with ditches will need to be graded.
- FY27/28
 - Curb and gutter projects will continue to take place.
 - Devonshire design engineering is included.
 - The North Main mill and overlay will take place.
 - Then north Rolling Meadows stormwater project will be addressed, which is a priority.

Alderperson Stevens stated that she has not heard about North Elgin Pond. Engineer Carr clarified that he met with Council individually to let them know the consideration that will be brought for further discussion.

Alderperson Blundy asked for a detailed project description and a prioritization of the projects. Engineer Carr said there is a map that will show the area. He suggested only focusing on years one and two because items can shift. He also noted the bridge schedules can change due to inspection schedules.

- FY27/28
 - The Devonshire construction project will begin.
 - The Jefferson Street bridge will likely be introduced.
- FY28/29
 - If selected, the design for the Jefferson Street bridge would likely be started.
 - The structure is starting to show signs of failing.
 - There will also be improvements around South Main.
- FY29/30
 - Construction of the Jefferson Street Bridge will likely begin.

- He noted the substructure of the Jefferson Street bridge is starting to fail and it could potentially divide the city.
 - The reconstruction of South Main will occur along with mill and overlay.
- Engineer Carr showed a map from page 16 of the presentation that helps identify project areas.

FY26/30 Capital Improvement Program for Stormwater Bond

- FY25/26
 - Projects include Cedar Steet, Adams Street, Grandyle and drainage priority construction.
 - The maps on page 19 of the presentation show three areas of concentration.

FY26/30 Capital Improvement Program for Stormwater Bond

- FY25/26
 - A water rate study will take place.
 - Projects include Catherine section two, replacement of the Boundurant Watermain, SCADA improvements and the topcoat of Water Tower #2.
- FY26/27
 - Catherine Street Section 3 will take place.
 - Addressing the first half of the redundancy in Sunnyland will take place.
 - WTP#2 improvements will also take place.
- FY27/28
 - Addressing the second half of the redundancy in Sunnyland will take place.
 - Devonshire projects will take place.
 - State loans will be sought for BUS24.
- FY28/29
 - N. Cummings Watermain, Water Treatment Remote SCADA and S. Market Watermain design will take place.
- FY29/30
 - Devonshire section 2 will take place.
 - S. Market Street Watermain construction will begin.

FY26/30 Capital Improvement Program for Sewer

- FY25/26
 - Projects include Catherine Street Construction section 2, Phase 2B Engineering, SCADA projects and CIPP Lining.
 - FY26/27
 - Projects include Catherine Street Construction section 3, Elgin extension and pond, 223 infrastructure, CIPP Lining and excess flow bank improvements.
- City Engineer shared that he doesn't have clear direction on where to place the Phase 2B project and noted that it has its own fund. As for the timing, he noted that the residents along the property want a contractor to walk the site and give insight. We will need to pay \$25,000 for this.
- FY27/28
 - Projects include Devonshire Design Engineering and CIPP lining.
 - FY28/29
 - Projects include Devonshire Construction section 1, Devonshire Construction Engineering and CIPP lining.
 - FY29/30
 - Projects include Devonshire Construction section 2, new road construction design and engineering and CIPP lining.

FY26/30 Capital Improvement Program Summary

Finance Director Baxter provided the following summary:

Proposed CPI – FY26/FY30 by Fund

- Ms. Baxter shared that the bond payment and the ½ percent sales tax are going into the fund for priority projects.
- We are projecting out five years, but the later years can move around.
- Different factors can cause timeline shifts.
- These are just items that Council should be considering, but FY26 should be the focus, and it can be adjusted.
- Depending on funding, need, priorities can change.

Aldersperson Blundy feels that he would forget what is shared tonight. He would like more details. He will ask staff what can be cut out of the budget.

Aldersperson Brownfield clarified that staff is asking Council to provide recommendations. He noted that Council is held by constituents to be smart with cash and staff isn't asking for more than is needed.

Ms. Baxter shared that this is currently on the website along with details and tonight is just a summary, but ClearGov shows the detail that Aldersperson Blundy is asking for.

Aldersperson Adams feels it is good to know staff view and they know things can change.

Ms. Baxter continued to explain that this shows the General Fund, they are looking five years out, it shows transfers, grants, loans, and the debt service that retires in 2029. She noted that the capital plan is aggressive but if everything falls into place, we would have over \$6 million in 2030 because of level of expenses and \$65,000 in surplus. She shared that they continue to budget for upcoming projects like Devonshire.

Engineer Carr noted that these numbers may change if the City doesn't get Jefferson Street funding.

Water Fund

- This is trending more positive due to the Illinois American Water Agreement.
- We are using a conservative revenue approach.

- There are two loans for US24 and Water Tower 3.
- We have an AMR water meter replacement loan that will end in 2026 but we will have to do it again due to life of meters.

Sewer Fund

- This has a healthier fund balance than water.
- Water has a much larger fixed fee which helps.
- The unknown is Phase 2B, which will have a larger debt service and make a very large impact.
- She noted two loans will be paid in 2030.
- Phase 2A will be paid off in 2037.
- The sewer fund will take a hit the next couple years, but we have a good fund balance until the end of 2030.

5. OTHER BUSINESS: Alderperson Blundy provided the clerk with petitions that he had received.
6. ADJOURNMENT: At 9:49 p.m. Alderperson McIntyre moved to adjourn; Alderperson Adams seconded. Motion carried unanimously by voice vote.



Valeri L. Brod, City Clerk

February 10, 2025

To: Washington City Council and City Staff

From: Brice and Robin Hahn (701 Wellington Dr, Washington IL)

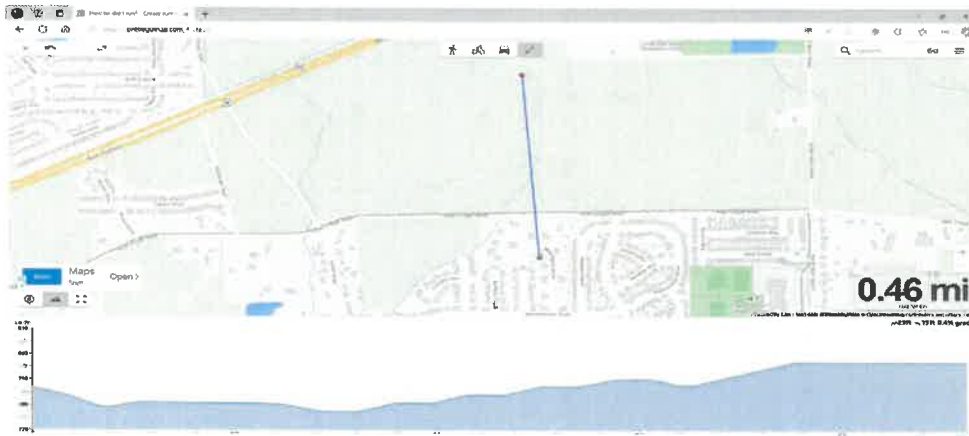
Subject: Proposed Dee Amphitheater

We request this letter along with the attached photos added to the minutes of this City Council meeting dated February 10, 2025.

My husband and I have had the opportunity to review the material provided on the proposed Dee Amphitheater and we also attended the open house meeting on January 22nd. We have significant concerns with this proposed project regarding the potential city financial exposure and most importantly the projected violation of the local and state noise ordinances.

1. According to the study by ARUP, the decibel levels at my home is projected to be in the range of 70 – 90 decibels. We tested this at home with a decibel reader and our speakers. At that level, the sound is disruptive. I often take work conference calls during the hours of 7pm – 10pm with Asia. This level of sound would negatively impact my ability to take these calls from my home office.
2. As noted in our letter dated January 23rd, before making any final approvals for this project, we requested the city to engage an independent sound expert to review sound attenuation plans in addition to any Hengst Foundation funded sound studies which should be produced with an actual final design of the amphitheater before any approval is even considered. What we have apparently ended up with is a biased opinion from city staff, posing as sound experts, that there will be no noise issues where current Washington residents reside which will be discussed later this evening in Agenda Item D. While we appreciate the comparison to the Decatur venue by staff, it's incomplete staff work. This comparison is missing key information regarding topography and "nearby residents". We reiterate our request to require a professional study be done by acoustic experts and for the City to stop trying to do work that the Hengst Foundation should be responsible to provide.
 - a. The area on the Devon map overlaid to the Washington proposed location shows our home and several others in the 20th addition of Devonshire, if similarly situated, would be in Lake Decatur and your analysis makes no mention of us. With respect to the residents who are slightly farther away in Devonshire, I think it is important to highlight that it's not very likely the residents of the Scovill zoo have been calling the Decatur Park district with noise complaints and the Children's Museum is open for limited hours. This was not pointed out in the statement by city staff and provides a false sense of security that noise will not be an issue in our area.
 - b. Topographical differences were also ignored in the city report. The topography of the area around the Decatur venue is very different from the proposed location in Washington. Based on basic research we have done, the Decatur venue is essentially in a valley at the edge of Lake Decatur, 40-50 feet in elevation below the 2 areas you reference in your memo and with large natural impediments to sound. The neighborhood in Decatur with the highest volume of noise complaints is 46 feet above the elevation of the Devon venue. In addition, there is a steep ridge southeast of the Devon and mature landscape in the Decatur area, which is not at all like the proposed farmland location. We have provided visuals in the attached photos. If the city wants to use Decatur as a benchmark, we recommend an acoustic sound engineer perform the analysis for an accurate comparison that includes the difference in topography. It's remiss and lacks due diligence to assume the comparison provided by city staff is a legitimate comparison.
3. The financial projections of the feasibility study completed by Hunden Group did not include or share a sensitivity analysis on the key assumptions. This is a standard component of any well-done business proposal. A professionally completed business proposal would include a well-rounded sensitivity analysis so decision makers could understand the risk and benefits associated with assumptions. One factor to consider is how the average event attendance impacts the profit / loss projections. We request the City Council to postpone any official votes or financial commitments to this project without proper sensitivity analysis completion. I have been doing business proposal reviews as a finance professional for over 20 years, and I would not decide on an investment without understanding the variability or sensitivity of the profit/loss on the key assumptions. Sufficient due diligence on financial projections has not been completed on this project in my opinion. This project certainly requires more analysis as it currently projects a financial loss at year 6 with required property tax payments. The basic response to any financial shortfall in construction or P&L is simply "Endowment" from the Hengst Foundation. When we emailed the Hengst Foundation requesting to know the initial value of this endowment we get no response.

Finally, we request the city to take no official action on the proposed amphitheater or the requested infrastructure until further details and analysis can be made available including a professionally prepared sound attenuation study and completed sensitivity analysis of the key financial assumptions. We also recommend City Council determine a course of action at projected Years 6 and 7 when the amphitheater financials show a forecasted inability to pay estimated property taxes. The apparent inclination seems to be demolition or hand possession over to the City according to today's memo and their own FAQ section. Both options eliminate any large future property taxes to local taxing bodies that many of you have promoted as being a positive aspect of this project. A foundation representative at the open house even explained a plan for a 5-6 year contract with a professional management firm to handle operations, so it appears they only want to operate the facility while it's profitable. Failure to complete your thorough due diligence may be viewed as willful and wanton conduct if you continue to disregard the impact on residents' person and property.



The elevation cross section starts at 701 Wellington Dr to the left and the estimated amphitheater site is on the right.

Green Dot: 701 Wellington Dr Elevation: 787' at foundation

Cruger Rd / Wellington Intersection: 781'

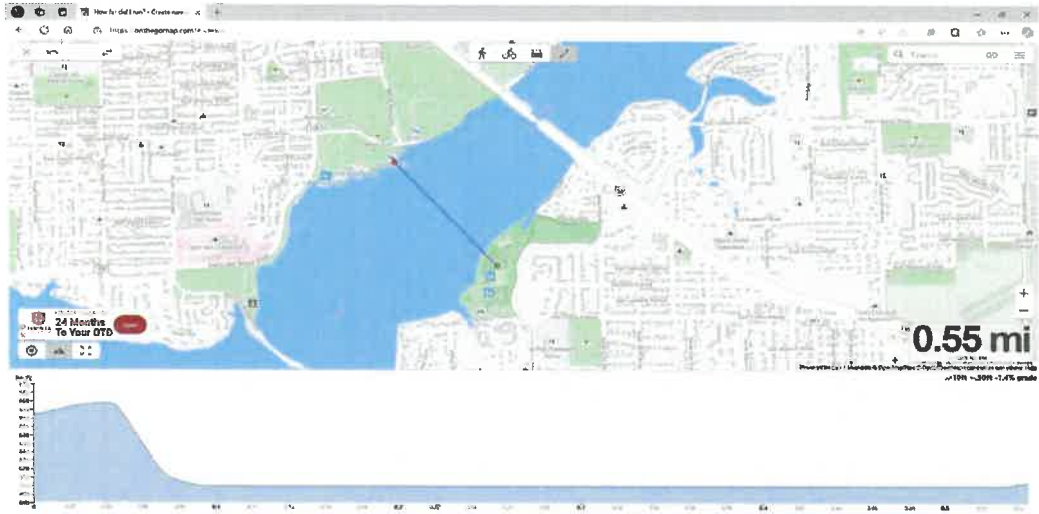
Red Dot: Proposed Amphitheater Elevation: 797'



The elevation cross section starts at neighborhood with complaints in Decatur to the left and the Devon amphitheater site is on the right.

Green Dot: Neighborhood with complaints in Decatur: 659'

Red Dot: Devon Amphitheater Elevation: 613'



The elevation cross section starts at Scoville Park in Decatur to the left and the Devon amphitheater site is on the right.

Green Dot: Scoville Park in Decatur: 652'

Red Dot: Devon Amphitheater Elevation: 613'