

**HASTINGS CITY COUNCIL
AGENDA**

**Council Chambers – City Hall
220 North Hastings Avenue
March 14, 2022
5:30 PM**

ROLL CALL:

PLEDGE OF ALLEGIANCE:

MOTION TO ADOPT CURRENT AGENDA for March 14, 2022 Regular Meeting.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, March 11, 2022. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

COUNCIL COMMUNICATION:

Reports of Liaisons.

CITIZEN COMMUNICATIONS: (Only for agenda items not related to a public hearing.)

MAYOR'S COMMUNICATIONS:

Service Anniversaries.

CONSENT AGENDA:

1. All Consent Items.
 - (a) Approval of the minutes of the Council Meeting of March 1, 2022
 - (b) Approval of the minutes of the Worksession of February 21, 2022
 - (c) Approval of claims and payroll
 - (d) Approve receiving and placing on file department monthly reports
 - (e) Approval of Work Order EL-199, removing one 3 phase padmount transformer and installing a new 3 phase padmount transformer to serve new hospital building located at 715 North Kansas Avenue
 - (f) Approval of Work Order GA-361, relocation and upgrades for Noah's Ark meterset on "M" Street

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

3. Public Hearings.

- (a) Public hearing on the application of BG Olive Saloon, LLC dba "BG Olive Saloon" for a Class "C" Liquor License at 423 W. 3rd Street

Resolution No. 2022-09 approving/denying the application of BG Olive Saloon, LLC dba "BG Olive Saloon" for a Class "C" Liquor License at 423 W. 3rd Street

- (b) Approval of the manager application of Bradley J. Gregory in connection with the Class "C" Liquor License of BG Olive Saloon, LLC dba "BG Olive Saloon" located at 423 W. 3rd Street

- (c) Public hearing on the request of Troy Stickels to change zoning from "R-3, Multiple Family Residential District" to "C-3, Commercial Business District" for property commonly addressed as 1430 West 16th Street, Hastings, Nebraska and to amend the Zoning District Map

Ordinance No. 4697 amending the Zoning District Map to change zoning from "R-3, Multiple Family Residential District" to "C-3, Commercial Business District" for property commonly addressed as 1430 West 16th Street, Hastings, Nebraska

- (d) Public hearing on the request of the City of Hastings Development Services Department to amend City Code Chapter 34 regarding definitions of hotels and motels

Ordinance No. 4698 amending Section 34-104 of the City Code of the City of Hastings to provide for a change in the descriptions and categories of uses of lodging hotel and lodging motel

- (e) Public hearing on the request of Randy Chick regarding Plan Modification No. 2022-1 to amend the Redevelopment Plan for Redevelopment Area Number #14, Trail Ridge Addition 2.0, generally located southwest of East 33rd Street and East Laux Drive, Hastings, Nebraska

Resolution No. 2022-05 approving Plan Modification No. 2022-1 to amend the Redevelopment Plan for Redevelopment Area Number #14, Trail Ridge Addition 2.0, generally located southwest of East 33rd Street and East Laux Drive, Hastings, Nebraska

- (f) Public hearing on the request of Greg and Julie Ellenwood for a Conditional Use Permit for a storage facility for property generally located north of West 2nd Street and west of North Marian Road, Hastings, Nebraska

Resolution No. 2022-06 approving the request of Greg and Julie Ellenwood for a Conditional Use Permit for a storage facility for property generally located north of West 2nd Street and west of North Marian Road, Hastings, Nebraska

- (g) Public hearing on the request of Brian Jorde, legal representation for Prairie Thunder Hastings LLC, West Fork, Inc. and Gremco Inc., to change the zoning from "A, Agriculture" to "C-3, Commercial Business District" for property generally located to the north of Walmart and West 42nd Street and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County, Hastings, Nebraska and to amend the Official Zoning District Map

Ordinance No. 4699 amending the Zoning District Map to change zoning from "A, Agriculture" to "C-3, Commercial Business District" for property generally located

to the north of Walmart and West 42nd Street and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County, Hastings, Nebraska

- (h) Public hearing on the request of Brian Jorde, legal counsel for Prairie Thunder Hastings LLC, West Fork Inc., and Gremco Inc., for a Conditional Use Permit for a horse racetrack generally located to the north of Walmart and West 42nd Street and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County, Hastings, Nebraska

Resolution No. 2022-07 approving the request of Brian Jorde, legal counsel for Prairie Thunder Hastings LLC, West Fork Inc., and Gremco Inc. for a Conditional Use Permit for a horse racetrack generally located to the north of Walmart and West 42nd Street and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County, Hastings, Nebraska

4. General Business.

- (a) Approval of agreement for paving construction in Street Improvement District 2022-1, Project No. CH 2022-01 - Brooking Circle, Frahm Lane and Rittenhouse Street all in the Trail Ridge Addition

5. Ordinances and Resolutions.

6. Final Passage of Ordinances.

7. Appointments.

- (a) Appointments to Boards and Commissions

8. Miscellaneous and Other Business.

9. Possible Closed Session (if necessary or requested).

ADJOURN:

The Mayor and City Council reserve the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the Mayor and City Council to take up the items on the agenda in sequential order. However, the Mayor and City Council reserve the right to take up matters in a different order to accommodate the schedules of the city council members, person having items on the agenda, and the public.

Service Anniversaries

March 2022

Name	Dept	Assignment	Anniversary	Years
DeBoer, Mike	Gas	Gas Welder	3/2/2022	30
Hermann, Joseph	Fire	Fire Apparatus Operator Paramedic	3/20/2022	10
Scheierman, Carla	Museum	Administrative Assistant II	3/23/2022	10
Kelly, Gretchen	Museum	Museum Visitor Services Assistant I	3/27/2022	5
Monroe, Matt	Police	Police Officer	3/29/2022	40
Schelkopf, Teri	Dev. Services	Permits Technician	3/30/2022	30

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Tuesday, March 1, 2022

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted in the Council Chambers of City Hall, 220 N. Hastings Avenue, on March 1, 2022.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Ginny Skutnik, Matt Fong, Jeniffer Beahm, Ted Schroeder, Butch Eley, Joy Huffaker, Shawn Hartmann, Chuck Rosenberg. Absent: None.

The following City Officials were present: City Administrator, David Ptak; City Attorney, Clint Schukei; City Clerk, Kimberly Jacobitz; Police Chief, Adam Story; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; Utility Manager, Kevin Johnson; Information Technology Director, Erik Nielsen; Director of Engineering, Lee Vrooman; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson; Planner, Brian Hurskainen.

The Mayor led the group in recital of the Pledge of Allegiance to the United States of America.

Moved by Butch Eley seconded by Ted Schroeder to adopt current agenda for March 1, 2022 Regular Meeting. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, February 25, 2022. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

COUNCIL COMMUNICATION:

Councilmember Rosenberg reported that he attended the League of Nebraska Municipalities meeting in Lincoln with Councilmembers Eley and Skutnik, and City Administrator Dave Ptak. He also attended a Lake Hastings restoration plan meeting hosted by Tara Ogren, from the City Engineering Department.

Councilmember Schroeder reported on the Airport Advisory Board meeting. He stated that antique airplanes will be on display soon and events are being planned. A new building is being constructed, but has been delayed. Development Services office is working with contractors and developers to understand the process for development in our community.

Councilmember Skutnik thanked David Glass, who served on the city's Tree Board for over ten (10) years. He has been a great resource over the years.

CITIZEN COMMUNICATIONS:

Viaduct item: Peg Wallace, 2825 North Columbine; Roger Coffman, 849 North Burlington.

MAYOR'S COMMUNICATIONS:

None.

CONSENT AGENDA:

1. All Consent Items.

Moved by Matt Fong seconded by Shawn Hartmann to approve all consent items, as presented. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

- (a) Approval of the minutes of the Council Meeting of February 14, 2022
- (b) Approval of claims and payroll except the claim of Eldon's Automotive
- (c) Approve receiving and placing on file department monthly reports
- (d) Approval of the request of the Hastings Family YMCA to utilize the city streets for the Spring Triathlon on May 14, 2022

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

None.

4. General Business.

(a) Moved by Matt Fong seconded by Shawn Hartmann to approve the claim of Eldon's Automotive Repair in the amount of \$209.39 (City). Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Abstain: Joy Huffaker. Absent: None. The motion carried. Councilmember Huffaker recused herself because of Conflict of Interest.

(b) Moved by Chuck Rosenberg seconded by Butch Eley to approve the Community Development Block Grant (CDBG) Downtown Revitalization Facade Program Guidelines for CDBG No. 21-DTR-007. Randy Chick reported the guidelines will allow them to proceed with the third round of facade improvement projects downtown. This round will generate approximately \$520,000 for facade projects. Three properties are expected to submit applications, as they put their plans together. The timeline is around 24 months. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Moved by Butch Eley seconded by Ted Schroeder to approve the continuation of 1% of the City's 5% of gross receipts from Cable TV franchise fees being paid to Hastings Public Access Corporation (HPAC) from all new Cable TV Franchisees approved by the City since last approved by the City Council on March 11, 2013. Dave Ptak reported that we have had one new franchisee, Allo, since this date. This would recognize the new franchisee and provide HPAC the additional revenues. Councilmember Beahm reported that she is City Council Liaison for HPAC. She talked about the programming they are bringing in and all the changes in technology. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(d) Moved by Chuck Rosenberg seconded by Matt Fong to approve the Final Plat for Lakeview 10th Addition. Brian Hurskainen reported this item would create twenty-five (25) lots in the Lakeview area off 31st Street. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(e) Advising of objections to Street Improvement District 2022-1 Brooking Circle. Lee Vrooman reported this is to validate the district, as part of the district process. There were no objections to the district.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4700 VACATING WEBSTER AVENUE BETWEEN THE NORTH RIGHT OF WAY LINE OF WEST 16TH STREET AND THE SOUTH RIGHT OF WAY LINE OF WEST 18TH STREET.

Said Ordinance was read by title and thereafter Councilmember Jeniffer Beahm moved for passage of the ordinance, which motion was seconded by Councilmember Matt Fong.

The Mayor then stated the question "Shall Ordinance No. 4700 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Chuck Rosenberg seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion to suspend the rules was adopted by three fourths vote of the Council and the statutory rule was declared suspended for consideration of said ordinance.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted upon second and final reading and the Mayor signed and approved the ordinance. City Clerk attested the passage approval of the same and affixed her signature thereto. Published in the Hastings Tribune on March 4, 2022. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(b) Moved by Jeniffer Beahm seconded by Shawn Hartmann to adopt Resolution No. 2022-08 requesting that the Adams County Clerk or Adams County Election Commissioner ascertain whether the Referendum Petitions, to reverse the City Council's decision to demolish the old 281 viaduct, received and filed with the City Clerk on February 17, 2022 are signed by the requisite number of voters as provided by law and upon verification thereof to notify the City of Hastings of the results whether or not one hundred percent of the necessary signatures required by sections 18-2501 to 18-2537 have been obtained. Dave Ptak reported that Statute requires that we pass a resolution to send the petitions to the County Election Commissioner for signature verification. This is the next step in the referendum process. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

6. Final Passage of Ordinances.
None.

7. Appointments.
None.

8. Miscellaneous and Other Business.
None.

Moved by Ginny Skutnik seconded by Butch Eley to move into closed session for reasons of personnel and litigation at 5:55 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Joy Huffaker seconded by Butch Eley to come out of closed session at 6:43 P.M.
Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Matt Fong seconded by Ginny Skutnik there being no further business to adjourn at 6:43 P.M.
Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL WORKSESSION
Monday, February 21, 2022

Pursuant to due call and notice thereof, a Worksession Meeting of the City Council of the City of Hastings, Nebraska was conducted in the Council Chambers of City Hall, 220 N. Hastings Avenue, on February 21, 2022.

The Worksession Meeting was called to order at 5:30 p.m. by Council President Ginny Skutnik with the following members present: Butch Eley, Chuck Rosenberg, Shawn Hartmann, Matt Fong, Joy Huffaker, Jeniffer Beahm. Absent: Ted Schroeder.

City Officials Present: Mayor Corey Stutte, David Ptak, Clint Schukei, Adam Story, Brad Starling, Erik Nielsen, Kevin Johnson, Roger Nash, Jeff Hassenstab, Lee Vrooman, Teresa Kreutzer-Hodson, Lisa Parnell-Rowe, Brian Hurskainen.

Others Present: Michael Krings, HEDC Director.

Moved by Butch Eley seconded by Shawn Hartmann to adopt the current agenda for the February 21, 2022 City Council Worksession. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

Official notice of the Worksession was published in the Hastings Tribune on Friday, February 18, 2022. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

HEDC update on economic development projects.

Michael Krings, Hastings Economic Development Corporation (HEDC) Director, felt this was a good opportunity to refresh the Council on who HEDC is and what they do. He indicated their main goal is to recruit and retain businesses. He told Council they have three main objectives: Property Development - buy properties and put in the infrastructure and ready them for purchase by a developer, match properties to the needs of companies looking to come into the community, allow response to new companies' Requests For Proposals (RFP) and offer incentives, and besides owning property, connecting with private owners also. Current projects are North Park Commons and the Industrial Park North. Mr. Krings indicated that as far as available property goes, they are understocked as a community and are at the point where they need to think about what the next phase is. Workforce Development - ever changing in the sense that it is becoming more and more dire, there are 800 open positions in our community, HEDC focuses on Career Pathways programs, entrepreneurship, student engagement and keeping students here after graduation, and having available housing stock. Current projects are developing an entrepreneurship center, continuing student engagement, and a community marketing campaign to be one collective voice. Serving as Liaison - connecting people, state funding programs, utilities, revolving loan program, and connecting with private investors. Current projects are Heartwell Renewable and four expansion projects.

Councilmember Rosenberg asked about the closing of Eaton. Mr. Krings stated that the workforce is not an issue as other companies are needing staff and as far as the building, they have people interested. Councilmember Rosenberg asked if they were trying to recruit industry. Mr. Kring stated they were.

Councilmember Fong asked about the street lights at North Park Commons. Mr. Krings stated there are a few and more will be going up.

Discussion of possible two-way streets in downtown Hastings.

Dave Ptak, City Administrator, stated he received an email from Chuck Shoemaker asking if now was the time to look at one-way streets and traffic movement. He stated it has also been discussed in relation to quiet crossings and the parking and transportation study. A copy of the 2005 Central Business District One-Way/Two-Way Street Conversion Traffic Study was passed out and Mr. Ptak indicated it would have to be updated if the Council wished to move forward.

Lee Vrooman, City Engineering, indicated that some of the stuff downtown has changed and number counts of vehicles would need to be revisited. He told Council there were two options, with just changing the north/south streets to two-way at a cost of around \$400,000 or changing everything to two-way at a cost of around \$900,000. He stated he felt they need to marry conversion of streets up with the transportation and parking study. Councilmember Rosenberg asked if they had reached out to downtown merchants.

Mr. Ptak indicated they will have to reach out to the Community Redevelopment Authority (CRA) as well as the Business Improvement District (BID) if this is something the Council wishes to move forward on. He stated that quiet crossings were not considered in the 2005 study. He told the Council there is no money in the budget now to update the 2005 study but they can make it a budget item for next year.

Councilmember Skutnik asked if parking lots will be addressed in the study. Lisa Parnell-Rowe, Development Services Director, indicated the study will look at the multi-purposing of the parking lot north of city hall.

Councilmember Fong asked about a timeline of when the transportation and parking study would come before Council. Ms. Parnell-Rowe indicated it would come to a worksession eventually, hopefully within the next couple of months. Mayor Stutte added that in regard to the quiet crossings, they want to get as much completed this budget year as possible, but it is always subject to BNSF and contractor availability. Mr. Vrooman also mentioned that it won't be a quiet zone until all the crossings are complete.

Discussion of having "Town Hall" discussions to get public input on risks, hazards and level of service that the City of Hastings Fire and Rescue provides.

Brad Starling, Fire Chief, stated that this came about because we don't have a Standards of Cover document for Hastings Fire and Rescue. The Novak Group did a study and recommended the establishment of service level standards for services provided within the city limits. He indicated that in 2021-22, Hastings Fire and Rescue established a goal to provide exceptional all-hazards service delivery commensurate with national standards and community expectations. Mr. Starling told Council that part of the process is having these meetings with the community to educate, inform and get their feedback on what they would like to see Hastings Fire and Rescue be. He stated that the main two objectives are to engage the community and get the information and establish a Standards of Cover document and then start comparing annual performance based on standards. In the meetings with the public, he indicated they wanted to educate the public on current services as well as the nationally recognized standards and gather feedback from the community and their service priorities and areas of concern. He said the timeline was to start having meetings in late April or early May with all the meetings being completed by July 1st and having at least one meeting in each ward.

He asked Council for their feedback and approval to move forward. Council was in favor of proceeding with the meetings.

Moved by Shawn Hartmann seconded by Chuck Rosenberg to go into closed session at 6:07 p.m. for discussion of negotiations, litigation and personnel. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

Moved by Shawn Hartmann seconded by Joy Huffaker to resume open session at 7:20 p.m. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

Moved by Matt Fong seconded by Chuck Rosenberg there being no further business to come before the Council, the meeting be adjourned at 7:21 p.m. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

INVOICE APPROVAL LIST BY FUND REPORT

2/20/2022 PREPAIDS

Date: 02/21/2022

Time: 2:19 pm

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City of Hastings

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Fund: 001 GENERAL FUND							
Dept: 000.000							
001-000.000-424.100	Cable TV Franch						
	HASTINGS PUBLIC ACCESS	Q4 2021	FRANCHISE FEE OCT-DEC 2021	0	02/04/2022	02/20/2022	11,184.56
							11,184.56
Total Dept. 000000:							11,184.56
Dept: 010.000 City administrator's office							
001-010.000-726.200	Telephone						
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	0.53
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	9.03
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	0.81
							10.37
001-010.000-729.150	Other Operating						
	HOMETOWN LEASING #3	22795125	EQUIPMENT LEASE PMT	0	02/13/2022	02/20/2022	756.24
							756.24
Total Dept. City administrator's office:							766.61
Dept: 030.000 City attorney							
001-030.000-726.200	Telephone						
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	40.01
							40.01
Total Dept. City attorney:							40.01
Dept: 080.000 Development Services							
001-080.000-726.200	Telephone						
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	424.91
							424.91
001-080.000-727.600	R & M Office Equ						
	HOMETOWN LEASING #3	22795125	EQUIPMENT LEASE PMT	0	02/13/2022	02/20/2022	397.24
							397.24
Total Dept. Development Services:							822.15
Dept: 120.000 Cemetery							
001-120.000-726.200	Telephone						
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	25.76
							25.76
Total Dept. Cemetery:							25.76
Dept: 130.000 Parks							
001-130.000-726.200	Telephone						
	CHARTER COMMUNICATIONS	0037739012522	INTERNET 1/25/22-2/24/22	0	01/25/2022	02/20/2022	83.37
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	94.36
	WINDSTREAM	091989818	SERVICE 1/19/22-2/18/22	0	01/21/2022	02/20/2022	29.75
	WINDSTREAM	091989819	SERVICE 1/19/22-2/18/22	0	01/21/2022	02/20/2022	29.75
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	8.14
							245.37
001-130.000-727.800	R & M Vehicles						
	N A P A AUTO PARTS	074737	MISC SUPPLIES	0	12/09/2021	02/20/2022	19.98
							19.98
001-130.000-731.400	Other Supplies						
	HOMETOWN LEASING #3	22795125	EQUIPMENT LEASE PMT	0	02/13/2022	02/20/2022	122.28
							122.28
001-130.000-737.200	Building Maintenance						

INVOICE APPROVAL LIST BY FUND REPORT

2/20/2022 PREPAIDS

Date: 02/21/2022

Time: 2:19 pm

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City of Hastings

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
	US BANK	AMAZON	DOGGIE BAGS	0	01/26/2022	02/20/2022	434.20
	US BANK	AMAZON	DOGGIE BAGS	0	01/26/2022	02/20/2022	72.72
							506.92
						Total Dept. Parks:	894.55
Dept: 145.000 Recreation programming							
001-145.000-730.050 Office Supplies							
	HOMETOWN LEASING #3	22795125	EQUIPMENT LEASE PMT	0	02/13/2022	02/20/2022	299.30
							299.30
001-145.000-731.403 Spec. Event Supl							
	US BANK	AMAZON	DADDY/DAUGHTER DATE NIGHT	0	01/31/2022	02/20/2022	22.98
							22.98
						Total Dept. Recreation programming:	322.28
Dept: 150.000 Library							
001-150.000-726.200 Telephone							
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	185.80
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	65.28
							251.08
						Total Dept. Library:	251.08
Dept: 220.000 911 center							
001-220.000-726.200 Telephone							
	WINDSTREAM	090219386	PARKS/REC ALARM	0	02/07/2022	02/20/2022	98.50
	WINDSTREAM	090223888	LIBRARY ALARM	0	02/07/2022	02/20/2022	16.83
	WINDSTREAM	090223889	MUSEUM ALARM	0	02/07/2022	02/20/2022	16.83
	WINDSTREAM	090223890	ENGINEERING ALARM	0	02/07/2022	02/20/2022	16.83
	WINDSTREAM	090229723	LINCOLN PARK FIRE STATION	0	02/07/2022	02/20/2022	119.74
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	7.91
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	4,526.33
							4,802.97
001-220.000-730.050 Office Supplies							
	US BANK	AMAZON	LOGITECH STEREO SPEAKER	0	02/01/2022	02/20/2022	44.99
							44.99
						Total Dept. 911 center:	4,847.96
Dept: 230.000 Hastings Fire & Rescue							
001-230.000-726.200 Telephone							
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	360.09
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	408.59
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	8.48
							777.16
						Total Dept. Hastings Fire & Rescue:	777.16
Dept: 230.300 Ambulance Service							
001-230.300-726.200 Telephone							
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	120.03
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	384.40
							504.43
						Total Dept. Ambulance Service:	504.43
Dept: 240.000 Police							
001-240.000-720.300 Professional Ser							
	CHARTER COMMUNICATIONS	0035568020322	CABLE SERVICE	0	02/03/2022	02/20/2022	78.94
	S.O.S. PORTABLE TOILET INC.	47308	PORTABLE TOILET RENTAL	0	02/09/2022	02/20/2022	50.00

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	US BANK	RLI INSURANCE	NOTARY BOND - HAASE	0	01/31/2022	02/20/2022	50.00
	US BANK	RLI INSURANCE	NOTARY BOND - SYDOW	0	02/12/2022	02/20/2022	50.00
							228.94
001-240.000-720.350	Training & Confe						
	US BANK	CRYSTAL CITY SPORTS	MEAL - FBI TRAINING -VANWINKLI	0	01/29/2022	02/20/2022	16.93
	US BANK	TEXAS ROADHOUSE	2 MEALS - NEELY, BARRON	0	02/01/2022	02/20/2022	49.80
	US BANK	IOWA TAPROOM	2 MEALS - NEELY, BARRON	0	02/02/2022	02/20/2022	47.98
	US BANK	BANDIT BURRITOS	2 MEALS - NEELY, BARRON	0	02/02/2022	02/20/2022	36.46
	US BANK	STARBUCKS	2 MEALS - NEELY, BARRON	0	02/02/2022	02/20/2022	19.80
	US BANK	STARBUCKS	2 MEALS - NEELY, BARRON	0	02/03/2022	02/20/2022	19.05
	US BANK	BUFFALO WILD WINGS	2 MEALS - NEELY, BARRON	0	02/03/2022	02/20/2022	38.86
	US BANK	LLRMI	TRAINING	0	02/07/2022	02/20/2022	150.00
	US BANK	COMBINED SYSTEMS	CTS FIREARMS COURSE	0	01/31/2022	02/20/2022	1,790.00
	US BANK	STREETCOP	BODY LANGUAGE FOR LE - FINK	0	01/31/2022	02/20/2022	225.00
	US BANK	LLRMI	TRAINING	0	01/27/2022	02/20/2022	125.00
	US BANK	NASRO	SRO TRAINING - OSTDIEK	0	01/27/2022	02/20/2022	225.00
	US BANK	FBINAA IOWA	JOINT NE/IA SPRING RETRIANER	0	01/31/2022	02/20/2022	150.00
	US BANK	FBINAA IOWA	JOINT NE/IA SPRING RETRAINER	0	01/31/2022	02/20/2022	150.00
							3,043.88
001-240.000-721.050	Postage						
	US BANK	USPS	POSTAGE	0	02/10/2022	02/20/2022	23.80
	US BANK	USPS	POSTAGE	0	02/03/2022	02/20/2022	80.38
	US BANK	USPS	POSTAGE	0	01/26/2022	02/20/2022	47.00
							151.18
001-240.000-724.050	Printing						
	ATLANTIS GLOBAL LLC	11365	THERMAL FAX PAPER	0	02/07/2022	02/20/2022	348.80
	QUILL CORPORATION	22313092	INK CARTRIDGES FOR DESKTOP	0	01/13/2022	02/20/2022	202.98
							551.78
001-240.000-726.050	Electricity						
	HASTINGS UTILITIES	09340740-00	POLICE UTILITIES	0	01/10/2022	02/20/2022	3,536.53
	HASTINGS UTILITIES	22830504-00	POLICE ELECTRIC	0	01/26/2022	02/20/2022	14.19
							3,550.72
001-240.000-726.100	Natural Gas						
	HASTINGS UTILITIES	09340740-00	POLICE UTILITIES	0	01/10/2022	02/20/2022	3,298.49
							3,298.49
001-240.000-726.150	Sewer						
	HASTINGS UTILITIES	09340740-00	POLICE UTILITIES	0	01/10/2022	02/20/2022	56.36
							56.36
001-240.000-726.200	Telephone						
	VERIZON WIRELESS	9399360317	MONTHLY CHARGES, MIFI HOTSF	0	02/10/2022	02/20/2022	993.51
	WINDSTREAM	090212727	TELEPHONE SERVICE	0	02/07/2022	02/20/2022	136.31
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	59.33
							1,189.15
001-240.000-726.250	Water						
	HASTINGS UTILITIES	09340740-00	POLICE UTILITIES	0	01/10/2022	02/20/2022	142.02
							142.02
001-240.000-727.400	R & M Communic						
	VERIZON WIRELESS	9399360317	MONTHLY CHARGES, MIFI HOTSF	0	02/10/2022	02/20/2022	720.42
							720.42
001-240.000-727.600	R & M Office Eql						
	NOVA FITNESS EQUIPMENT	47849	PREVENTATIVE MAINTENANCE O	0	01/31/2022	02/20/2022	380.55
							380.55
001-240.000-727.800	R & M Vehicles						

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	FILL-N-CHILL	36381	JANUARY CARWASHES 14, STOR	0	02/10/2022	02/20/2022	84.00
	FILL-N-CHILL	36382	JANUARY CARWASHES 22, STOR	0	02/10/2022	02/20/2022	132.00
	FILL-N-CHILL	36383	JANUARY CARWASHES 10, STOR	0	02/10/2022	02/20/2022	60.00
							276.00
001-240.000-729.050	Dues & Subscrip						
	US BANK	IACP	ANNUAL MEMBERSHIP	0	12/01/2021	02/20/2022	190.00
							190.00
001-240.000-731.250	Fuel & Oil						
	US BANK	7ELEVEN	FUEL	0	02/12/2022	02/20/2022	41.37
							41.37
001-240.000-731.360	K-9 Unit						
	US BANK	RAY ALLEN	3 BLAST HOSE TUGS	0	01/27/2022	02/20/2022	55.96
							55.96
001-240.000-737.200	Building Mainten:						
	ARAMARK UNIFORM SERVICES	1902227995	TOWELS, MATS, DUST MOPS	0	02/02/2022	02/20/2022	83.04
							83.04
001-240.000-738.055	Field Equipment						
	US BANK	AMAZON	1 BOX 100 SOLID BRASS RD TAGS	0	01/25/2022	02/20/2022	593.96
	US BANK	AMAZON	1 BOX 100 SOLID BRASS RD TAGS	0	01/25/2022	02/20/2022	51.76
	US BANK	AMAZON	2 GARMIN DASH CAMS	0	02/10/2022	02/20/2022	259.98
	US BANK	AMAZON	SOONSOONIC 4K HDMI CABLE	0	02/10/2022	02/20/2022	22.98
	US BANK	REAL AVID	80 GUN BORE CLEANERS	0	02/14/2022	02/20/2022	699.20
	US BANK	AMAZON	2 SAMSUNG PRO MICRO MEMOR'	0	02/14/2022	02/20/2022	49.98
	US BANK	SHOOTER LUBE	PREMIUM CLEANING TOWELS	0	02/14/2022	02/20/2022	53.85
	US BANK	ULINE	4 BUCKETS NITRILE GLVOES	0	02/07/2022	02/20/2022	392.67
							2,124.38
						Total Dept. Police:	16,084.24
Dept: 330.100	EPA 2nd street subsite						
001-330.100-726.050	Electricity						
	HASTINGS UTILITIES	18691902-00	EPA 2ND STREET UTILITIES	0	01/21/2022	02/20/2022	33.76
							33.76
001-330.100-726.100	Natural Gas						
	HASTINGS UTILITIES	18691902-00	EPA 2ND STREET UTILITIES	0	01/21/2022	02/20/2022	453.78
							453.78
001-330.100-726.150	Sewer						
	HASTINGS UTILITIES	18691902-00	EPA 2ND STREET UTILITIES	0	01/21/2022	02/20/2022	14.51
							14.51
001-330.100-726.250	Water						
	HASTINGS UTILITIES	18691902-00	EPA 2ND STREET UTILITIES	0	01/21/2022	02/20/2022	23.63
							23.63
						Total Dept. EPA 2nd street subsite:	525.68
Dept: 620.000	Airport						
001-620.000-726.200	Telephone						
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	42.84
							42.84
001-620.000-729.150	Other Operating						
	HOMETOWN LEASING #3	22795125	EQUIPMENT LEASE PMT	0	02/13/2022	02/20/2022	128.14
							128.14
						Total Dept. Airport:	170.98

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Total Fund GENERAL FUND:							37,217.45
Fund: 090 I.T. FUND							
Dept: 000.000							
090-000.000-726.200	Telephone						
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	40.01
							40.01
Total Dept. 000000:							40.01
Total Fund I.T. FUND:							40.01
Fund: 133 PARKS GRANT FUND							
Dept: 130.000 Parks							
133-130.000-741.209	Infrastructure Imp						
	US BANK	AMAZON	LAKE HASTINGS DISC GOLF BASI	0	02/02/2022	02/20/2022	8,652.97
							8,652.97
Total Dept. Parks:							8,652.97
Total Fund PARKS GRANT FUND:							8,652.97
Fund: 147 CANDO FUND							
Dept: 000.000							
147-000.000-729.600	CANDO Project						
	WINDSTREAM	090212738	TELEPHONE SERVICE	0	02/07/2022	02/20/2022	71.18
							71.18
Total Dept. 000000:							71.18
Total Fund CANDO FUND:							71.18
Fund: 148 SCALES FUND							
Dept: 000.000							
148-000.000-720.350	Training & Confe						
	DEATH INVESTIGATION TRAINII	1457	RESPONSE & UNDERSTANDING A	0	01/28/2022	02/20/2022	5,000.00
							5,000.00
Total Dept. 000000:							5,000.00
Total Fund SCALES FUND:							5,000.00
Fund: 158 WIRELESS E911 FUND							
Dept: 220.000 911 center							
158-220.000-743.400	Communication E						
	WINDSTREAM	090013968	MONTHLY BILL	0	02/03/2022	02/20/2022	1,378.43
	WINDSTREAM	090239051	MONTHLY BILL	0	02/07/2022	02/20/2022	90.87
	WINDSTREAM	090229718	MONTHLY BILL	0	02/07/2022	02/20/2022	131.59
	WINDSTREAM	090229721	MONTHLY BILL	0	02/07/2022	02/20/2022	95.92
							1,696.81
Total Dept. 911 center:							1,696.81
Total Fund WIRELESS E911 FUND:							1,696.81

Fund: 159 LANDLINE E911 FUND**Dept: 220.000 911 center**

159-220.000-743.400 Communication E

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	WINDSTREAM	090013968	MONTHLY BILL	0	02/03/2022	02/20/2022	302.58
	WINDSTREAM	090239051	MONTHLY BILL	0	02/07/2022	02/20/2022	19.95
	WINDSTREAM	090229718	MONTHLY BILL	0	02/07/2022	02/20/2022	28.89
	WINDSTREAM	090229721	MONTHLY BILL	0	02/07/2022	02/20/2022	21.06
							372.48
							Total Dept. 911 center: 372.48
							I Fund LANDLINE E911 FUND: 372.48
Fund: 170 MUSEUM FUND							
Dept: 170.100 Museum administration							
170-170.100-726.200	Telephone						
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	66.57
							66.57
							Total Dept. Museum administration: 66.57
							Total Fund MUSEUM FUND: 66.57
Fund: 180 STREET FUND							
Dept: 000.000							
180-000.000-724.050	Printing						
	HOMETOWN LEASING #3	22795125	EQUIPMENT LEASE PMT	0	02/13/2022	02/20/2022	127.41
							127.41
180-000.000-726.200	Telephone						
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	368.58
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	111.44
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	0.60
							480.62
							Total Dept. 000000: 608.03
							Total Fund STREET FUND: 608.03
Fund: 610 LANDFILL FUND							
Dept: 000.000							
610-000.000-726.050	Electricity						
	HASTINGS UTILITIES	22841912-00	LANDFILL ELECTRIC	0	01/26/2022	02/20/2022	636.64
							636.64
610-000.000-726.200	Telephone						
	VERIZON WIRELESS	9898920399	1/7 TO 2/6 CELL PHONES	0	02/06/2022	02/20/2022	40.01
	WINDSTREAM	090231819	SERVICE	0	02/07/2022	02/20/2022	191.64
	WINDSTREAM	090212392	CITY TELEPHONE	0	02/07/2022	02/20/2022	1.23
							232.88
							Total Dept. 000000: 869.52
							Total Fund LANDFILL FUND: 869.52
							Grand Total: 54,595.02

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Fund: 001 GENERAL FUND							
Dept: 000.000							
001-000.000-442.165 Ambulance fees							
	BLUE CROSS-BLUE SHIELD NE	FARBER	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	614.71
	DEPT OF VETERANS AFFAIRS	FREEMAN	REFUND FOR OVER/DOUBLE PAY	0	02/22/2022	03/14/2022	1,824.96
	ESTATE OF MICHAEL PETERSC	PETERSON	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	934.20
	NEBRASKA TOTAL CARE	WALLACE	REFUND FOR OVER/DOUBLE PAY	0	02/22/2022	03/14/2022	189.10
	UHC	JAMBOR	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	176.05
	UHC	STRECK JR	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	180.60
	WELLCARE	CANNON	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	72.35
	WELLCARE	FRIENDRICHSEN	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	354.74
	WELLCARE	MYERS	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	353.60
	WELLCARE	GARVIN	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	87.64
	WELLCARE	FITZKE	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	72.35
	WPS GH	WOLFE	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	328.36
	WPS GH	ROUDEBUSH	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	332.31
	ZADE/MELVIN//	ZADE	REFUND FOR OVER/DOUBLE PAY	0	02/11/2022	03/14/2022	76.72
							5,597.69
Total Dept. 000000:							5,597.69
Dept: 010.000 City administrator's office							
001-010.000-727.200 R & M Buildings							
	PRESTO-X	13694801	FEB PEST CONTROL	0	02/08/2022	03/14/2022	62.00
							62.00
001-010.000-730.050 Office Supplies							
	BUSINESS WORLD PRODUCTS	661460	STAMP	0	02/18/2022	03/14/2022	19.45
	BUSINESS WORLD PRODUCTS	661447	STAPLES	0	02/18/2022	03/14/2022	15.96
	EAKES OFFICE SOLUTIONS	8438887-0	TAPE, INK, POST-ITS	0	02/22/2022	03/14/2022	36.62
							72.03
Total Dept. City administrator's office:							134.03
Dept: 020.000 Human Resources							
001-020.000-720.355 Employee Progr							
	HEALTH MANAGEMENT SYSTEMS	2022-5522	EAP SERVICE FEBRUARY 2022	0	02/01/2022	03/14/2022	463.45
							463.45
Total Dept. Human Resources:							463.45
Dept: 070.000 Other governmental acc							
001-070.000-720.470 Disability Insurance							
	MUTUAL OF OMAHA	G000AZN90001	DIV 1 (NONUTIL) LIFE/AD&D/VOL	0	03/01/2022	03/14/2022	3,855.65
							3,855.65
001-070.000-743.555 Computer Software							
	TYLER TECHNOLOGIES, INC.	045-365435	IMPLEMENTATION FARMER 12/6-7	0	12/31/2021	03/14/2022	2,800.00
							2,800.00
Total Dept. Other governmental accounts:							6,655.65
Dept: 080.000 Development Services							
001-080.000-737.705 Shop Supplies							
	BIG G ACE	689126/1	CREDIT DOUBLE PAYMENT	0	01/07/2022	03/14/2022	-30.00
							-30.00
Total Dept. Development Services:							-30.00
Dept: 110.000 Auditorium							
001-110.000-726.200 Telephone							
	CHARTER COMMUNICATIONS	0029348021822	SERVICE 2/18/22-3/17/22	0	02/18/2022	03/14/2022	108.59
							108.59

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001-110.000-727.200	R & M Buildings KUCERA PAINTING	8185	FIX RR WALL COVERING	0	02/03/2022	03/14/2022	350.00
							350.00
001-110.000-737.200	Building Mainten: EAKES OFFICE SOLUTIONS	8427250-0	MOP HEADS	0	02/10/2022	03/14/2022	119.45
							119.45
						Total Dept. Auditorium:	578.04
Dept: 120.000 Cemetery							
001-120.000-726.200	Telephone CHARTER COMMUNICATIONS	0008425020922	SERVICE 2/9/22-3/8/22	0	02/09/2022	03/14/2022	90.00
							90.00
001-120.000-727.800	R & M Vehicles N A P A AUTO PARTS	088504	FUEL PUMP, TUBING	0	02/14/2022	03/14/2022	135.45
							135.45
001-120.000-729.150	Other Operating MENARDS	29368	BOX COVER	0	02/14/2022	03/14/2022	43.11
	MENARDS	29562	TRAILER BALL	0	02/18/2022	03/14/2022	21.20
							64.31
001-120.000-730.050	Office Supplies EAKES OFFICE SOLUTIONS	8430528-0	BINDERS	0	02/09/2022	03/14/2022	27.48
	EAKES OFFICE SOLUTIONS	8437264-0	FILES/BINDER	0	02/18/2022	03/14/2022	40.32
							67.80
001-120.000-731.250	Fuel & Oil NUTRIEN AG SOLUTIONS INC	47418781	PROPANE	0	02/15/2022	03/14/2022	252.83
	SAPP BROS PETROLEUM INC	IN3757935	DIESEL/FUEL/OIL	0	02/17/2022	03/14/2022	877.90
							1,130.73
						Total Dept. Cemetery:	1,488.29
Dept: 130.000 Parks							
001-130.000-720.350	Training & Confe REAMS SPRINKLER SUPPLY CC	0005769704-001	EVENT ADMISSION	0	02/21/2022	03/14/2022	100.00
	UNIVERSITY OF NEBRASKA-LIN	PROHORT3-2-22	PROHORT UPDATE	0	02/03/2022	03/14/2022	40.00
	US BANK	NRPA	CPRP RENEWAL FEE	0	02/18/2022	03/14/2022	65.00
	US BANK	UNIV OF NE	GIBSON PESTICIDE SAFETY EDU	0	02/04/2022	03/14/2022	80.00
	US BANK	UNIV OF NE	SERGEANT, KNISS, HOWSDEN	0	02/04/2022	03/14/2022	240.00
	US BANK	NRPA	CONTINUING EDUCATION	0	02/11/2022	03/14/2022	70.00
	US BANK	NRPA	CONTINUING EDUCATION	0	02/11/2022	03/14/2022	35.00
							630.00
001-130.000-723.110	Public Improvem US BANK	SHOP ARBOR DAY	ARBOR DAY BROCHURES	0	02/17/2022	03/14/2022	9.52
							9.52
001-130.000-726.200	Telephone VIAERO WIRELESS	14809	PARKS CELL	0	02/25/2022	03/14/2022	2.94
							2.94
001-130.000-727.200	R & M Buildings BIG G ACE	690815/1	GLUE	0	02/10/2022	03/14/2022	6.31
	BIG G ACE	690885/1	SHOP PAINT	0	02/11/2022	03/14/2022	66.86
	BIG G ACE	691223/1	UTILITY SHOP SINK	0	02/18/2022	03/14/2022	107.79
	K&G PLUMBING AND HEATING, ODEYS, INC.	22-0037	CAP WATER SERVICES	0	01/28/2022	03/14/2022	480.00
		122849	WHITE PAIN	0	02/14/2022	03/14/2022	2,909.00
							3,569.96
001-130.000-727.500	R & M Heavy Ma						

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	AIRGAS USA	9122310225	TRAILER R&M	0	02/03/2022	03/14/2022	98.18
	CENTRAL NE EQUIPMENT, LLC	212760	POWER WASHER PARTS	0	02/14/2022	03/14/2022	289.85
	FASTENAL COMPANY	NEHAS174197	MOWER PARTS	0	02/08/2022	03/14/2022	46.77
	KELLY SUPPLY COMPANY	S15107991-0	PRESSURE WASHER R&M	0	02/11/2022	03/14/2022	12.03
	KULLY PIPE & STEEL SUPPLY	766701	SPRAYER R&M	0	02/11/2022	03/14/2022	12.29
	KULLY PIPE & STEEL SUPPLY	767124	BIT SET	0	02/18/2022	03/14/2022	53.18
	KULLY PIPE & STEEL SUPPLY	761797	R&M	0	02/21/2022	03/14/2022	22.73
	L C L TRUCK EQUIPMENT, INC.	INV1002870	TORO REPAIR	0	02/11/2022	03/14/2022	25.00
	MENARDS	28750	TRAILER R&M	0	02/01/2022	03/14/2022	87.93
	MIDWEST TURF & IRRIGATION	3885307-02	TORO PART	0	02/16/2022	03/14/2022	286.01
	MIDWEST TURF & IRRIGATION	3885546-00	TORO PART	0	02/17/2022	03/14/2022	24.66
	N A P A AUTO PARTS	087685	BEARING	0	02/10/2022	03/14/2022	33.72
	N A P A AUTO PARTS	088083	BELT	0	02/11/2022	03/14/2022	6.30
	N A P A AUTO PARTS	088155	FILTER	0	02/11/2022	03/14/2022	5.77
	N A P A AUTO PARTS	088240	OIL	0	02/11/2022	03/14/2022	8.98
	N A P A AUTO PARTS	089198	V-BELT/CLEANER	0	02/16/2022	03/14/2022	132.26
	US BANK	BALLARD	TRIMMER RACK & HANDLE	0	02/09/2022	03/14/2022	496.97
	US BANK	GRAND KUBOTA	OIL FILTER	0	02/10/2022	03/14/2022	29.25
							1,671.88
001-130.000-727.800	R & M Vehicles						
	N A P A AUTO PARTS	090458	EXACTFITBLADE	0	02/22/2022	03/14/2022	19.54
	O'REILLY AUTO PARTS	0764-450501	SEAT COVERS	0	02/22/2022	03/14/2022	59.98
							79.52
001-130.000-729.050	Dues & Subscrip						
	US BANK	NRPA	CONTINUING EDUCATION	0	02/17/2022	03/14/2022	105.00
							105.00
001-130.000-729.150	Other Operating						
	CITY CLERK - PETTY CASH	CO TREAS	2022 F250 PICKUP/VEHICLE	0	02/11/2022	03/14/2022	15.00
	NE DEPT OF ENVIRONMENT &	1276	LINCOLN PARK WADING POOL	0	02/15/2022	03/14/2022	40.00
	NE DEPT OF ENVIRONMENT &	1277	HEARTWELL PARK WADING POOL	0	02/15/2022	03/14/2022	40.00
							95.00
001-130.000-731.150	Chemicals						
	VAN DIEST SUPPLY COMPANY	204308	INSECTICIDE	0	02/15/2022	03/14/2022	10,039.50
	VAN DIEST SUPPLY COMPANY	204309	HERBICIDE	0	02/15/2022	03/14/2022	4,485.00
							14,524.50
001-130.000-731.151	Fertilizer						
	SITE ONE LANDSCAPE SUPPLY	115558969-001	SOIL STIMULATE	0	02/17/2022	03/14/2022	27,489.00
							27,489.00
001-130.000-731.250	Fuel & Oil						
	SAPP BROS PETROLEUM INC	IN3743694	OIL/FUEL	0	02/02/2022	03/14/2022	1,460.00
							1,460.00
001-130.000-737.705	Shop Supplies						
	MENARDS	29563	SHOP SUPPLIES	0	02/18/2022	03/14/2022	32.91
							32.91
							49,670.23
Total Dept. Parks:							49,670.23
Dept: 140.000 Water Park							
001-140.000-727.200	R & M Buildings						
	MI-LOR CASUAL INC	15708	STACKING CHAIRS	0	01/31/2022	03/14/2022	501.00
							501.00
001-140.000-729.150	Other Operating						
	NE DEPT OF ENVIRONMENT &	1553	AQUACOURT LAZY RIVER	0	02/15/2022	03/14/2022	40.00
	NE DEPT OF ENVIRONMENT &	1554	AQUACOURT WAVE POOL	0	02/15/2022	03/14/2022	40.00
	NE DEPT OF ENVIRONMENT &	183	AQUACOURT ZERO DEPTH	0	02/15/2022	03/14/2022	40.00
							120.00

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Total Dept. Water Park:							621.00
Dept: 145.000 Recreation programming							
001-145.000-720.300	Professional Ser						
	CIVICPLUS INC	219777	CIVIC REC ANNUAL FEE	0	01/15/2022	03/14/2022	2,500.00
	INNOVATIVE GRANT SERVICES	384	COMMUNITY CENTER GRANT	0	02/18/2022	03/14/2022	1,056.25
							3,556.25
001-145.000-720.332	Youth Act. Contr						
	ANDERSON/MIKE//	020422	DJ MUSIC DADDY/DAUGHTER DA	0	02/04/2022	03/14/2022	100.00
							100.00
001-145.000-720.350	Training & Confe						
	US BANK	NRPA	CONTINUING EDUCATION	0	02/17/2022	03/14/2022	70.00
							70.00
001-145.000-721.050	Postage						
	US BANK	USPS	STAMPS	0	02/08/2022	03/14/2022	116.00
							116.00
001-145.000-727.200	R & M Buildings						
	EGAN SUPPLY COMPANY	348585	SWEEPER W/BATTERY & CHARGE	0	02/17/2022	03/14/2022	2,718.01
							2,718.01
001-145.000-729.050	Dues & Subscrip						
	US BANK	JR VB DIRECT	JR VB CLUB MEMBERSHIP	0	02/04/2022	03/14/2022	120.00
							120.00
001-145.000-729.150	Other Operating						
	MENARDS	29346	HEATER	0	02/14/2022	03/14/2022	74.99
	US BANK	WEVIDEO	VIDEO SUBSCRIPTION	0	02/08/2022	03/14/2022	9.99
							84.98
001-145.000-730.050	Office Supplies						
	WAL-MART COMMUNITY	02002	OFFICE SUPPLIES	0	02/24/2022	03/14/2022	39.72
							39.72
001-145.000-731.402	Youth Rec Suppl						
	HASTY AWARDS	02220176	VB & BB MEDALS	0	02/10/2022	03/14/2022	860.15
							860.15
001-145.000-737.200	Building Maintena						
	MALOUF JR AND ASSOCIATES	IN-35644	RESTROOM SUPPLIES	0	02/10/2022	03/14/2022	101.65
							101.65
Total Dept. Recreation programming:							7,766.76
Dept: 150.000 Library							
001-150.000-720.310	Library Software						
	BAKER & TAYLOR, INC.	NS22020067	ANNUAL SUBSCRIPTION	0	02/07/2022	03/14/2022	995.00
							995.00
001-150.000-723.050	Advertising						
	HASTINGS TRIBUNE	300125981	24/7 LINEUP	0	01/08/2022	03/14/2022	63.75
	HASTINGS TRIBUNE	300126331	24/7 LINEUP	0	01/22/2022	03/14/2022	63.75
							127.50
001-150.000-727.200	R & M Buildings						
	NE FIRE SPRINKLER CORP.	8083	ANNUAL FIRE SPRINKLER INSPEC	0	02/17/2022	03/14/2022	220.00
	PRESTO-X	13694803	PEST CONTROL	0	02/08/2022	03/14/2022	56.00
	SPRING FRESH CLEANING SVC	3819	JANITORIAL SERVICE FEB 1-28	0	02/21/2022	03/14/2022	3,150.00
	TILLEY SPRINKLER SYSTEMS II	128011	PREMIUM MAINTENANCE AGREEI	0	02/16/2022	03/14/2022	300.00
							3,726.00
001-150.000-729.050	Dues & Subscrip						

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	HASTINGS DOWNTOWN CENTE	2022	2022 MEMBERSHIP DUES	0	02/25/2022	03/14/2022	200.00
							200.00
001-150.000-729.149	Processing Fees						
	BAKER & TAYLOR, INC.	2036319423	BOOKS, PROCESSING	0	01/11/2022	03/14/2022	83.45
	BAKER & TAYLOR, INC.	2036449891	BOOKS, PROCESSING	0	01/20/2022	03/14/2022	85.30
	BAKER & TAYLOR, INC.	2036431613	BOOKS, PROCESSING	0	01/20/2022	03/14/2022	100.50
	BAKER & TAYLOR, INC.	2036385751	BOOKS, PROCESSING	0	01/26/2022	03/14/2022	71.00
	BAKER & TAYLOR, INC.	2036476422	BOOKS, PROCESSING	0	01/28/2022	03/14/2022	81.60
	BAKER & TAYLOR, INC.	2036504742	BOOKS, PROCESSING	0	02/09/2022	03/14/2022	56.25
	MIDWEST TAPE	501702821	AUDIOBOOKS, PROCESSING	0	02/16/2022	03/14/2022	2.25
	MIDWEST TAPE	501702820	DVDS, PROCESSING	0	02/16/2022	03/14/2022	61.55
	MIDWEST TAPE	501738567	DVDS, PROCESSING	0	02/24/2022	03/14/2022	30.45
							572.35
001-150.000-730.050	Office Supplies						
	DEMCO, INC.	7079148	SHELF MARKERS	0	02/10/2022	03/14/2022	101.06
	WAL-MART COMMUNITY	00993	PROGRAM SUPPLIES/BOOK KIT T	0	02/17/2022	03/14/2022	7.78
							108.84
001-150.000-730.056	Library Maker Sp						
	US BANK	AMAZON	MAKERSPACE SUPPLIES	0	02/22/2022	03/14/2022	26.30
	US BANK	AMAZON	MAKERSPACE SUPPLIES	0	02/21/2022	03/14/2022	21.39
	US BANK	AMAZON	MAKERSPACE SUPPLIES	0	02/21/2022	03/14/2022	21.19
							68.88
001-150.000-730.115	Library Collectior						
	BAKER & TAYLOR, INC.	2036319423	BOOKS, PROCESSING	0	01/11/2022	03/14/2022	291.41
	BAKER & TAYLOR, INC.	2036455740	BOOKS	0	01/11/2022	03/14/2022	260.82
	BAKER & TAYLOR, INC.	2036472395	BOOKS	0	01/18/2022	03/14/2022	306.73
	BAKER & TAYLOR, INC.	2036449891	BOOKS, PROCESSING	0	01/20/2022	03/14/2022	313.94
	BAKER & TAYLOR, INC.	2036431613	BOOKS, PROCESSING	0	01/20/2022	03/14/2022	331.90
	BAKER & TAYLOR, INC.	0003255883	CREDIT FOR RETURNED ITEM	0	01/24/2022	03/14/2022	-3.59
	BAKER & TAYLOR, INC.	2036486933	BOOKS	0	01/25/2022	03/14/2022	259.80
	BAKER & TAYLOR, INC.	2036385751	BOOKS, PROCESSING	0	01/26/2022	03/14/2022	251.21
	BAKER & TAYLOR, INC.	2036476422	BOOKS, PROCESSING	0	01/28/2022	03/14/2022	239.79
	BAKER & TAYLOR, INC.	2036503929	BOOKS	0	02/01/2022	03/14/2022	356.38
	BAKER & TAYLOR, INC.	2036505943	BOOKS	0	02/04/2022	03/14/2022	354.18
	BAKER & TAYLOR, INC.	2036513487	BOOKS	0	02/07/2022	03/14/2022	170.65
	BAKER & TAYLOR, INC.	2036504742	BOOKS, PROCESSING	0	02/09/2022	03/14/2022	209.17
	GALE-CENGAGE LEARNING	76269960	BOOKS	0	12/06/2021	03/14/2022	38.92
	GALE-CENGAGE LEARNING	76445819	BOOKS	0	01/10/2022	03/14/2022	77.22
	GALE-CENGAGE LEARNING	76651901	BOOKS	0	01/18/2022	03/14/2022	50.23
	GALE-CENGAGE LEARNING	76652393	BOOKS	0	01/18/2022	03/14/2022	99.71
	GALE-CENGAGE LEARNING	76652280	BOOKS	0	01/18/2022	03/14/2022	68.97
	GALE-CENGAGE LEARNING	76651497	BOOKS	0	01/18/2022	03/14/2022	38.92
	MIDWEST TAPE	501702821	AUDIOBOOKS, PROCESSING	0	02/16/2022	03/14/2022	29.99
	MIDWEST TAPE	501702820	DVDS, PROCESSING	0	02/16/2022	03/14/2022	308.00
	MIDWEST TAPE	501738567	DVDS, PROCESSING	0	02/24/2022	03/14/2022	135.65
	US BANK	AMAZON	EBOOK KINDLE	0	02/23/2022	03/14/2022	16.76
	US BANK	AMAZON	BOOKS	0	02/23/2022	03/14/2022	25.29
	US BANK	AMAZON	BOOKS	0	02/23/2022	03/14/2022	15.99
	US BANK	AMAZON	BOOKS	0	02/23/2022	03/14/2022	22.29
	US BANK	AMAZON	BOOKS	0	02/23/2022	03/14/2022	126.90
	US BANK	AMAZON	BOOKS	0	02/22/2022	03/14/2022	24.57
	US BANK	AMAZON	BOOKS	0	02/20/2022	03/14/2022	27.01
	US BANK	AMAZON	BOOKS	0	02/16/2022	03/14/2022	7.92
	US BANK	AMAZON	BOOKS	0	02/16/2022	03/14/2022	46.99
	WAL-MART COMMUNITY	04213	DVDS	0	02/20/2022	03/14/2022	37.92
							4,541.64
001-150.000-737.200	Building Mainteni:						
	BIG G ACE	691185/1	CAULK GUN, LATEX GLUE	0	02/17/2022	03/14/2022	22.09

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	SPRING FRESH CLEANING SVC	3819	JANITORIAL SERVICE FEB 1-28	0	02/21/2022	03/14/2022	35.80
	US BANK	AMAZON	DISINFECTANT	0	02/22/2022	03/14/2022	41.25
							99.14
							10,439.35
Dept: 220.000 911 center							
001-220.000-726.200	Telephone						
	STATE OF NE - DAS STATE	1307062	STATE TELECOM FEB 2022	0	02/24/2022	03/14/2022	1,109.06
							1,109.06
001-220.000-730.050	Office Supplies						
	US BANK	AMAZON	BISSELL EASY SWEEP SWEEPER	0	02/01/2022	03/14/2022	20.59
							20.59
001-220.000-731.700	Wearing Apparel						
	PROFORMA	BG16004161A	3 POLO SHIRTS WITH EMBROIDERED	0	02/09/2022	03/14/2022	139.44
							139.44
							1,269.09
Dept: 230.000 Hastings Fire & Rescue							
001-230.000-720.350	Training & Conference						
	US BANK	JONES & BARTLETT	TRAINING	0	02/11/2022	03/14/2022	112.42
	US BANK	NATIONAL REGISTRY	PARAMEDIC RECERT APPL FEE	0	02/11/2022	03/14/2022	32.00
							144.42
001-230.000-721.050	Postage						
	US BANK	USPS	CERTIFIED MAIL	0	02/14/2022	03/14/2022	29.72
							29.72
001-230.000-726.220	Pest Control						
	PRESTO-X	13694810	STA 1 PEST CONTROL	0	02/08/2022	03/14/2022	53.00
	PRESTO-X	13694893	STA 2 PEST CONTROL	0	02/08/2022	03/14/2022	54.00
							107.00
001-230.000-727.200	R & M Buildings						
	RAYNOR GARAGE DOORS OF	34598	STA 1 REPLACE ROLLERS, HINGE	0	02/14/2022	03/14/2022	876.40
	UDEN PLUMBING & HEATING INC	4672	STA 1 REPAIR TOILETS & URINALS	0	02/08/2022	03/14/2022	1,261.50
							2,137.90
001-230.000-727.700	R & M Tools & Materials						
	FYR-TEK	S15801-9	ANNUAL COMPRESSOR SERVICE	0	01/27/2022	03/14/2022	1,257.75
	MENARDS	29359	MULTIMETER	0	02/14/2022	03/14/2022	89.99
	US BANK	GRACE INDUSTRIES	COMBUSTIBLE GAS INDICATOR	0	02/11/2022	03/14/2022	1,857.87
	VIP SMALL ENGINES	472	REPAIR VENT SAW	0	02/22/2022	03/14/2022	225.10
							3,430.71
001-230.000-729.050	Dues & Subscriptions						
	US BANK	NAFI	NAFI ANNUAL MEMBERSHIP	0	02/10/2022	03/14/2022	65.00
	US BANK	TRUE COACH	MONTHLY SUBSCRIPTION	0	02/12/2022	03/14/2022	80.99
							145.99
001-230.000-729.100	Laundry						
	WITMER PUBLIC SAFETY GROL	E2158333	GEAR CLEAN	0	02/22/2022	03/14/2022	127.98
							127.98
001-230.000-731.150	Chemicals						
	BIG G ACE	691129/1	SAND BAGS	0	02/16/2022	03/14/2022	25.98
							25.98
001-230.000-731.650	Uniform Allowance						
	GREENING ENTERPRISES INC	7409	3 HELMET SHIELDS	0	02/18/2022	03/14/2022	119.00
							119.00

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001-230.000-737.200	Building Maintena						
	MALOUF JR AND ASSOCIATES	IN-35609	BATTERIES	0	02/15/2022	03/14/2022	108.37
							108.37
001-230.000-737.705	Shop Supplies						
	BIG G ACE	691128/1	ROPE	0	02/16/2022	03/14/2022	78.20
	MENARDS	29803	TUBING, CLAMP	0	02/23/2022	03/14/2022	11.67
	N A P A AUTO PARTS	090865	HEATER HOSE	0	02/23/2022	03/14/2022	5.98
							95.85
							6,472.92
Total Dept. Hastings Fire & Rescue:							
Dept: 230.300 Ambulance Service							
001-230.300-720.350	Training & Confe						
	CENTRAL COMMUNITY COLLEC	001864367	EMT IV ADMIN - CLINE, MILLER	0	02/16/2022	03/14/2022	550.00
	CENTRAL COMMUNITY COLLEC	001865008	AMLS TESTING - JJ MARSHALL	0	02/22/2022	03/14/2022	60.00
	CENTRAL COMMUNITY COLLEC	001865082	AMLS - SESSION 1	0	02/23/2022	03/14/2022	966.00
	CENTRAL COMMUNITY COLLEC	001865083	AMLS - SESSION 2	0	02/23/2022	03/14/2022	1,104.00
							2,680.00
001-230.300-731.350	Medical Supplies						
	BOUND TREE MEDICAL LLC	84412012	MEDICAL SUPPLIES	0	02/18/2022	03/14/2022	645.79
	BOUND TREE MEDICAL LLC	84412013	MEDICAL SUPPLIES	0	02/18/2022	03/14/2022	87.58
	BOUND TREE MEDICAL LLC	84412014	MEDICAL SUPPLIES	0	02/18/2022	03/14/2022	98.00
	BOUND TREE MEDICAL LLC	84415545	MEDICAL SUPPLIES	0	02/22/2022	03/14/2022	23.56
	BOUND TREE MEDICAL LLC	84402418	MEDICAL SUPPLIES	0	02/11/2022	03/14/2022	183.00
	BOUND TREE MEDICAL LLC	84406256	MEDICAL SUPPLIES	0	02/15/2022	03/14/2022	76.98
	BOUND TREE MEDICAL LLC	84406257	MEDICAL SUPPLIES	0	02/15/2022	03/14/2022	83.50
	MATHESON TRIGAS-LINWELD	0025117125	OXYGEN	0	02/18/2022	03/14/2022	109.81
	MATHESON TRIGAS-LINWELD	0025126369	OXYGEN	0	02/21/2022	03/14/2022	53.91
	MATHESON TRIGAS-LINWELD	0025136598	OXYGEN	0	02/23/2022	03/14/2022	112.30
							1,474.43
001-230.300-731.650	Uniform Allowanc						
	GALL'S, LLC	020504807	L/S POLO	0	02/22/2022	03/14/2022	47.50
	GALL'S, LLC	020443028	30 UNIFORM T-SHIRTS	0	02/14/2022	03/14/2022	577.20
							624.70
							4,779.13
Total Dept. Ambulance Service:							
Dept: 240.000 Police							
001-240.000-720.300	Professional Sen						
	NE LAW ENFORCEMENT TRAIN	10631	1 TABE TESTS GONZALES	0	02/10/2022	03/14/2022	10.00
	NE PUBLIC HEALTH ENVIRONM	548480	19 BAC TESTS	0	02/15/2022	03/14/2022	1,995.00
	POLICE DEPT. - PETTY CASH	NE SEC OF STATE	NOTARY RENEWAL	0	02/10/2022	03/14/2022	30.00
	US BANK	RLI INSURANCE	NOTARY BOND- WILLIAMSON	0	02/15/2022	03/14/2022	50.00
							2,085.00
001-240.000-720.350	Training & Confe						
	US BANK	SAVAGE TRAINING	PRACTICAL DE-ESCALATION &	0	02/17/2022	03/14/2022	389.00
	US BANK	SAFARILAND TRAINING	OC AEROCOL INSTRUCTOR RECI	0	02/18/2022	03/14/2022	75.00
							464.00
001-240.000-721.050	Postage						
	US BANK	STAMPS & MORE	POSTAGE	0	02/16/2022	03/14/2022	27.17
	US BANK	USPS	POSTAGE	0	02/15/2022	03/14/2022	22.35
	US BANK	USPS	POSTAGE	0	02/22/2022	03/14/2022	47.00
							96.52
001-240.000-724.050	Printing						
	QUILL CORPORATION	22893274	2 CARTONS COPY PAPER	0	02/07/2022	03/14/2022	63.98
							63.98
001-240.000-727.200	R & M Buildings						

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	MENARDS	29478	4 TIER SHELVING	0	02/16/2022	03/14/2022	84.99
	RUTT'S HEATING & AC	3655-247	REPLACE AIR FILTERS, CHECK	0	02/16/2022	03/14/2022	698.55
							783.54
001-240.000-727.800	R & M Vehicles						
	ACE AUTOMOTIVE, INC.	48054	OIL CHANGE #97	0	02/16/2022	03/14/2022	49.98
	ACE AUTOMOTIVE, INC.	48056	OIL CHANGE #88	0	02/16/2022	03/14/2022	49.98
	ACE AUTOMOTIVE, INC.	48067	OIL CHANGE #94	0	02/17/2022	03/14/2022	49.98
	ACE AUTOMOTIVE, INC.	48068	THROTTLE BODY #84	0	02/17/2022	03/14/2022	200.24
	ACE AUTOMOTIVE, INC.	48094	BATTERY #92	0	02/22/2022	03/14/2022	225.14
	B G & S TRANSMISSIONS	021822	MODULATOR O'RING, SAFE GUAF	0	02/18/2022	03/14/2022	147.97
	O'REILLY AUTO PARTS	0764-421430	CREDIT	0	09/02/2021	03/14/2022	-0.77
	PLATTE VALLEY COMMUNICATI	35369	BATTERY #90	0	02/15/2022	03/14/2022	302.50
	POLICE DEPT. - PETTY CASH	ADAMS CO TREAS	VEHICLE REGISTRATION	0	02/24/2022	03/14/2022	15.00
							1,040.02
001-240.000-729.050	Dues & Subscrip						
	US BANK	IACP	ANNUAL MEMBERSHIP DOREMUS	0	12/28/2021	03/14/2022	190.00
	US BANK	IACP	ANNUAL MEMBERSHIP VANWINKI	0	12/28/2021	03/14/2022	190.00
							380.00
001-240.000-729.204	Heartland Pet Cc						
	HEARTLAND PET CONNECTION	MAR 2022	MARCH PET CARE	0	03/01/2022	03/14/2022	4,333.33
							4,333.33
001-240.000-730.050	Office Supplies						
	QUILL CORPORATION	22893274	2 CARTONS COPY PAPER	0	02/07/2022	03/14/2022	162.35
							162.35
001-240.000-731.200	Food Supplies						
	US BANK	RUSS'S	DONUTS FOR TRAINING	0	02/17/2022	03/14/2022	21.98
	US BANK	EILEEN'S COOKIE	PROMOTION COOKIE - SYDOW	0	02/10/2022	03/14/2022	20.00
	US BANK	RUSS'S MARKET	SNACKS FOR TRAINING	0	02/21/2022	03/14/2022	21.98
	WAL-MART COMMUNITY	01019	SNACKS FOR TRAINING	0	02/14/2022	03/14/2022	54.70
	WAL-MART COMMUNITY	07455	SNACKS FOR TRAINING	0	02/17/2022	03/14/2022	48.82
							167.48
001-240.000-731.250	Fuel & Oil						
	US BANK	BLACK BARTS	FUEL	0	02/15/2022	03/14/2022	57.53
							57.53
001-240.000-738.055	Field Equipment						
	US BANK	ARROWHEAD	FERROTRACE - 100 ML	0	02/15/2022	03/14/2022	66.20
	US BANK	ASSOCIATED BAG	ZIPPER BAGS	0	02/16/2022	03/14/2022	144.82
	US BANK	ULINE	KRAFT CLASP ENVELOPES, FLIP	0	02/16/2022	03/14/2022	227.76
	US BANK	AMAZON	6 PKGS LEAD-B-GONE WIPES	0	02/14/2022	03/14/2022	63.81
	US BANK	AMAZON	2 TACKLE SYSTEMS, 4 PICK & HO	0	02/14/2022	03/14/2022	200.57
	US BANK	SIRCHIE	4 NARK II MDMA REAGENT	0	01/27/2022	03/14/2022	120.28
							823.44
							Total Dept. Police: 10,457.19
Dept: 330.000	EPA mandates						
001-330.000-729.400	EPA Legal Fees						
	SULLIVAN, SHOEMAKER PC, LL	7250.507	LEGAL EXPENSES/EPA	0	02/23/2022	03/14/2022	836.60
	SULLIVAN, SHOEMAKER PC, LL	7250.502	LEGAL EXPENSES/EPA	0	02/23/2022	03/14/2022	272.12
	SULLIVAN, SHOEMAKER PC, LL	7250.500	LEGAL EXPENSES/EPA	0	02/23/2022	03/14/2022	589.85
							1,698.57
							Total Dept. EPA mandates: 1,698.57
Dept: 620.000	Airport						
001-620.000-726.200	Telephone						
	WINDSTREAM	090937657	SERVICE 2/7/22-3/6/22	0	02/09/2022	03/14/2022	37.72

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							37.72
001-620.000-727.200	R & M Buildings						
	GRACE'S LOCKSMITH SERVICE	65063	CHANGE LOCKS/KEYS	0	01/18/2022	03/14/2022	126.00
	RAYNOR GARAGE DOORS OF	34640	BUILDING #6 ADJUST AND LUBE	0	02/18/2022	03/14/2022	135.00
							261.00
001-620.000-737.705	Shop Supplies						
	ARAMARK UNIFORM SERVICES	1902236005	MATS/COVERALLS	0	02/14/2022	03/14/2022	26.01
							26.01
Total Dept. Airport:							324.73
Total Fund GENERAL FUND:							108,386.12
Fund: 090 I.T. FUND							
Dept: 000.000							
090-000.000-729.150	Other Operating						
	US BANK	AMAZON	AMAZON PRIME RENEWAL FOR IT	0	02/15/2022	03/14/2022	119.00
							119.00
090-000.000-737.215	Computer Software						
	SOLARWINDS ITSM US, INC	IN553306	IT TICKETING SYSTEM YRLY MAINT	0	02/25/2022	03/14/2022	5,786.10
	US BANK	MICROSOFT	MICROSOFT AZURE DIRECTORY	0	02/21/2022	03/14/2022	16.22
	US BANK	VIMEO	VIMEO STREAMING ANNUAL RENEW	0	02/24/2022	03/14/2022	132.00
	US BANK	MICROSOFT	M365 G5 MONTHLY INVOICE	0	02/17/2022	03/14/2022	77.00
	US BANK	MICROSOFT	M365 AUDIO CONFERENCING	0	02/17/2022	03/14/2022	20.58
	US BANK	MICROSOFT	M365 G3 MONTHLY INVOICE	0	02/17/2022	03/14/2022	6,476.80
							12,508.70
090-000.000-737.216	Computer Software						
	SOLARWINDS ITSM US, INC	IN553306	IT TICKETING SYSTEM YRLY MAINT	0	02/25/2022	03/14/2022	7,071.90
	US BANK	MICROSOFT	MICROSOFT AZURE DIRECTORY	0	02/21/2022	03/14/2022	13.28
	US BANK	VIMEO	VIMEO STREAMING ANNUAL RENEW	0	02/24/2022	03/14/2022	108.00
	US BANK	MICROSOFT	M365 G5 MONTHLY INVOICE	0	02/17/2022	03/14/2022	63.00
	US BANK	MICROSOFT	M365 AUDIO CONFERENCING	0	02/17/2022	03/14/2022	16.84
	US BANK	MICROSOFT	M365 G3 MONTHLY INVOICE	0	02/17/2022	03/14/2022	5,299.20
							12,572.22
090-000.000-743.550	Computer Equipment						
	ENVISION IT	34615	DOMAIN CONSOLIDATION M365	0	02/15/2022	03/14/2022	866.25
	US BANK	AMAZON	COMPUTER MOUNT FOR AIRPORT	0	02/15/2022	03/14/2022	34.99
							901.24
090-000.000-743.551	Computer Equipment						
	ENVISION IT	34615	DOMAIN CONSOLIDATION M365	0	02/15/2022	03/14/2022	708.75
	US BANK	AMAZON	POWER CABLES FOR SCADA SYSTEM	0	02/23/2022	03/14/2022	47.96
							756.71
Total Dept. 000000:							26,857.87
Total Fund I.T. FUND:							26,857.87
Fund: 111 1999 BUSINESS IMPROVEMENT							
Dept: 000.000							
111-000.000-720.300	Professional Services						
	R A C INVESTMENTS	MARCH 2022	MARCH DIRECTOR SALARY	0	03/01/2022	03/14/2022	1,833.33
							1,833.33
111-000.000-728.100	Rent						
	COMMUNITY REDEVELOPMENT	MAR 2022	MARCH RENT	0	03/01/2022	03/14/2022	225.00
							225.00

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Total Dept. 000000:							2,058.33
SINESS IMPROVEMENT DIST:							2,058.33
Fund: 130 LIBRARY GRANT FUND							
Dept: 000.000							
130-000.000-720.357	Library Programs						
	RUSS'S MARKET	11595	PROGRAM SUPPLIES	0	02/18/2022	03/14/2022	13.57
	US BANK	TEACHERS PAY TEACHERS	STEM PROGRAM SUPPLIES	0	02/16/2022	03/14/2022	37.46
	US BANK	AMAZON	SPICE PROGRAM	0	02/14/2022	03/14/2022	23.98
	WAL-MART COMMUNITY	00993	PROGRAM SUPPLIES/BOOK KIT T	0	02/17/2022	03/14/2022	2.62
							77.63
130-000.000-727.225	Grant Expenses						
	US BANK	AMAZON	CLASSROOM TAPE DISPENSER	0	02/15/2022	03/14/2022	4.26
							4.26
Total Dept. 000000:							81.89
Fund LIBRARY GRANT FUND:							81.89
Fund: 140 AQUATICS CENTER FUND							
Dept: 000.000							
140-000.000-743.700	Tools & Miscellar						
	MI-LOR CASUAL INC	15708	STACKING CHAIRS	0	01/31/2022	03/14/2022	3,000.00
	NE DEPT OF ENVIRONMENT &	151016.01	AQUACOURT PLAYGROUND STRI	0	06/04/2022	03/14/2022	1,182.40
							4,182.40
Total Dept. 000000:							4,182.40
nd AQUATICS CENTER FUND:							4,182.40
Fund: 147 CANDO FUND							
Dept: 000.000							
147-000.000-729.600	CANDO Project						
	GRAND ISLAND POLICE DEPAR	CANDO OT	REIMBURSE FOR OVERTIME	0	02/16/2022	03/14/2022	264.64
							264.64
Total Dept. 000000:							264.64
Total Fund CANDO FUND:							264.64
Fund: 170 MUSEUM FUND							
Dept: 170.100 Museum administration							
170-170.100-723.050	Advertising						
	FLOOD COMMUNICATIONS TRI	56509-1	I LOVE HASTINGS PACKAGE	0	01/31/2022	03/14/2022	349.00
	US BANK	CONSTANT CONTACT	ANNUAL SUBSCRIPTION	0	02/09/2022	03/14/2022	500.50
	US BANK	ADOBE CREATIVE	CREATIVE CLOUD-MONTHLY	0	02/17/2022	03/14/2022	32.09
	WAL-MART COMMUNITY	08875	FOOD FOR BUILD NIGHT	0	02/25/2022	03/14/2022	42.08
							923.67
170-170.100-724.050	Printing						
	CORNHUSKER PRESS	P196606	ANTARCTICA POSTCARDS	0	02/10/2022	03/14/2022	230.36
	EAKES OFFICE SOLUTIONS	INV340506	METER READING NOV 21-FEB22	0	02/20/2022	03/14/2022	490.44
							720.80
170-170.100-728.150	Film Royalty						
	UNIVERSAL PICTURES DISTRIB	FEB 2022	SIXTEEN CANDLES	0	01/14/2022	03/14/2022	51.98
	UNIVERSAL PICTURES DISTRIB	FEB 2022	SING 2	0	01/14/2022	03/14/2022	158.05
							210.03
170-170.100-729.050	Dues & Subscrip						

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	US BANK	FWS PERMITS	ANNUAL PERMIT FEE	0	02/15/2022	03/14/2022	75.00
							75.00
170-170.100-731.205	Concessions for						
	PEPSI-COLA BOTTLING CO.	6100068027	CONCESSIONS	0	02/25/2022	03/14/2022	399.36
	PRIMA DISTRIBUTION, INC.	132025	CONCESSION FOR RESALE	0	02/18/2022	03/14/2022	265.51
							664.87
170-170.100-731.408	Educational Expe						
	AMAZON CAPITAL SERVICES	11XW-R1XD-9WK9	RESIN, MOLDS, DINOSAURS	0	02/21/2022	03/14/2022	137.11
	AMAZON CAPITAL SERVICES	1WCJ-XKKW-W114	80'S BASH & MISC SUPPLIES	0	02/24/2022	03/14/2022	273.23
	S&S WORLDWIDE	IN100943948	ACRYLIC AND TEMPERA PAINTS	0	02/16/2022	03/14/2022	141.16
	US BANK	NATGEO	MONTHLY SUBSCRIPTION	0	02/18/2022	03/14/2022	2.99
	WAL-MART COMMUNITY	02670	HAMPER, STORAGE BINS	0	02/24/2022	03/14/2022	22.98
	WAL-MART COMMUNITY	03875	PRESCHOOL PLAYDAY/EVENT	0	02/11/2022	03/14/2022	17.23
	WAL-MART COMMUNITY	09743	PRESCHOOL PLAYDAY SUPPLIES	0	02/12/2022	03/14/2022	9.38
	WAL-MART COMMUNITY	00816	VOLUNTEER SUPPLIES	0	02/13/2022	03/14/2022	23.74
	WAL-MART COMMUNITY	07261	SPRAY PAINT	0	02/16/2022	03/14/2022	4.83
							632.65
170-170.100-737.200	Building Mainteni						
	EAKES OFFICE SOLUTIONS	8440891-0	MISC CLEANING SUPPLIES	0	02/24/2022	03/14/2022	543.75
	MENARDS	29514	MISC BUILDING SUPPLIES	0	02/17/2022	03/14/2022	22.55
							566.30
170-170.100-737.205	Electrical Supplie						
	DUTTON-LAINSON CO.	853730-1	FLOURESCENT BULBS	0	02/17/2022	03/14/2022	109.44
							109.44
170-170.100-737.210	Exhibit Supplies						
	MENARDS	29870	CONTAINER, LIGHT, STOOL	0	02/24/2022	03/14/2022	47.93
	WAL-MART COMMUNITY	02670	HAMPER, STORAGE BINS	0	02/24/2022	03/14/2022	27.94
							75.87
170-170.100-737.212	Event Expenses						
	RUSS'S MARKET	7610257103	FOOD FOR 80'S BASH	0	02/15/2022	03/14/2022	8.95
	US BANK	LLCSPECIAL LIC	LIQUOR LICENSE FOR MARCH EV	0	02/17/2022	03/14/2022	42.75
	US BANK	LLC SPECIAL LIC	LIQUOR LICENSE FOR APRIL EVE	0	02/17/2022	03/14/2022	42.75
	WAL-MART COMMUNITY	07016	EVENT SUPPLIES	0	02/15/2022	03/14/2022	81.68
	WAL-MART COMMUNITY	00554	EVENT SUPPLIES	0	02/15/2022	03/14/2022	46.92
							223.05
170-170.100-741.200	Building Improve						
	MENARDS	29514	MISC BUILDING SUPPLIES	0	02/17/2022	03/14/2022	54.35
							54.35
Total Dept. Museum administration:							4,256.03
Total Fund MUSEUM FUND:							4,256.03
Fund: 180 STREET FUND							
Dept: 000.000							
180-000.000-727.200	R & M Buildings						
	BIG G ACE	691340/1	WASH MACHINE PART & DUCT WI	0	02/21/2022	03/14/2022	31.58
	BIG G ACE	691443/1	PAINT & PRIMER FOR SHOP	0	02/22/2022	03/14/2022	35.71
	BIG G ACE	691503/1	RENTAL LINOLEUM ROLLER	0	02/23/2022	03/14/2022	11.77
	GRACE'S LOCKSMITH SERVICE	65157	5 KEYS	0	02/16/2022	03/14/2022	10.00
	MENARDS	29766	TILE & SUPPLIES FOR FLOOR	0	02/22/2022	03/14/2022	84.26
	MENARDS	29012	POLY CLEAR AND DUCT MAX	0	02/07/2022	03/14/2022	13.96
							187.28
180-000.000-727.500	R & M Heavy Ma						
	AUTO VALUE-HASTINGS	70NV072956	4 PAD REMOVAL, BLADES,	0	02/14/2022	03/14/2022	23.55

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	DAKOTA FLUID POWER, INC	6933513	QUICK COUPLERS, ADAPTER #49	0	02/16/2022	03/14/2022	191.55
	DAKOTA FLUID POWER, INC	6933517	HYD HOSE #14	0	02/16/2022	03/14/2022	77.74
	DAKOTA FLUID POWER, INC	6933629	HYD CYLINDERS, SPOOL VALVE	0	02/16/2022	03/14/2022	1,439.74
	DAKOTA FLUID POWER, INC	6935569	HYD SWIVEL ELBOW #69	0	02/23/2022	03/14/2022	137.00
	FASTENAL COMPANY	NEHAS174425	BOLTS, WASHERS, NUTS, COLLAR	0	02/21/2022	03/14/2022	155.90
	KULLY PIPE & STEEL SUPPLY	766810	1/2 X 5 FLAT STEEL #958	0	02/14/2022	03/14/2022	37.05
	N A P A AUTO PARTS	090140	AIR FITLER #69	0	02/21/2022	03/14/2022	106.45
	N A P A AUTO PARTS	090188	WATER PUMP #34	0	02/21/2022	03/14/2022	85.94
	N A P A AUTO PARTS	090202	AIR, OIL, HYD, FUEL FILTERS	0	02/21/2022	03/14/2022	460.77
	N A P A AUTO PARTS	090444	AIR FILTER	0	02/22/2022	03/14/2022	52.58
	NUTRIEN AG SOLUTIONS INC	47415501	TORCH, PROPANE BOTTLE	0	02/14/2022	03/14/2022	384.49
	TITAN MACHINERY INC - HASTINGS	16665080 GP	INJECTOR TUBES #30	0	02/21/2022	03/14/2022	589.93
	TITAN MACHINERY INC - HASTINGS	16669859 GP	CUTTING EDGE BLADES #36	0	02/22/2022	03/14/2022	985.00
	UNIVERSAL HYDRAULICS, INC.	29086	HYD HOSE #36	0	09/29/2021	03/14/2022	46.63
	UNIVERSAL HYDRAULICS, INC.	29099	QUICK DISCONNECTS #50	0	09/29/2021	03/14/2022	96.54
							4,870.86
180-000.000-727.710	R & M Traffic Sig						
	HASTINGS UTILITIES	2-6557	MAINTENANCE & OP OF SCHOOL	0	01/31/2022	03/14/2022	12,858.21
							12,858.21
180-000.000-727.800	R & M Vehicles						
	MENARDS	29690	1 2QT X3/4 MGH STR VALVE FOR	0	02/21/2022	03/14/2022	9.87
	N A P A AUTO PARTS	090573	TRAILER WIRING #21	0	02/22/2022	03/14/2022	35.54
	N A P A AUTO PARTS	090781	AIR ELEMENT #20	0	02/23/2022	03/14/2022	5.74
	N A P A AUTO PARTS	090852	AIR FILTER #20	0	02/23/2022	03/14/2022	43.12
							94.27
180-000.000-731.250	Fuel & Oil						
	NUTRIEN AG SOLUTIONS INC	47415501	TORCH, PROPANE BOTTLE	0	02/14/2022	03/14/2022	31.51
	SAPP BROS PETROLEUM INC	IN3746267	800 GALS 50/50 DIESEL	0	02/03/2022	03/14/2022	2,640.00
	SAPP BROS PETROLEUM INC	IN3753408	1000 UNLEADED, 600 DIESEL	0	02/11/2022	03/14/2022	4,738.00
							7,409.51
180-000.000-731.400	Other Supplies						
	MENARDS	28776	2 GAL TANK SPRAYER	0	02/02/2022	03/14/2022	14.97
	MENARDS	29405	36" PICK UP STICKS	0	02/15/2022	03/14/2022	64.95
							79.92
180-000.000-731.600	Signs						
	BIG G ACE	691227/1	6 OZ PUMP OILER & FASTENERS	0	02/18/2022	03/14/2022	53.74
	BIG G ACE	690984/1	MISC FASTENERS	0	02/14/2022	03/14/2022	5.83
	NEWMAN TRAFFIC SIGNS, INC.	TRFINV037502	SIGN BLANKS AND PARTS FOR SI	0	02/16/2022	03/14/2022	4,060.68
							4,120.25
180-000.000-731.700	Wearing Apparel						
	US BANK	ULINE	54 DIFFERENT PAIRS OF SAFETY	0	02/17/2022	03/14/2022	171.68
							171.68
180-000.000-738.050	Hand Tools						
	BIG G ACE	690873/1	BROOM CORN WISK	0	02/11/2022	03/14/2022	11.04
							11.04
						Total Dept. 000000:	29,803.02
						Total Fund STREET FUND:	29,803.02
Fund: 190	KENO BETTERMENT FUND						
Dept: 130.000	Parks						
190-130.000-742.420	Departmental Ca						
	HASTINGS FORD LINCOLN	32060	2022 FORD F-150 PICKUP	0	01/31/2022	03/14/2022	22,749.00
							22,749.00

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Total Dept. Parks:							22,749.00
Dept: 240.000 Police							
190-240.000-742.420	Departmental Ca						
	ANDERSON AUTO GROUP	072843	POLICE INTERCEPTOR	0	02/14/2022	03/14/2022	35,863.00
	DIGITAL ALLY INC	1119513	2 DVM-800 KITS, 4 ACTIVATIONS	0	02/07/2022	03/14/2022	6,460.00
							42,323.00
Total Dept. Police:							42,323.00
d KENO BETTERMENT FUND:							65,072.00
Fund: 610 LANDFILL FUND							
Dept: 000.000							
610-000.000-720.300	Professional Ser						
	OLSSON	411397	PROJ #021-08343	0	02/15/2022	03/14/2022	225.44
	OLSSON	413165	PROJ #017-03600	0	02/23/2022	03/14/2022	967.38
							1,192.82
610-000.000-725.050	Insurance						
	FNIC	183682	COVERAGE FOR NEW BUILDING	0	02/18/2022	03/14/2022	160.00
							160.00
610-000.000-726.100	Natural Gas						
	BLACK HILLS ENERGY	8770466950	GAS SERVICE 1/25/22-2/23/22	0	02/24/2022	03/14/2022	303.30
	COOPERATIVE PRODUCERS IN	568025	115 GAL PROPANE	0	02/14/2022	03/14/2022	228.85
							532.15
610-000.000-727.500	R & M Heavy Ma						
	COOPERATIVE PRODUCERS IN	131638	55 GAL RED ANTIFREEZE	0	02/23/2022	03/14/2022	356.40
	KELLY SUPPLY COMPANY	S15108015-0	WATER TRAILER FITTINGS & HOS	0	02/15/2022	03/14/2022	170.62
	N A P A AUTO PARTS	090276	100' EXTENSION CORD	0	02/21/2022	03/14/2022	99.89
	POWER SCREENING, LLC	PSO005618-1	TERMINATOR BITS, C COMBS	0	02/11/2022	03/14/2022	16,311.39
	SOUTH CENTRAL BOBCAT, INC	KWO11554	BOBCAT INJECTOR REPAIR	0	02/10/2022	03/14/2022	1,529.13
	THREE POINTS TIRE	27036	#96 NEW RR TIRE & DISP	0	02/17/2022	03/14/2022	230.00
							18,697.43
610-000.000-731.250	Fuel & Oil						
	SAPP BROS PETROLEUM INC	IN3762655	320 GAL 50/50 DIESEL	0	02/21/2022	03/14/2022	969.60
	SAPP BROS PETROLEUM INC	IN3754923	913 GAL 50/50 DIESEL	0	02/14/2022	03/14/2022	3,248.19
							4,217.79
610-000.000-731.700	Wearing Apparel						
	ARAMARK UNIFORM SERVICES	1902240558	MATS/COVERALLS	0	02/21/2022	03/14/2022	32.58
	ARAMARK UNIFORM SERVICES	1902235994	MATS/COVERALLS	0	02/14/2022	03/14/2022	32.58
							65.16
610-000.000-737.705	Shop Supplies						
	FASTENAL COMPANY	NEHAS174175	TERM SCREWS & PENLIGHT	0	02/07/2022	03/14/2022	12.37
							12.37
610-000.000-738.050	Hand Tools						
	N A P A AUTO PARTS	087962	2 SMALL MAGNETIC PARTS TRAY	0	02/10/2022	03/14/2022	16.54
							16.54
610-000.000-743.500	Heavy Machinery						
	U.S. BANCORP	464996230	2017 KOMPTECH TERMINATOR	0	02/08/2022	03/14/2022	117,110.73
							117,110.73
Total Dept. 000000:							142,004.99
Total Fund LANDFILL FUND:							142,004.99

Fund: 710 SELF INSURED HEALTH FU

3/14/2022 VOUCHERS TO BE PAID

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City of Hastings

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Dept: 000.000							
710-000.000-720.440	Administrative Fe						
	OPTUM BANK	1281875	HSA MONTHLY SERVICE FEE	0	02/14/2022	03/14/2022	286.00
							286.00
710-000.000-720.480	Health Benefit Pr						
	MUTUAL OF OMAHA	G000AZN90001	DIV 1 (NONUTIL) LIFE/AD&D/VOL	0	03/01/2022	03/14/2022	3,921.46
	MUTUAL OF OMAHA	G000AZN90002	DIV 2 (UTILITY) LIFE/AD&D/VOL	0	03/01/2022	03/14/2022	4,910.26
	MUTUAL OF OMAHA	G000AZN90002	DIV 2 (UTILITY) LIFE/AD&D/VOL	0	03/01/2022	03/14/2022	3,997.89
							12,829.61
							13,115.61
							13,115.61
							396,082.90

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Check No	Supplier	Supplier Name	Invoice Number	Invoice Description	Invoice Amt	Charge Code	GL Amount
48999	32375	HASTINGS, CITY OF HASTINGS, CITY OF	021822	RE FIN/HR/IT HEALTH INS FEB RE FIN/HR/IT HEALTH INS FEB RE FIN/HR/IT HEALTH INS FEB RE FIN/HR/IT HEALTH INS FEB	24,668.44	1 19190 1 39190 1 49190 1 69187	809.39 771.85 625.36 184.04
						1 69190 1 69203 1 69260 1 69260	2,500.51 4,425.98 474.20 10,612.25
						1 619190 2 29190 2 29195	1,287.33 2,573.75 403.78
			022822	IT EXPENSE - FEB IT EXPENSE - FEB IT EXPENSE - FEB IT EXPENSE - FEB	33,915.25	1 19190 1 19190 1 39190 1 39190	24.27 2,973.84 23.14 2,835.91
						1 49190 1 49190 1 69187 1 69187	18.75 2,297.66 5.52 676.18
						1 69190 1 69190 1 619190 1 619190	74.96 9,187.29 38.57 4,726.53
						2 29190 2 29190 2 29195 2 29195	12.13 1,486.92 77.16 9,456.42
			022822 01	HR EXPENSE - FEB HR EXPENSE - FEB HR EXPENSE - FEB HR EXPENSE - FEB	394.09	1 19203 1 19203 1 39203 1 39203	7.97 41.09 10.02 51.62
						1 49203 1 49203 2 29203 2 29203	8.45 43.57 37.60 193.77
			1029 PPE 021822 01	FINACE WAGES - FEB	24,960.34	1 69280	24,960.34
			1029 PPE 021822 02	FINACE BENEFITS - FEB	3,929.79	1 69260	3,929.79
			1029 PPE 021822 03	HR WAGES - FEB	13,978.09	1 69203	13,978.09
			1029 PPE 021822 04	HR BENEFITS - FEB	1,526.86	1 69203	1,526.86
			1029 PPE 021822 05	PUBLIC INFO WAGES - FEB	1,936.80	1 69200	1,936.80
			1029 PPE 021822 06	PUBLIC INFO BENEFITS - FEB	233.38	1 69260	233.38
			1029 PPE 021822 07	IT WAGES & BENEFITS - FEB IT WAGES & BENEFITS - FEB IT WAGES & BENEFITS - FEB IT WAGES & BENEFITS - FEB	37,178.05	1 19190 1 39190 1 49190 1 69187	3,286.54 3,134.11 2,539.26 747.28
						1 69190 1 619190 2 29190 2 29195	10,153.32 5,223.52 1,643.27 10,450.75
			1029 PPE 021822 08	PPGA WAGES - FEB	11,578.81	2 89201	11,578.81
					154,299.90		154,299.90
49000	32400	HASTINGS, CITY OF HASTINGS, CITY OF	00130908646	MUTUTAL/OMAHA LIFE & DISAB FEE MUTUTAL/OMAHA LIFE & DISAB FEE MUTUTAL/OMAHA LIFE & DISAB FEE MUTUTAL/OMAHA LIFE & DISAB FEE	9,035.07	1 19260 1 39260 1 49260 1 62403	625.53 394.37 317.86 2,575.50
						1 69187 1 69260 1 619260 2 29260	173.58 824.36 712.28 934.07
						2 29265 1 62414 1 62402	2,477.52 368,459.36 1,893.04
			021822 01	BCBS HLTH & DENTAL INS - FEB	368,459.36	1 62402	1,893.04
			021822 02	EMPLOYEE VISION INSUR - FEB	1,893.04	1 69260	79.20
			021822 03	DISCOVERY BENEF ACCT FEE - FEE	79.20	1 19260	15.30
			021822 04	DISCOVERY BENEF COBRA FEE -FE DISCOVERY BENEF COBRA FEE -FE DISCOVERY BENEF COBRA FEE -FE DISCOVERY BENEF COBRA FEE -FE	147.90	1 39260 1 49260 1 69187 1 69260	10.20 8.50 2.55 22.95
						1 619260 2 29260 2 29265 1 62414	13.60 19.55 55.25 794.48
			021822 05	EMPLOYEE AFLAC DEDCUT - FEB	794.48		380,409.05
					380,409.05		380,409.05
49004	32400	HASTINGS, CITY OF	030422	EMPLOYEE FLEX PLAN DEDUCT PP.	1,937.29	1 62401	1,937.29
49005	53225	NE DEPT. OF REVENUE	LEVY 22060327 030	REMIT GARNISHMENT	75.00	1 62410	75.00

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		NE DEPT. OF REVENUE	LEVY 22169078 030	REMIT GARNISHMENT	25.00	1 62410	25.00
					100.00		100.00
49006	70300	STATE DISBURSEMENT UNIT	CO1482539 030422	REMIT GARNISHMENT	44.31	1 62410	44.31
49011	00775	A G A	139543	AGA MEMBERSHIP	11,700.00	1 19230	11,700.00
49007	02675	AIRGAS USA, LLC	9122556694	INTERNAL SHOCK LANYARD	87.19	2 99275	87.19
		AIRGAS USA, LLC	9122795842	BALANCE NITROGEN	688.01	2 25128	688.01
			9122844849	CA FRNT ALTAIR 4XR CHR	139.29	2 79275	139.29
			9123078776	ELECT STCK	90.89	2 75025	90.89
					1,005.38		1,005.38
49008	03225	ALLIED ELECTRONICS, INC.	9014596418	POWER SONIC BATTERY	53.26	2 25520	53.26
		ALLIED ELECTRONICS, INC.	9014702227	DWYER CONTROLLER	618.88	2 24167	618.88
			9015073725	PRESSURE SWITCH	582.56	2 25135	582.56
49009	03225	ALLIED ELECTRONICS, INC.	9015701358	BRADY LABELS	313.95	2 75065	313.95
					1,568.65		313.95
49010	03780	ALVINE & ASSOCIATES INC	56668	NDS METERSHOP HVAC RENO	3,000.00	1 69230	3,000.00
49012	06027	APPLIED MACHINERY SALES	26221	FILTERS	1,225.55	1 69206	1,225.55
49013	06175	ARAMARK	1902239736	RUGS & LAUNDRY SERVICE	25.14	1 45450	25.14
		ARAMARK	1902240564	RUGS & LAUNDRY SERVICE	75.68	1 69330	66.37
				RUGS & LAUNDRY SERVICE		2 25060	9.31
			1902240565	RUGS & LAUNDRY SERVICE	16.85	1 69206	16.85
			1902241511	RUGS & LAUNDRY SERVICE	75.24	2 25065	75.24
			1902244340	RUGS & LAUNDRY SERVICE	25.14	1 45450	25.14
			1902245172	RUGS & LAUNDRY SERVICE	75.68	1 69330	66.37
				RUGS & LAUNDRY SERVICE		2 25060	9.31
			1902245173	RUGS & LAUNDRY SERVICE	16.85	1 69206	16.85
			1902246114	RUGS & LAUNDRY SERVICE	75.24	2 25065	75.24
					385.82		385.82
49014	08925	BIG G	685003/1	EARMUFFS	167.32	1 61561	167.32
49016	09705	BRANDSAFWAY SOLUTIONS, LLC	6731-S008975	SWING STAGE MOTOR REPAIR	560.92	2 75125	560.92
49017	13075	CHARTER COMMUNICATIONS	0354001021722	INTERNET SERVICE	1,340.88	1 69210	1,250.88
		CHARTER COMMUNICATIONS		INTERNET SERVICE		1 619210	90.00
					1,340.88		1,340.88
49018	13225	CHEMTREAT, INC	CIN010293676	ANTISCALE	810.44	2 25025	810.44
49019	13610	CINTAS CORPORATION	1902651786	UNIFORM SERVICE	132.50	1 69270	132.50
		CINTAS CORPORATION	4110231517	UNIFORM SERVICE	185.61	2 79275	185.61
			4110922102	UNIFORM SERVICE	185.61	2 79275	185.61
			4110922304	UNIFORM SERVICE	284.87	1 49270	28.42
				UNIFORM SERVICE		1 69270	4.72
				UNIFORM SERVICE		2 29270	251.73
			4111600945	UNIFORM SERVICE	185.62	2 79275	185.62
			4111601400	UNIFORM SERVICES	275.91	1 49270	28.42
				UNIFORM SERVICES		1 69270	4.72
				UNIFORM SERVICES		2 29270	242.77
					1,250.12		1,250.12
49020	15575	CONSOLIDATED CONCRETE CO.	274604	SG3500 AE	331.64	2 25940	331.64
		CONSOLIDATED CONCRETE CO.	274646	L3500 AE	693.36	1 35580	693.36
					1,025.00		1,025.00
40921	17525	CRESCENT ELECTRIC SUPPLY CO	S509989251.001	HALIDE LAMP	320.54	2 25115	320.54
49022	19225	DELKEN PRESS	021622	PRINTED MATERIALS	161.57	1 69060	161.57
49023	19225	DELKEN PRESS	022322	PRINTED MATERIAL	318.33	1 69060	318.33
					479.90		318.33
49060	21125	DUGAN BUSINESS FORMS	87156	GENERAL OPERATING FUND CHECI	219.65	1 69210	219.65
49024	21975	EAKES OFFICE EQUIPMENT	8434287-0	ENVELOPES	28.88	1 69210	28.88
		EAKES OFFICE EQUIPMENT	8437506-0	OFFICE SUPPLIES	35.91	1 69030	35.91
			8437506-1	MARKER CADDY, TISSUE, DESK PAI	160.77	1 69030	160.77
					225.56		225.56
49025	26575	FRIEND, MATT TRUCK EQUIPMEN	0090843-IN	AUTO REPAIR	2,073.08	1 19340	2,073.08
49026	27360	GE POWER SERVICES	91236525	FREIGHT	284.19	2 25124	284.19
49027	29550	GLOBAL INDUSTRIAL EQUIPMENT	118726137	PLASTIC DIVIDER TOTE	1,346.76	2 75065	1,346.76

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49028	30075	GRAINGER	9206517972	FAN SHUTTER	46.48	2 75115	46.48
49029	30325	GRAYBAR ELECTRIC CO.	9325662691	LINEMAN'S GLOVES	1,134.41	2 21561	1,134.41
49030	31475	HACH COMPANY	12897492	BNCH SVC - DR6000	1,319.00	1 45431	1,319.00
49033	32375	HASTINGS, CITY OF	045-365435	EPR SOFTWARE	1,820.00	1 60164	1,820.00
49034	32525	HASTINGS, CITY OF HASTINGS, CITY OF	030122	2022 IN LIEU OF TAX 2022 IN LIEU OF TAX 2022 IN LIEU OF TAX 2022 IN LIEU OF TAX	390,757.00	1 14080 1 34080 1 44080 2 24080	39,920.00 27,510.00 25,052.00 298,275.00
					390,757.00		390,757.00
49035	32625	HASTINGS, CITY OF HASTINGS, CITY OF	403057 403460	SEWER LINE GRIT WOODEN SPOOLS	160.72 29.93	1 45021 1 69330	160.72 29.93
					190.65		190.65
49032	32725	HASTINGS ECONOMIC DEVELOPM	030122	2022 AGREEMENT MARCH	10,416.00	1 69230	10,416.00
49036	33735	HEARTLAND CONCRETE & CONST	02222	HASTINGS COMMONS DAMAG CON	17,934.00	2 25940	17,934.00
49037	35250	HOMETOWN LEASING HOMETOWN LEASING	4226 4227	COPIER LEASE COPIER LEASE	227.35 227.35	1 69210 1 69210	227.35 227.35
					454.70		454.70
49038	35575	HOWARD'S GLASS	3157	CUT DOWN DOORS	96.30	1 60496	96.30
49053	38135	INSTRO TEK. INC. INSTRO TEK. INC.	PS-INV120282 PS-INV120620	NUCLEAR GAUGE SERVICE & CALIB NUCLEAR GAUGE TEST KITS	626.99 87.00	1 619300 1 619300	626.99 87.00
					713.99		713.99
49054	38230	INTEGRATED SECURITY SOLUTION INTEGRATED SECURITY SOLUTION	20220282 20220345	FIRE EXTINGUISHERS FIRE EXTINGUISHERS	15,949.89 36.38	2 25145 1 69270	15,949.89 36.38
					15,986.27		15,986.27
49055	38725	INTERSTATE CHEMICAL CO. INC. INTERSTATE CHEMICAL CO. INC.	489836 490006	SULFURIC ACID AMMONIUM HYDROXIDE	7,050.50 503.00	2 25055 2 25025	7,050.50 503.00
					7,553.50		7,553.50
49056	39225	ITRON, INC.	615161	IMA WALKBY	108.33	1 69020	108.33
49057	39525	JACOBI'S CARPET ONE	42338-1	NEW ENTRY CARPET	1,884.21	1 60496	1,884.21
49058	39685	JK ENERGY CONSULTING, LLC JK ENERGY CONSULTING, LLC	1771	WASTEWATER COST OF SERV STU WASTEWATER COST OF SERV STU	6,000.00 6,000.00	1 39230 1 49230	3,000.00 3,000.00
					6,000.00		6,000.00
49059	40875	K T HEATING & AIR COND. INC.	1110-61094	SERVICE CALL	131.25	1 15690	131.25
49015	42425	KRIZ-DAVIS COMPANY KRIZ-DAVIS COMPANY	923755253 923762879	TAPLINK WEDGE WEDGE TAPE CONN	745.36 434.85	2 20100 2 20100	745.36 434.85
					1,180.21		1,180.21
49061	42625	KULLY PIPE & STEEL CORP. KULLY PIPE & STEEL CORP.	766133 766609 766951	BLACK NIPPLE, COUP, WELD ELBO BLACK NIPPLE, COUPLING COUPLINGS	881.87 468.81 243.85	1 61561 1 61561 1 61561	881.87 468.81 243.85
					1,594.53		1,594.53
49062	43125	LAKESIDE AUTO BODY INC.	13228	AUTO REPAIR	5,564.33	2 29345	5,564.33
49065	44325	LINWELD LINWELD	0024941312 0025087236	HYDROGEN NITROGEN, ARGON, WELD MIX NITROGEN, ARGON, WELD MIX NITROGEN, ARGON, WELD MIX	1,197.15 129.88	2 75055 2 25055 2 75065	1,197.15 39.89 43.99
						2 75065	46.00
			0025105013	MSC 999 - HYDROGEN	738.16	2 75055	738.16
			0025151224	ACETYLENE, OXYGEN	98.41	1 15750	87.82
				ACETYLENE, OXYGEN		1 35522	10.59
			0025162140	TELEMETRY SYSTEM	103.04	2 75055	103.04
					2,266.64		2,266.64
49063	44350	LINCOLN WINWATER CO.	080602 01	NOZZLE	50,700.00	1 61561	50,700.00
49064	46075	MARTIN ENGINEERING	0000637254	LOW PROF DR SEAL, COTTER, CLE'	105.08	2 25126	105.08
49066	46422	MCCARTER & ENGLISH LLP	8431878	LEGAL SERVICES	817.50	1 19230	817.50
49067	46862	MDM PEST & TERMITE CONTROL I MDM PEST & TERMITE CONTROL I	26192A	PEST CONTROL PEST CONTROL	36.11	1 15460 1 15461	18.05 18.06

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			26192B	PEST CONTROL	421.88	1 45470	421.88
			26192C	PEST CONTROL	59.34	2 75705	59.34
			26192D	PEST CONTROL	451.41	1 69330	451.41
			26192E	PEST CONTROL	24.08	2 25520	24.08
			26243	PEST CONTROL	180.56	1 69206	180.56
					1,173.38		1,173.38
49068	47975	MICROFILM IMAGING SYSTEMS, IN	88617	SCANNER RENTAL	48.15	1 619210	48.15
49069	50100	MOBOTREX	256348	PUSH BUTTON/BODY ASSEMBLY	266.00	2 24182	266.00
49070	51825	N A P A AUTO PARTS	090762	AIR FILTER	32.93	1 69330	32.93
49071	52640	NATIONAL TECHNOLOGY TRANSF	111631-Y2R9C4	ARC FLASH ELECTRICAL SAFETY	16,803.00	1 69270	16,803.00
49073	53925	NEBRASKA EYE CARE	021722	PRESCRIPTION SAFETY GLASSES	368.00	1 49270	368.00
		NEBRASKA EYE CARE	021822	PRESCRIPTION SAFETY GLASSES	233.00	2 79275	233.00
					601.00		601.00
49074	54125	NEBRASKA MACHINERY CO.	CUI1047667	10W HYD ADV DRUM	1,416.11	2 95146	1,416.11
49072	54475	NEBR. PUBLIC HEALTH ENV. LAB	548418	WATER TESTING	19.00	1 35079	19.00
49075	55525	NORTH AMERICAN ELECTRIC	27985	QUARTERLY ASSESSMENT	5,967.00	2 29230	5,967.00
49031	55910	NORTH/STAR UTILITIES SOLUTION	CT053220	1/4 SERVER MIGRATION	14,953.26	1 69190	14,953.26
49077	56465	OGREN, TARA	022622	TUITION REIMBURSEMENT	2,725.00	1 619220	2,725.00
49076	56625	O'KEEFE ELEVATOR CO., INC.	1000412761	ELEVATOR MAINTENCE	225.65	2 25115	225.65
49078	56875	OMAHA SLINGS INC.	1038963	WIRE ROPE WINCH LINE	390.36	2 25110	390.36
49079	56925	OMAHA VALVE & FITTING CO.	81548	BRASS PIPE FITTING	368.36	2 75115	368.36
49080	57050	ONE CALL CONCEPTS INC	2020401	LOCATING SERVICE	194.48	1 619181	194.48
49081	57085	ONKEN FARMS TRUCKING	1481	POND ASH TRUCKING	2,545.85	2 25015	2,545.85
		ONKEN FARMS TRUCKING	1482	POND ASH LOADING	3,394.44	2 25015	3,394.44
					5,940.29		5,940.29
49082	59525	PLATTE VALLEY LABS, INC.	32159	WATER TESTING	655.00	1 45421	655.00
49099	59925	POSTMASTER	030222	POSTAGE	5,500.00	1 69170	5,500.00
49083	61325	PROTEX CENTRAL INC	129692	FIRE ALARM INSTALLATION	2,705.60	2 24167	2,705.60
		PROTEX CENTRAL INC	130210	FIRE ALARM INSTALLATION	5,745.45	2 24167	5,745.45
			130726	FIRE/SECURITY INSPECTION	176.00	1 69206	176.00
					8,627.05		8,627.05
49084	63725	RELCO FINANCE, INC.	L2203HAS1	LOCOMOTIVE LEASE	4,833.60	2 95015	4,833.60
49085	64060	ROAD BUILDERS MACHINERY&SU	P60602	HOSES, COVER	605.19	2 95146	605.19
49086	64900	RUST, SCOTT	022622	BOOT REIMBURSEMENT	74.90	2 79275	74.90
49087	65025	RUTT'S HEATING & A. C.	7318-109	SERVICE CALL	100.00	1 15690	100.00
49088	66890	SECURITY FENCE INC	0002020	BIANNUAL GATE MAINTENANCE	2,600.00	2 75115	2,600.00
49089	67325	SERVI-TECH, INC.	H-983421	WATER TESTING	162.81	1 45431	162.81
		SERVI-TECH, INC.	H-983458	WATER TESTING	162.81	1 45431	162.81
			H-983488	WATER TESTING	42.24	1 35531	42.24
			H-983489	WATER TESTING	162.81	1 45431	162.81
			H-983507	WATER TESTING	6.30	1 35079	6.30
			H-983528	WATER TESTING	6.30	1 35079	6.30
			H-983529	WATER TESTING	117.60	1 35531	117.60
			H-983532	WATER TESTING	294.34	1 35079	294.34
49090	67325	SERVI-TECH, INC.	H-983533	WATER TESTING	235.20	1 35531	235.20
		SERVI-TECH, INC.	H-983536	WATER TESTING	162.81	1 45431	162.81
49089	67325	SERVI-TECH, INC.	H-983545	WATER TESTING	162.81	1 45431	162.81
		SERVI-TECH, INC.	H-983548	WATER TESTING	117.60	1 35531	117.60
			H-983549	WATER TESTING	6.30	1 35079	6.30
			H-983552	WATER TESTING	235.20	1 35531	235.20
			H-983553	WATER TESTING	6.30	1 35079	6.30
					1,881.43		1,483.42
49091	68915	SOUICIE FARMS	030422	TRANSPORT BIOSOLIDS	3,400.00	1 45422	3,400.00
49092	69175	SOUTHERN POWER DISTRICT	4908002 022822	MAXON AVE POWER	1,180.32	1 45026	1,180.32

Distribution Register by Check



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From Check Date: 02/28/2022 - To Check Date: 03/07/2022

Check No	Supplier	Supplier Name	Invoice Number	Invoice Description	Invoice Amt	Charge Code	GL Amount
49093	69968	SPRING FRESH CLEANING SERVIC	3820	JANITORIAL SERVICES	5,495.52	1 69330	5,495.52
49094	70572	STERN OIL COMPANY INC	0365270-IN	GREASE	198.48	2 75125	198.48
		STERN OIL COMPANY INC	0365895-IN	OIL	1,070.67	2 75125	1,070.67
					1,269.15		1,269.15
49095	71425	SULLIVAN SHOEMAKER PC LLO	7250.500 022322	LEGAL SERVICES	589.85	1 39230	589.85
		SULLIVAN SHOEMAKER PC LLO	7250.502 022322	LEGAL SERVICES	272.13	1 39230	272.13
					861.98		861.98
49052	71825	I C L I P AMERICA INC	50503234	CALCIUM BROMIDE	3,673.21	2 25124	3,673.21
49096	73175	TEST AMERICA INC.	3100102011	WATER TESTING	67.50	1 35079	67.50
		TEST AMERICA INC.	3100102012	WATER TESTING	162.50	2 25065	162.50
					230.00		230.00
49097	73575	THOMSEN OIL CO	309898	DIESEL	1,155.34	2 95015	1,155.34
		THOMSEN OIL CO	309954	DIESEL	1,231.29	2 95015	1,231.29
			309958	DIESEL	2,061.50	2 95015	2,061.50
			309967	DIESEL	3,754.88	2 95015	3,754.88
					8,203.01		8,203.01
49098	75375	U S A BLUE BOOK	884622	HOSE	4,960.00	1 45021	4,960.00
49100	76375	UNIVERSAL HYDRAULICS INC.	6935303	HYDRAULIC TOOL REPAIR	424.56	2 25820	424.56
		UNIVERSAL HYDRAULICS INC.	6935307	HYDRAULIC TOOL REPAIR	1,098.12	2 25820	1,098.12
					1,522.68		1,522.68
49101	77050	VERIZON WIRELESS	9899316979	ROVER SERVICE	50.04	1 619230	50.04
49102	77050	VERIZON WIRELESS	9900204384	CELL PHONE SERVICE	4,087.88	1 19210	566.05
				CELL PHONE SERVICE		1 39210	529.00
				CELL PHONE SERVICE		1 69210	743.12
				CELL PHONE SERVICE		1 619210	674.72
						2 29210	1,253.67
						2 75065	321.32
					4,087.88		4,087.88
49103	77450	VIVIAL	00696222 022222	ADVERTISING	26.35	1 69210	26.35
49104	79125	WELLS FARGO BANK NEBRASKA	22010001041	EBOX FEES	1,591.95	1 69030	1,591.95
49105	79275	WESCO RECEIVABLES CORP	864720	COPPER TAPE WIRE	403,479.40	2 21561	403,479.40
		WESCO RECEIVABLES CORP	877702	COPPER TAPE WIRE	193,213.88	2 21561	193,213.88
					596,693.28		596,693.28
49106	80275	WOODWARD'S DISPOSAL SERVICE	9051-243	GARBAGE DISPOSAL	370.50	1 69030	25.00
		WOODWARD'S DISPOSAL SERVICE		GARBAGE DISPOSAL		1 69187	20.00
				GARBAGE DISPOSAL		1 69210	25.00
				GARBAGE DISPOSAL		1 69330	282.50
						2 25490	18.00
			9051-244	GARBAGE DISPOSAL	1,344.50	1 45421	1,344.50
			9051-245	GARBAGE DISPOSAL	713.43	2 75065	713.43
			9051-246	GARBAGE DISPOSAL	346.83	1 69206	145.00
				GARBAGE DISPOSAL		2 25930	201.83
					2,775.26		2,775.26
49107	80325	WORMUTH, JEFF	030122	REIMBURSEMENT OF EXPENSE	5.34	1 15733	5.34
49051	R6399	WILLIAM GROUND	021722	SOIL SAMPLE REIMBURSEMENT	330.50	1 35571	330.50
49040	R6400	BRANDON BANKSON	022422	SOIL SAMPLING REIMBURSEMENT	280.00	1 35571	280.00
49039	R6401	STAROSTKA GROUP UNLIMITED IN	0209022 01	HEAT PUMP REIMBURSEMENT	800.00	2 29140	800.00
		STAROSTKA GROUP UNLIMITED IN	0209022 02	HEAT PUMP REIMBURSEMENT	800.00	2 29140	800.00
			0209022 03	HEAT PUMP REIMBURSEMENT	800.00	2 29140	800.00
			0209022 04	HEAT PUMP REIMBURSEMENT	800.00	2 29140	800.00
			0209022 05	HEAT PUMP REIMBURSEMENT	800.00	2 29140	800.00
					4,000.00		4,000.00
49047	R6402	JORDAN SHECHINGER	03120536-17	CUSTOMER REFUND	116.01	1 61841	116.01
49046	R6403	EDGAR R MELENDEZ	08300282-02	CUSTOMER REFUND	153.07	1 61841	153.07
49041	R6404	BRANT A GROVE	10381874-25	CUSTOMER REFUND	390.24	1 61841	390.24
49044	R6405	DANA M STILL	15601290-00	CUSTOMER REFUND	107.44	1 61841	107.44
49049	R6406	RICHARD E KLEINHAMPLE	20750990-01	CUSTOMER REFUND	41.96	1 61841	41.96

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Check No	Supplier	Supplier Name	Invoice Number	Invoice Description	Invoice Amt	Charge Code	GL Amount
49043	R6407	CROSSFIT GROUND UP	20753856-08	CUSTOMER REFUND	451.61	1 61841	451.61
49045	R6408	DUSTIN EJ HENDERSON	20762185-02	CUSTOMER REFUND	413.82	1 61841	413.82
49042	R6409	CHERYL L STINE	20775840-03	CUSTOMER REFUND	5.86	1 61841	5.86
49050	R6410	SID #1 OF CLAY COUNTY NEBRASIA	22822330-02	CUSTOMER REFUND	1,282.83	1 61841	1,282.83
49048	R6411	MATT S STEVENS	24901915-02	CUSTOMER REFUND	22.02	1 61841	22.02

Check Report Total 1,804,177.16

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ACH PAYMENTS

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Check No	Supplier	Supplier Name	Invoice Number	Invoice Description	Invoice Amt	Charge Code	GL Amount
604160	00885	A K J CHEMICALS LLC	0000853-IN	COAL CHEMICAL RELEASE	10,725.12	2 22324	10,725.12
604161	07220	B P ENERGY	21197488	GAS PURCHASES	258,367.15	1 62321	258,367.15
604162	34375	HERITAGE BANK	022822	INTERNET FEES	15.00	1 69210	15.00
604163	55070	NEOPOST/QUADIENT	790004408032675e	POSTAGE	3,000.00	1 69170	3,000.00
604164	58500	PAY.GOV	022822	US EPA ARE WIDE PMT	12,650.91	1 39230	12,650.91
604165	76025	UNITED PARCEL SERVICE	00006838E9082	DELIVERY SERVICE	234.47	1 35531	27.56
						1 69203	30.20
						1 69206	19.50
						2 25530	49.78
						2 85065	93.20
						2 85125	14.23
					234.47		234.47
604174	75415	U S BANK	00196724 021022 C ZORO - BEAM CLAMP		22.90	2 25110	22.90
			00196724 021022 C AMAZON - INK CARTRIDGE		151.92	2 95065	151.92
			00196724 021022 C DUTTON - PLUG & CONNECTOR		50.44	2 25125	50.44
			00196724 021022 C MCMMASTER - OIL LEVEL INDICATOR		158.70	2 95126	158.70
			00196724 021022 C AMAZON - MISC 999 D321 DRY FIL		284.52	2 75125	284.52
			00196724 021022 C MCMMASTER - MSC999 - SS PLATE		668.15	2 25124	668.15
			00196724 021022 C RADWELL - MSC 999 - BREAKER		74.89	2 95126	74.89
			00196724 021022 C KULLY - MSC 999 - PVC ELBOW		135.89	2 25124	135.89
			00198444 021022 C EMBAS SUITES - MOBOTREX SEMIN		171.43	2 24182	171.43
			00198444 021022 C DUTTONS - ELECTRICAL PARTS		49.58	2 25050	49.58
			00198444 021022 C BIG G - FILTERS		59.45	2 24182	59.45
			00199153 021022 C CABLETC - INNDERDUCT COUPLINC		80.79	2 25820	80.79
			00199832 021022 C MOBOTREX - LOOP MONITOR		396.00	2 24182	396.00
			00202134 021022 C KELLY - STAIN STEELE TUBING		286.87	1 45051	286.87
			00202134 021022 C KULLY - PVC PIPE & FITTINGS		182.65	1 40355	182.65
			00202134 021022 C FASTENAL - SECURITY CAM COMPC		138.95	1 30100	138.95
			00202134 021022 C FASTENAL - SECURITY CAM COMPC		938.17	1 30100	938.17
			00203174 021022 C KULLY - PLUMB FITTINGS		46.52	1 35052	46.52
			00203174 021022 C MUNICIPAL SUPL - SOCKETS		218.34	1 35522	218.34
			00203174 021022 C KULLY - PVC PIP FITTINGS		169.41	1 40355	169.41
			00203174 021022 C DUTTON - PVC PIPE FITTINGS		39.67	1 40355	39.67
			00203174 021022 C US CARGO - LIFT CABLES		244.91	1 35522	244.91
			00203174 021022 C KELLY - STAIN STEELE PIPE FIT		153.92	1 35072	153.92
			00203174 021022 C KULLY - PVC PIPE FIT & GLUE		121.11	1 35072	121.11
			00203174 021022 C KULLY - PLUMB FITTINGS		44.89	1 35072	44.89
			00203174 021022 C KULLY - PVC PIPE FITTINGS		7.10	1 35072	7.10
			00203174 021022 1 DUTTON - LED EMERG LIGHT		63.05	1 35052	63.05
			00203174 021022 1 MENARDS - PVC CHK VALVE, BUSH		36.75	1 35052	36.75
			00205411 021022 C ALTEC - DRILL BITS		141.49	2 25820	141.49
			00205411 021022 C AMAZON - CAR CHARG, DRILL BITS		149.24	2 25820	149.24
			00205411 021022 C MENARDS - LEAF RAKE		18.18	2 25820	18.18
			00208874 021022 C GROEBNER - RATCHET FACER		298.29	1 15750	298.29
			00208874 021022 C MENARDS - CONSTRUCT FRAMING		120.25	2 25940	120.25
			00208874 021022 C MENARDS - SQR DOWELL		17.10	2 25940	17.10
			00208874 021022 C MENARDS - GLOVES		26.74	1 15750	26.74
			00208874 021022 C AVETTA -ANNUAL FEE OQ TRAININC		1,575.00	1 19220	1,575.00
			00210046 021022 C BIG G - TORCH KIT		53.49	1 15750	53.49
			00210046 021022 C MENARDS - TRANSFORM PAD PART		38.61	2 25940	38.61
			00210046 021022 C MENARDS - SPRINKLER FITTINGS		2.43	1 14160	2.43
			00210046 021022 C AMAZON - OFFICE SUPPLIES		100.51	1 19210	100.51
			00210046 021022 C AMAZON - DESK CALENDAR REFIL		14.03	1 19210	14.03
			00210046 021022 C OREILY'S - TRUCK CLEANING SUPP		74.30	1 15750	74.30
			00210046 021022 C DITCH WITCH - JT2020 MAINT PAR		531.87	1 61843	531.87
			00210046 021022 C LCL TRUCK - BIN SHOCKS		187.15	1 15750	187.15
			00217085 021022 C OUTBACK STEAK - DIN NANCE CON		150.00	1 19220	150.00
			00217085 021022 C HOOTERS - DINNER NANCE CONF		115.98	1 19220	115.98
			00217085 021022 C FULE MARKER - FUEL NANCE CONF		10.20	1 19220	10.20
			00217085 021022 C EMBASSY SUITS - HOTEL NANCE		329.35	1 19220	329.35
			00217085 021022 C EMBASSY SUITS - HOTEL NANCE		319.32	1 19220	319.32
			00217085 021022 C EMBASSY SUITS - HOTEL NANCE		329.35	1 19220	329.35
			00217085 021022 C EMBASSY SUITS - HOTEL NANCE		329.35	1 19220	329.35
			00217085 021022 C EMBASSY SUITS - HOTEL NANCE		329.35	1 19220	329.35
			02575052 021022 C BOSSELMAN - MSC999 - DEF		209.98	2 95146	209.98
			02575052 021022 C HAST OUT POW -MSC 999- AIR FIL		15.50	2 75065	15.50
			02575052 021022 C MENARDS -MSC 999-LIGHT PAN DIF		21.39	2 75115	21.39
			02575052 021022 C KELLY-MSC999- TUBING RETURN		(21.72)	2 95065	(21.72)
			02575052 021022 C KELLY-MSC999- TUBING, SENSOR		55.78	2 75115	31.38
						2 95065	24.40
			02575052 021022 C LANDMARK-MSC999- FILTERS		250.30	2 75065	250.30
			02575052 021022 C BUS WORLD-MSC999- FILE TAB DIV		35.01	2 75065	35.01
			02575052 021022 C AIRGAS -MSC999 - SAFETY GLASS		14.61	2 79275	14.61

Distribution Register by Check



ACH PAYMENTS

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Check No	Supplier	Supplier Name	Invoice Number	Invoice Description	Invoice Amt	Charge Code	GL Amount
			02575052 021022 C	BIG G - MSC999- BUCKET,SCOOP	25.56	2 75065	25.56
			02575052 021022 1	LINCOLN WIND-MSC 999-BUTT VAL	(736.04)	2 75115	(736.04)
			02575052 021022 1	NAPA-MSC999-GROMMET,BRAKLEE	16.18	1 69340	6.59
						2 75065	9.59
			02575052 021022 1	NUTRIEN AG-MSC999-PROP REFIL	14.56	2 75065	14.56
			02575052 021022 1	BIG G - MSC 999 - WTR, VAC BAG	293.93	2 75065	293.93
			02575052 021022 1	BIG G-MSC999-KNEE PADS, CLOGBI	45.73	2 75065	12.67
						2 79275	33.06
			02575052 021022 1	FASTENAL-MSC999- WASHER	18.29	2 75125	18.29
			02575052 021022 1	FASTENAL-MSC999- WASHER CRED	(18.29)	2 75125	(18.29)
			02575052 021022 1	NAPA-MSC999- AIR NEEDLER	194.28	2 25064	194.28
			02575052 021022 1	NAPA-MSC999-PT83	33.89	2 95146	33.89
			02575052 021022 1	DUTTON -MSC999- ELECT BOXES	30.77	2 75115	30.77
			02575052 021022 2	BIG G-MSC999- EXTENSION CORD	143.68	2 25064	143.68
			02575052 021022 2	KELLY-MSC999- BELTS (PPGA)	27.64	2 85115	27.64
			02575052 021022 2	NAPA-MSC999-AIR LINE ANTIFREEZ	81.27	2 95065	81.27
			02575052 021022 2	TRACT SUP-MSC999- WEED BURN	128.38	2 95065	128.38
			02575052 021022 2	SANDBAGGY-MSC999-LANDSCAP F	900.00	2 95065	900.00
			02575052 021022 2	FASTENAL-MSC999-WASHER (PPGA)	52.69	2 85125	52.69
			02575052 021022 2	LANDMARK IMP-MSC999- OIL	30.29	2 75065	30.29
			02575052 021022 2	NAPA-MSC999- HAND PUMP	11.00	2 75065	11.00
			02575052 021022 2	KELLY- MSC999- FLANGE (PPGA)	34.86	2 85125	34.86
			02575052 021022 2	FASTENAL-MSC999-KEY STOCK PPI	9.99	2 85065	9.99
			02575052 021022 3	LANDMARK-MSC999-BELT	164.98	2 75065	164.98
			02575052 021022 3	ZORO-MSC999-FILTERS	77.68	2 95146	77.68
			02575052 021022 3	HUSK POW - MSC999- PUMP COUPL	1,171.05	2 95065	1,171.05
			02575052 021022 3	KELLY - MSC999 - HOSE, FITTING	1,325.57	2 95065	1,325.57
			02575052 021022 3	DUTTON - MSC999 - LAMPS	154.72	2 75115	154.72
			02575052 021022 3	ROADBUILDERS-MSC999-SWITCH	53.54	2 95146	53.54
			02575052 021022 3	BUS WORLD-MSC999-SCISSORS,PE	205.00	2 75065	13.64
						2 75065	191.36
			02575052 021022 3	BIG G - MISC999 - FILTERS	68.90	2 25115	68.90
			02575052 021022 3	NAPA - MSC999 - SOCKET	7.47	2 25064	7.47
			02575052 021022 3	UNIV HYDRAU-MSC999-HOSE, FITTI	250.13	2 95146	250.13
			02575052 021022 4	DUTTON-MSC999-LAMPS	53.93	2 95115	53.93
			02575052 021022 4	BIG G - MSC999 - PAINT	6.58	2 75065	6.58
			02575052 021022 4	ZORO - MSC 999 - FILTERS, VALV	219.05	2 75115	171.09
						2 95146	47.96
			02575052 021022 4	NIFCO MECH-MSC999-SPRINK HEAT	178.92	2 75115	178.92
			02575052 021022 4	NUTRIEN AG-MSC999- PROPANE RE	17.72	2 75065	17.72
			02575052 021022 4	LINWELD-MSC999 - MASK FILT/VAL	55.17	2 79275	55.17
			02575052 021022 4	BIG G-MSC999-EXT CORD, EXPOXY	380.98	2 75065	17.54
						2 95065	363.44
			02575052 021022 4	NAPA-MSC999-OIL	33.25	2 95065	33.25
			02575052 021022 4	HUS PWR - MSC999 - BUSHING	147.70	2 95065	147.70
			02575052 021022 4	FASTENAL - MSC999 - TROLLEY	196.73	2 25115	196.73
			02575052 021022 5	LINWELD-MSC999-SAFETY GLASSE	30.28	2 79275	30.28
			02575052 021022 5	BIG G-MSC999-OUTLETS, PAP TOWI	78.08	2 75065	29.94
						2 95115	48.14
			02575052 021022 5	ZORO-MSC999-TYVEK SUIT,SPIGOT	155.21	2 75065	12.67
						2 79275	142.54
			02575052 021022 5	KELLY-MSC999- SUCTION HOSE	684.99	2 95065	684.99
			02575052 021022 5	DUTTON-MSC999- 400W LAMPS	38.52	2 75115	38.52
			02575052 021022 5	CENT NE EQ-MSC999-PRES WASH I	38.63	2 75065	38.63
			02575052 021022 5	BIG G - MSC999- CLOGBUSTER	14.36	2 75065	14.36
			02575052 021022 5	ZORO-MSC999-BUFFING PADS	39.26	2 75065	39.26
			02575052 021022 5	NAPA-MSC999-BATTERY	119.54	2 95065	119.54
			02575052 021022 5	LINWELD-MSC999 - WELDING SUP	34.75	2 95065	34.75
			02575052 021022 6	DUTTON - MSC999 - CUR TRANSFO	490.80	2 95115	490.80
			02575052 021022 6	BIG G - MSC999 - BUCKET HEATER	64.19	2 95065	64.19
			02575052 021022 6	BIG G - MSC999 - SQUEEGEE	17.73	2 75065	17.73
			02575052 021022 6	DUTTON-MSC999-FUSES	20.22	2 95115	20.22
			02575052 021022 6	NAPA - MSC999 - CLEANER SPRAY	15.50	2 75065	15.50
			02575052 021022 6	BIG G - MSC999 - BROOM	10.98	2 75065	10.98
			02776460 021022 C	MENARDS - HVAC FILTER	559.57	1 69330	559.57
			02776460 021022 C	HOWARDS GLASS - PUSH PLATE	262.15	1 69330	262.15
			02776460 021022 C	BIG G - BUCKET, SCOOP, LID	22.63	1 69330	22.63
			02776460 021022 C	RAYNOR DOOR - 2 REMOTES	96.98	1 69330	96.98
			02776460 021022 C	BIG G - SCREWS,TOILET FIL VALV	36.63	1 69330	36.63
			02776460 021022 C	BIG G - ICE MELT BUCKET LID	9.41	1 69330	9.41
			02776460 021022 C	HOLLING PLUMB - INSTAL WAX RIN	150.00	1 69330	150.00
			02776460 021022 C	BIG G - CABLE TIES	4.22	1 69330	4.22
			02776460 021022 C	GRACES LOCK - KEYS	10.70	1 69330	10.70
			05700345 021022 C	HONEST ABES - LUNCH ANN CONF	34.90	1 69220	34.90
			05700345 021022 C	LAZLOS - DINNER ANN CONF	46.27	1 69220	46.27
			05700345 021022 C	LEADBELL - DINNER ANN CONF	36.77	1 69220	36.77
			05700345 021022 C	EMBASS SUIT- HOTEL ANNUAL CON	324.54	1 69220	324.54
			05700345 021022 C	EMBASS SUIT- HOTEL ANNUAL CON	324.54	1 69220	324.54
			05700345 021022 C	RAISING CANES - LUNCH ANN CONI	18.58	1 69220	18.58
			05700345 021022 C	EXPRESS MARK PLACE - PARKING	23.75	1 69220	23.75

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Check No	Supplier	Supplier Name	Invoice Number	Invoice Description	Invoice Amt	Charge Code	GL Amount
			05742479 021022	C BNSF - CONTRACTOR COURSES	100.00	1 619361	100.00
			05742479 021022	C APNGA - HAZMAT REFRESH COURSE	35.00	1 619220	35.00
			05742479 021022	C BNSF - CONTRACTOR COURSE	50.00	1 619361	50.00
			05742503 021022	C BG G - PAINT & SUPPLIES	73.15	2 25060	73.15
			05742503 021022	C BIG G - LIGHT & CLEANING SUPPL	79.82	2 25060	79.82
			05742503 021022	C MENARDS - PAINT	76.76	2 25130	76.76
			05742503 021022	C OREILLY - HANDLE	19.25	2 25140	19.25
			05742503 021022	C BIG G - DEMINERALIZER TANK COAT	117.69	2 25130	117.69
			05742503 021022	C WALMART - OFFICE SUPPL, WATER	49.16	2 29210	49.16
			05742511 021022	C CPI - ISO 32MV	403.76	2 21844	403.76
			05742511 021022	C BAXTER - TOW & REPAIR CAR	390.63	1 69340	390.63
			05742511 021022	C CPI - DIESEL EXHAUST FLUID	222.88	1 69340	222.88
			05742511 021022	C ALTEC - WAIST HARNESS	457.11	2 29340	457.11
			05746298 021022	C STAMPS & MORE - LAMINATION LOT	4.26	1 49210	4.26
			05746298 021022	C ALLIED ELCT - CREDIT	(157.92)	1 45451	(157.92)
			05746298 021022	C MENARDS - CUT OFF WHEELS	35.96	1 45430	35.96
			05746298 021022	C DUTTON - WATER HEATER VALVE	30.43	1 45450	30.43
			05746298 021022	C GRAINGER - DOOR HINGES	477.42	1 45450	477.42
			05746298 021022	C GRAINGER - CONDUIT HANGER	468.00	1 30100	468.00
			05746298 021022	C CONS WATER SOL - BOILER TREAT	2,735.41	1 45452	2,735.41
			05746298 021022	C BORDER STATES - ENERPAC TOOL	2,942.55	1 45430	2,942.55
			05746298 021022	C ALLIED ELCT - 24VAC TRANSFORM	153.20	1 45451	153.20
			05746298 021022	1 GRAINGER - BOILER ARM SWIVELS	56.00	1 45451	56.00
			05746298 021022	1 BOSSELMAN ENGERY - 460 OIL	110.40	1 45460	110.40
			05746298 021022	1 GRAINGER - LIQ LVL SIGHT GLASS	108.68	1 45460	108.68
			05746298 021022	1 FASTENAL - NUTS & BOLTS	105.78	1 45460	105.78
			05746298 021022	1 KELLEY'S - GASKETS	11.07	1 45452	11.07
			05746298 021022	1 NAPA - V BELTS	12.60	1 45451	12.60
			05746298 021022	1 FASTENAL - PALLET JACK ROLLER	58.88	1 45430	58.88
			05746298 021022	1 GRAINGER - GATE CONTROLLER	80.64	1 45450	80.64
			05746298 021022	1 BORDER STATES - FUSE/COMBO KI	81.00	1 45430	81.00
			05746298 021022	1 GRAINGER - CHAIN PULLER	101.18	1 45430	101.18
			05746314 021022	C ECHO - BREAKERS	3,176.67	1 45460	3,176.67
			05746314 021022	C ECHO - ANCHORS/CARBIDE CUTTEI	343.54	1 45460	343.54
			05746314 021022	C MENARDS - ENGRAVERS	15.28	1 45430	15.28
			05746314 021022	C HACH - SAMPLER BATTERY	263.22	1 45431	263.22
			05746314 021022	C BIG G - AIR FILT, SPARK PLUG	156.90	1 45500	156.90
			05746314 021022	C NAPA - BAT CHARGER CREDIT	(7.31)	1 45430	(7.31)
			05746314 021022	C AIRGAS - COMP GAS, NITRO, OXYG	308.97	1 49270	308.97
			05746314 021022	C HOLIDAY INN - ROOM, SNOWBALL	130.30	1 49220	130.30
			05746314 021022	C ECHO - LED BULBS	324.00	1 45450	324.00
			05746314 021022	1 NWEA - NWOD MEMBERSHIP	20.00	1 49220	20.00
			05746314 021022	1 MENARDS - PAINT SUPPLIES	22.13	1 45450	22.13
			05746314 021022	1 SHERWIN-WILL - PAINT	160.00	1 45450	160.00
			05746314 021022	1 NAPA - BELTS	175.36	1 45461	175.36
			05746314 021022	1 HACH - LDO RUGGED PROBE	1,324.99	1 45431	1,324.99
			05746314 021022	1 AMAZON - FORD VISOR RETAIN	27.65	1 45480	27.65
			05920398 021022	C FRED PRYOR - CAREER TRACK	995.00	2 79225	995.00
			05920398 021022	C FRED PRYOR - CAREER TRACK	995.00	2 79225	995.00
			05984998 021022	C NWDA - NE WATER INDUST CONVEI	290.00	1 69187	290.00
			05984998 021022	C NWDA - NE WATER INDUST CONVEI	290.00	1 69187	290.00
			05984998 021022	C NWDA - NE WATER INDUST CONVEI	290.00	1 39220	290.00
			05984998 021022	C NWDA - NE WATER INDUST CONVEI	290.00	1 39220	290.00
					39,844.26		39,844.26
604175	30575	GREAT WEST LIFE	030422 01	PENSION DEPOSIT	51,316.88	1 62415	51,316.88
			030422 02	DEFERRED COMP	4,774.41	1 62417	4,774.41
			030422 03	ROTH CONTRIBUTION	16,463.64	1 62417	16,463.64
					72,554.93		72,554.93
604176	45205	M & T BANK-457	030422	EMPLOYEE DEFERRED COMP	250.00	1 62417	250.00
604177	53775	NEBRASKA CHILD SUPPORT		EMPLOYEE CHILD SUPPORT	2,293.00	1 62410	2,293.00
604178	57170	OPTIMUM BANK		EMPLOYEE HSA DEDUCTIONS PP5	7,870.68	1 62404	7,870.68
604179	58550	PEABODY ENERGY	5000066883	COAL	262,414.51	2 22324	262,414.51
			90922087	COAL	3,105.00	2 22324	3,105.00
					265,519.51		265,519.51
604180	76025	UNITED PARCEL SERVICE	00006838E9092	DELIVERY SERVICE	63.68	1 35531	27.68
						1 69206	36.00
					63.68		63.68
604181	76225	UNITED STATES TREASURY	030422	FIT & FICA WITHOLDING	149,019.96	1 62411	62,825.37
						1 62413	86,194.59
					149,019.96		149,019.96
604182	79325	WESTERN AREA POWER ADMIN.	BFPB000950122	POWER PURCHASES	81,058.58	2 22322	81,058.58

Distribution Register by Check



ACH PAYMENTS

Printed: 3/7/2022 16:01

From Check Date: 02/28/2022 - To Check Date: 03/04/2022

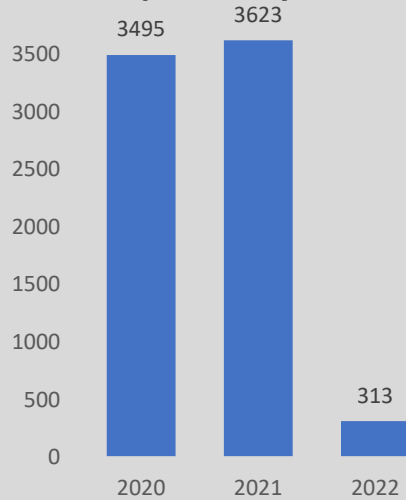
Check No	Supplier	Supplier Name	Invoice Number	Invoice Description	Invoice Amt	Charge Code	GL Amount
				Checks & ACH Payments	2,707,644.41		
				Less Discounts	(514.41)		
				Grand Total	2,707,130.00		

Combined	1,286,830.47
Electric	1,420,299.53
Grand Total	2,707,130.00

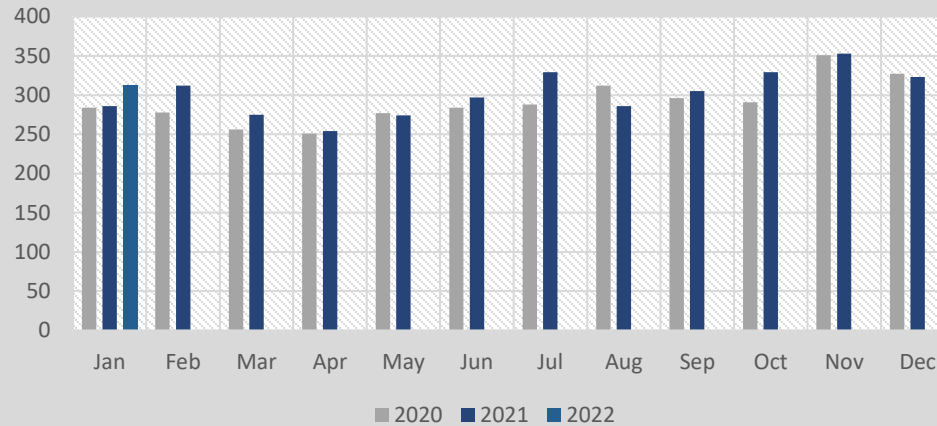
HASTINGS FIRE-RESCUE

MONTHLY COUNCIL REPORT

Responses by Year



Responses by Month



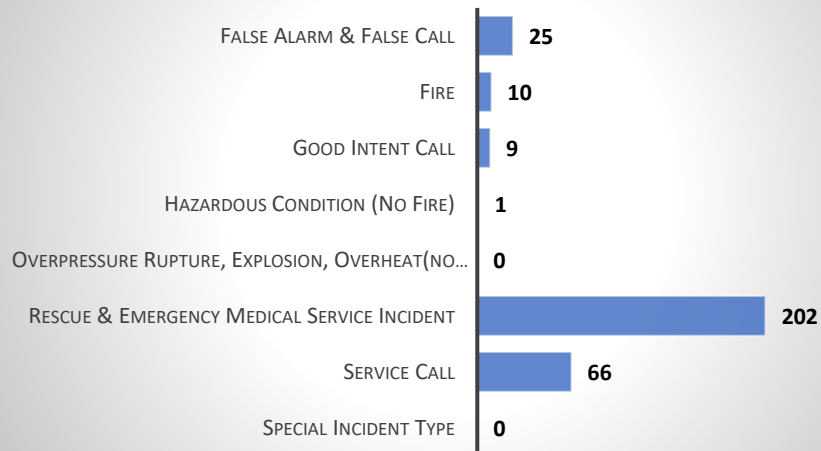
Mutual Aid

	January	Yr to Date
Aid Given	0	0
Aid Received	0	0

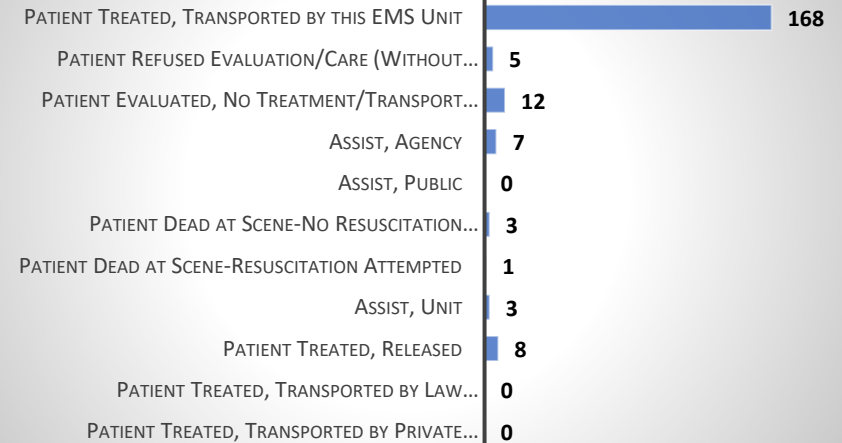
Total Jan Responses:

313

Incident Type



Patient Disposition



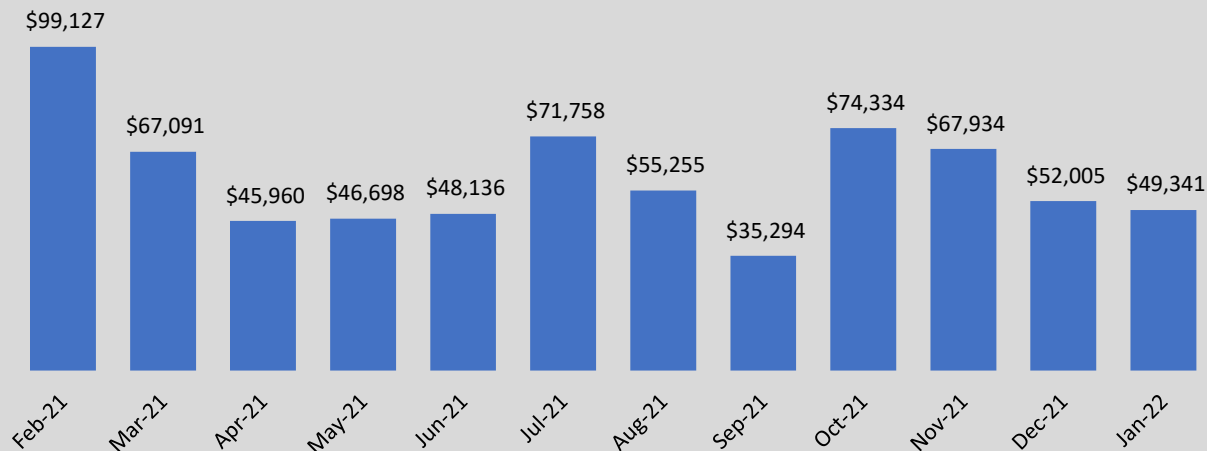
January 2022



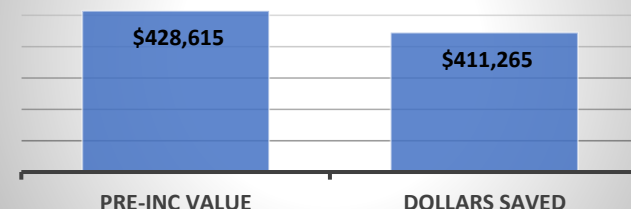
HASTINGS FIRE-RESCUE

MONTHLY COUNCIL REPORT

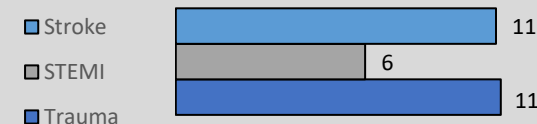
EMS Revenue



Fire Outcomes

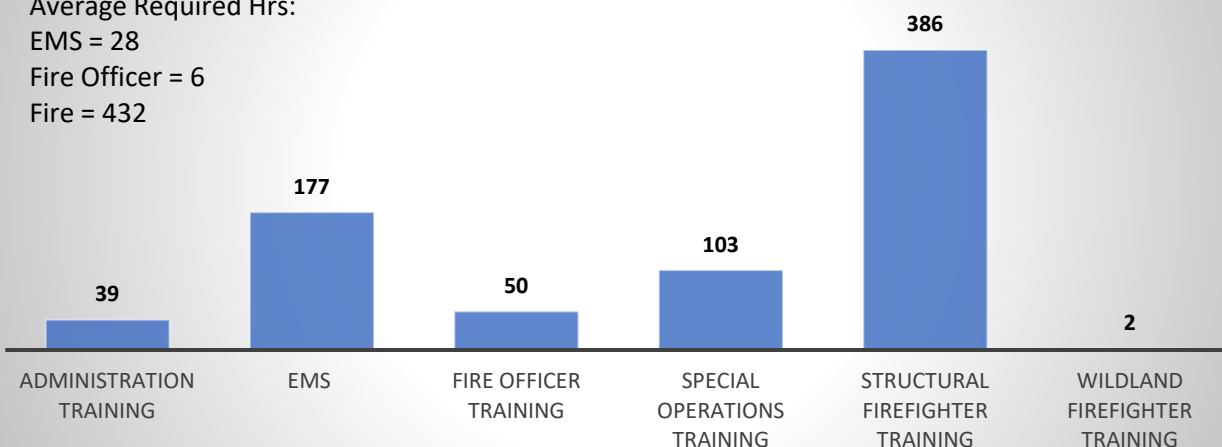


EMS Outcomes Minutes on Scene



Department Training Hours

Average Required Hrs:
EMS = 28
Fire Officer = 6
Fire = 432



AVERAGE TURNOUT TIME

(Dispatch to Enroute)

Station	EMS	Fire
Station 1	0:48	1:05
Station 2	0:56	1:23

AVERAGE RESPONSE TIME

(Enroute to Arrival)

Station	EMS	Fire
Station 1	4:01	4:22
Station 2	4:10	4:23

January 2022





January 2022 Summary Report

- January 3rd, Dispatcher Deborah Molzen retired from the Hastings Police Department, 911 Center. Deborah retired after 29 years of dedicated service to the City of Hastings and Adams County.



- January 6th, Chief Adam Story met with Will Vraspir of the Hastings Tribune to do a Year in Review article for the department. They discussed HPD accomplishments from 2021 and goals for 2022.
- January 10th, Captain Raelee Van Winkle reported to the FBI National Academy. The FBI National Academy is the most prestigious course of management studies for the United States and international law enforcement managers. The course is taught in Quantico, Virginia and the application process is very competitive. They receive hundreds of thousands of applications and less than one percent is accepted. Captain Van Winkle is attending the 281st Session of the FBI National Academy and will return in late March.
- January 10th, Chief Adam Story, Captain Mike Doremus, and Administrative Assistant Opal Johnson attended MUNIS training for invoice entry and approvals at Hastings Utilities.
- January 10th through January 17th, seventeen police officer applicants took video-based testing for our vacant police officer positions.
- January 11th through January 13th, Captain Mike Doremus attended an online NIBRS Reporting seminar. This was hosted by the FBI.

- January 11th and January 18th, all sworn employees attended an 8-hour Defensive Tactics in-service training at HPD.



- January 21st, a final offer of employment was accepted by Melissa Nalley for the position of 911 Dispatcher. Nalley will begin her employment in early February.
- January 20th and January 21st, Detective Sara Mann and Officer Emily Ost diek attended a course, Exploring the Sexual Offender and the Violent Offender in Grand Island. This course was hosted by the Hall County Sheriff's Department in Grand Island, NE.

Complaints:

- January 1st, an internal complaint alleged an officer was inefficient, inattentive, or derelict in their duties. This complaint was sustained.
- January 7th, an internal complaint alleged a dispatcher was inefficient, inattentive, or derelict in their duties. This complaint was sustained.
- January 28th, an officer was involved in a motor vehicle collision. The officer was found to be at fault.
- January 31st, an internal complaint alleged a dispatcher was tardy reporting for duty. This complaint was sustained.

Use of Force Reports:

- January 30th, Officers were dispatched to assist an outside law enforcement agency at Mary Lanning. A male suspect was threatening to harm himself and was violent with staff and a sheriff's deputy. Officers attempted to place the male into emergency protective custody. When officers attempted to restrain the male, he began to resist, clench his fists, and show pre-attack indicators. A taser was deployed by an officer, and the male was able to be handcuffed and restrained for his safety. The male suffered two puncture wounds from the taser probes. No other injuries were reported.

January 2022 Statistics:

	2022 Jan	2021 Jan	<u>Year to Date Totals</u>		<u>Percent</u>
			YTD 2022	YTD 2021	+/-
Police					
Total Calls for Service	1995	1760	1995	1760	13.4%
Incident Reports	250	283	250	283	-11.7%
Traffic Accidents	42	70	42	70	-40.0%
Traffic Stops	420	491	420	491	-14.5%
Part I Crimes	146	142	146	142	2.8%
Complaints Against Employee	3	4	3	4	-25.0%
Use of Force Incidents	1	4	1	4	-75.0%
Community Service Officers					
Animal Calls	145	120	145	120	20.8%
Animals Impounded	39	19	39	19	105.3%
Code Enforcement	52	28	52	28	85.7%
Complaints Against Employee	0	0	0	0	0.0%
Communication Center					
911 Calls	777	877	777	877	-11.4%
All Other Calls	5165	5523	5165	5523	-6.5%
Complaints Against Employee	1	0	1	0	100.0%

GROUP A - MONTHLY OFFENSES

1/1/2022 - 1/31/2022

HASTINGS POLICE DEPARTMENT

	REPORTED OFFENSES	UNFOUNDED OFFENSES	ACTUAL OFFENSES	TOTAL CLEARED	CLEARED JUVENILE
Animal Cruelty	0	0	0	0	0
720 - Animal Cruelty	0	0	0	0	0
Arson	3	0	3	2	1
200 - Arson	3	0	3	2	1
Assault Offenses	24	2	22	17	1
13A - Assault-Aggravated Assault	1	0	1	0	0
13B - Assault-Simple Assault	17	1	16	15	1
13C - Assault-Intimidation	6	1	5	2	0
Bribery	0	0	0	0	0
510 - Bribery	0	0	0	0	0
Burglary/Breaking & Entering	4	0	4	1	0
220 - Burglary/Breaking & Entering	4	0	4	1	0
Counterfeiting/Forgery	3	0	3	1	0
250 - Counterfeiting/Forgery	3	0	3	1	0
Destruction/Damage/Vandalism of Property	7	0	7	3	0
290 - Destruction/Damage/Vandalism of Property	7	0	7	3	0
Drug/Narcotic Offenses	42	0	42	41	0
35A - Drug/Narcotic Violations	26	0	26	25	0
35B - Drug Equipment Violations	16	0	16	16	0
Embezzlement	1	0	1	0	0
270 - Embezzlement	1	0	1	0	0
Extortion/Blackmail	0	0	0	0	0
210 - Extortion/Blackmail	0	0	0	0	0
Fraud Offenses	15	1	14	7	0
26A - False Pretenses/Swindle/Confidence Game	5	1	4	2	0
26B - Credit Card/Automatic Teller Machine Fraud	6	0	6	3	0
26C - Impersonation	3	0	3	2	0
26D - Welfare Fraud	0	0	0	0	0
26E - Wire Fraud	1	0	1	0	0
26F - Identity Theft	0	0	0	0	0
26G - Hacking/Computer Invasion	0	0	0	0	0
Gambling Offenses	0	0	0	0	0
39A - Betting/Wagering	0	0	0	0	0
39B - Operating/Promoting/Assisting Gambling	0	0	0	0	0
39C - Gambling Equipment Violations	0	0	0	0	0
39D - Sports Tampering	0	0	0	0	0
Homicide Offenses	0	0	0	0	0
09A - Murder and Nonnegligent Manslaughter	0	0	0	0	0
09B - Negligent Manslaughter	0	0	0	0	0
09C - Justifiable Homicide	0	0	0	0	0
Human Trafficking	0	0	0	0	0
64A - Commercial Sex Acts	0	0	0	0	0
64B - Involuntary Solitude	0	0	0	0	0
Kidnapping/Abduction	0	0	0	0	0
100 - Kidnapping/Abduction	0	0	0	0	0

Larceny/Theft Offenses	37	3	34	9	0
23A - Pocket-Picking	0	0	0	0	0
23B - Purse-Snatching	0	0	0	0	0
23C - Shoplifting	13	0	13	5	0
23D - Theft from Building	3	0	3	0	0
23E - From Coin-Operated Machine or Device	1	0	1	0	0
23F - Theft from Motor Vehicle	3	0	3	0	0
23G - Theft of Motor Vehicle Parts or Accessories	1	0	1	0	0
23H - All Other Larceny	16	3	13	4	0
Motor Vehicle Theft	3	0	3	0	0
240 - Motor Vehicle Theft	3	0	3	0	0
Pornography/Obscene Material	1	0	1	0	0
370 - Pornography/Obscene Material	1	0	1	0	0
Prostitution Offenses	2	0	2	0	0
40A - Prostitution	1	0	1	0	0
40B - Assisting or Promoting Prostitution	1	0	1	0	0
40C - Purchasing Prostitution	0	0	0	0	0
Robbery	0	0	0	0	0
120 - Robbery	0	0	0	0	0
Sex Offenses	2	0	2	2	1
11A - Forcible-Forcible Rape	1	0	1	1	0
11B - Forcible-Forcible Sodomy	0	0	0	0	0
11C - Forcible-Sexual Assault with an Object	0	0	0	0	0
11D - Forcible-Forcible Fondling	1	0	1	1	1
Sex Offenses, Consensual	1	0	1	0	0
36A - Sex Offenses, Nonforcible-Incest	0	0	0	0	0
36B - Sex Offenses, Nonforcible-Statutory Rape	1	0	1	0	0
Stolen Property Offenses	1	0	1	0	0
280 - Stolen Property Offenses	1	0	1	0	0
Weapon Law Violations	2	0	2	1	0
520 - Weapon Law Violations	2	0	2	1	0
TOTAL FOR ALL OFFENSES	148	6	142	84	3

SOLID WASTE/WOOD WASTE VOLUME AND REVENUE REPORT
Month of FEBRUARY 2022

SOLID WASTE FACILITY

Hastings/Adams County

Loose Tonnage	1,053.53 .
Compacted Tonnage	1,420.63 .
Special Waste Tonnage	0.00 .
Industrial Waste I Tonnage	85.08 .
Industrial Waste II Tonnage	1.97 .
Contaminated Soil/Sands	504.93 .

Regional Five-County Area

Loose Tonnage	162.63 .
Compacted Tonnage	499.19 .
Special Waste Tonnage	0.00 .
Industrial Waste I Tonnage	0.00 .
Industrial Waste II Tonnage	0.00 .
Contaminated Soil/Sands	0.00 .

3,727.96 *

WOOD WASTE FACILITY

Hastings/Adams County and Regional Five-County Area

Total Tonnage of Incoming Wood Waste	273.68 *
Total Tonnage of Incoming Green Waste	2.56 *

4,004.20 *

REVENUE INCOME

Solid Waste Facility

Cash	\$12,702.49	No RCC Redeemed, 6 Freon Appliances=\$63.00
Charge	\$140,909.30	
		* \$153,611.79
Special Waste Fees	\$0.00 *	
Industrial Waste I Fees	\$5,232.47 *	
Industrial Waste II Fees	\$242.72 *	
Contaminated Soils/Sand	\$20,706.76 *	

* \$26,181.95

Wood Waste Facility

Incoming Wood Waste Revenue	\$5,075.48
Total Revenue of Natural Wood Chip Sales	\$633.00
Incoming Green Waste Revenue	\$138.20
Total Revenue of Compost Sales	\$0.00

* \$5,846.68

***REVENUE GRAND TOTAL FOR THE MONTH**

\$159,458.47

*Special Waste/Industrial Waste/Contaminated Soil & Sand charges included in charge amount

Prepared By:

Janet Johnson

Checked By:

Mulayne Buer

**CITY OF HASTINGS
FY 2021-2022 LANDFILL MONTHLY TOTALS**

MONTH	HASTINGS/ADAMS COUNTY					OUTSIDE ADAMS COUNTY					CASH	CHARGE	SPEC/INDR SOIL/SANDS*	TOTAL	DC/CY	RATIO CY/TON
	L-TON	C-TON	SP	IW1/IW2	SOIL/SAND	L-TON	C-TON	SP	IW	S/S						
10/2021	867.21	1,708.39	1.56	99.42	568.99	452.14	575.05	0.00	0.00	0.00	16,483.67	163,233.48	29,939.50	179,717.15	1,040	4.108/1
11/2021	1,152.00	1,661.85	1.11	190.53	589.65	392.74	621.18	0.01	0.00	0.00	14,119.06	181,450.81	36,278.19	195,569.87	1,380	3.34/1
12/2021	910.24	1,854.86	15.12	138.36	489.11	214.52	592.54	0.00	0.00	0.00	10,440.16	168,163.05	30,217.44	178,603.21	1,280	3.293/1
01/2022	1,090.83	1,477.18	0.53	130.96	486.11	187.00	514.34	0.00	0.00	0.00	8,761.75	155,114.56	28,171.93	163,876.31	1,040	3.737/1
02/2022	1,053.53	1,420.63	0.00	87.05	504.93	162.63	499.19	0.00	0.00	0.00	12,702.49	140,909.30	26,181.95	153,611.79	1,780	2.094/1
03/2022														0.00		
04/2022														0.00		
05/2022														0.00		
06/2022														0.00		
07/2022														0.00		
08/2022														0.00		
09/2022														0.00		
TOTAL	5,073.81	8,122.91	18.32	646.32	2,638.79	1,409.03	2,802.30	0.01	0.00	0.00	62,507.13	808,871.20	150,789.01	871,378.33	6,520	---

20,711.49 Total Tons-To-Date

Industrial Waste I & Industrial Waste II

*Spec/Ind Waste/Soil/Sand Waste added together-Total \$'s

Prepared By: Janet Johnson Checked By: Lulayce Brown

Updated 3/2/2022

CITY OF HASTINGS
FY 2021-2022 WOOD WASTE FACILITY MONTHLY TOTALS

MONTH	TOTAL TON INCOMING WOOD WASTE	TOTAL INCOMING \$	TOTAL CY STD CHIP SALES	TOTAL CY PREM CHIP SALES	TOTAL CHIP SALES	GRAND TOTAL	
10/2021	238.65	\$9,024.14	227.00	50.00	\$585.87	\$9,610.01	Parks=13.30 T Wd & 16 cy Prem Wd Chips N/C, Cemetery= 13.10 T Wd & 2 cy Standard Wd Chips N/C, Street Dept= 21 T Wood N/C, Highland Park 30 cy Standard Wd Chips N/C
11/2021	367.91	\$8,839.92	490.00	17.00	\$1,122.49	\$9,962.41	Parks=2.76 T Wd N/C, Cemetery=155.81T Wd N/C
12/2021	355.41	\$8,866.49	330.00	0.00	\$696.30	\$9,562.79	Parks=83.08 T Wd N/C, Cemetery= 57.02 T Wd N/C, Street 3.36 T Wd N/C
01/2022	384.01	\$5,285.56	200.00	0.00	\$422.00	\$5,707.56	Parks= 253.85 T Wd & 1.69 T Xmas Trees N/C
02/2022	273.68	\$5,075.48	300.00	0.00	\$633.00	\$5,708.48	Parks= 151.03T Wd N/C, Airport=.66T Wd N/C, Street=.25T Wd N/C
03/2022						\$0.00	
04/2022						\$0.00	
05/2022						\$0.00	
06/2022						\$0.00	
07/2022						\$0.00	
08/2022						\$0.00	
9/1/202						\$0.00	
TOTALS	1,619.66	\$37,091.59	1,547.00	67.00	\$3,459.66	\$40,551.25	

Prepared By: Janet Johnson Checked By: Melanie Brown

CITY OF HASTINGS
FY 2021-2022 GREEN WASTE & COMPOST MONTHLY TOTALS

MONTH	TOTAL TON INCOMING GREEN WASTE	TOTAL INCOMING \$	TOTAL CY COMPOST SALES	TOTAL \$ COMPOST SALES	GRAND TOTAL
10/2021	12.23	\$567.73	80.00	\$168.80	\$736.53
11/2021	13.69	\$756.30	80.00	\$168.80	\$925.10
12/2021	8.19	\$457.29	0.00	\$0.00	\$457.29
01/2022	3.38	\$147.82	0.00	\$0.00	\$147.82
02/2022	2.56	\$138.20	0.00	\$0.00	\$138.20
03/2022					\$0.00
04/2022					\$0.00
05/2022					\$0.00
06/2022					\$0.00
07/2022					\$0.00
08/2022					\$0.00
09/2022					\$0.00
TOTALS	40.05	\$2,067.34	160.00	\$337.60	\$2,404.94

Prepared By: Janet Johnson Checked By: Aulagne Buser

CITY OF HASTINGS

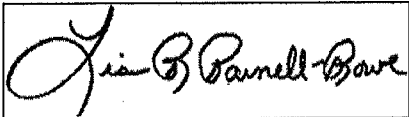
2021-2022 USED OIL/ANTI-FREEZE COLLECTION MONTHLY TOTALS

MONTH	TOTAL INCOMING USED OIL (GAL)	TOTAL INCOMING ANTI-FREEZE (GAL)	TOTAL INCOMING \$	
10/2021	4.00	0.00	\$1.00	Public Only
11/2021	41.00	10.00	\$12.75	Public Only
12/2021	118.00	0.00	\$29.50	Public Only
01/2022	25.00	0.00	\$6.25	Public Only
02/2022	1.00	2.00	\$0.75	Public Only
03/2022				
04/2022				
05/2022				
06/2022				
07/2022				
08/2022				
09/2022				
TOTALS	189.00	12.00	\$50.25	

Prepared By: Janet Johnson Checked By: Julayne Brown

**CITY OF HASTINGS
DEVELOPMENT SERVICES DEPARTMENT
MONTH END REPORT FOR FEBRUARY 2022**

Type of Permit	# of Permits	Fees	Valuation
Electric	24	\$ 1,770.00	\$ -
Gas	11	\$ 260.00	
Plumbing			
Inspection	11	\$ 325.00	
Utilities		\$ 6,174.18	
Building			
Issued	18	\$ 38,990.16	\$ 12,695,252.37
Demolition	0	\$ -	
Dumpster	2	\$ 50.00	
Sign Permits	0	\$ -	
Fence Permits	8	\$ 180.00	
Street Access Permits	5	\$ 150.00	
Moving Permits	1	\$ 30.00	
Roofing Permits	11	\$ 330.00	
Siding Permits	0	\$ -	
Zoning and Filing Fees		\$ 1,971.00	
Out of District		\$ -	
Electric Cards		\$ 340.00	
Plumbing Cards		\$ -	
Gas Cards		\$ -	
Electric Exams		\$ -	
Plumbing Exams		\$ 150.00	
Gas Exams		\$ -	
Occupation Tax		\$ 100.00	
Subtotals	91	\$ 50,820.34	\$ 12,695,252.37
HU Plbg. Reimbursement		\$ 6,053.05	
HU Out of District Fees		\$ -	
Total Collected	91	\$ 44,767.29	\$ 12,695,252.37



Development Services Director

Parks & Recreation Department

February 2022

Musco LED ballfield lights were installed at the Rec Fields. The existing lights were put in the 70's and both the lights and the poles were starting to fail. These lights were paid for by the Parks/Rec Sales tax fund. We have two other ballfields in town that will be receiving similar upgrades.

Utility work has started on the new restrooms at Crosier Park and Heartwell Park. The restroom buildings have experienced material delays so were looking at an April installation rather than March.

Recreation

The month of February started off with Daddy Daughter Date Night which was held at the Auditorium. We were at max capacity serving 212 dads and daughters. It was a great turnout. The event was catered by Runcie's Catering Service.

Staff joined a conference call with Esports GG Leagues to discuss the Spring Season. Staff also joined a conference call with other cities to discuss the youth track and field meet.

Youth basketball wrapped up on the 19th. Everything went well at both the Hastings Middle School and Community Center.

Our department hosted a youth volleyball tournament with 61 teams in attendance. A total of 15 courts were used between Adams Central High School and Grade School, Hastings Middle School and Hastings High School. The tournament turned out to be a great success.

The Spring Summer Activity Guide was published and distributed around the community to end the month.

Aquacourt

Quotes received on the hallway floor repair. Recruiting lifeguards to get signed up for certification courses at the YMCA. Received lounge chairs for the pool deck.

Parks

Continuing to work on the removal tree list.

Sandblasted a trailer to paint.

Serviced equipment from the Softball Complex.

Cleaned up the old PD Building.

Cleaned up the Sewell property.

Stumped trees.

Cut down trees on Hastings Utilities property.

Fertilized and agilime the fields at Softball Complex.

Set up old equipment for the City Auction.

Demo the Heartwell Park restrooms.

Surveyed the plumbing for the new restrooms at Crosier and Heartwell Park.

Blake Gibson was recertified for pesticides.

Bryson, Isaac, and Will took the initial test for pesticides.

Cody, David, Isaac, and Terry attended a workshop at Odey's in Omaha.

Director's Meetings

2/2 Unclaimed Materials – Fire Dept.
2/7 Caleb Day – Disc Golf Course
2/10 Adams County CVB Board
2/17 Gail Jones – Legion Baseball
2/22 City Insurance
2/24 Lake Hastings Renovation

Auditorium

6 of 28 days rented

Cemetery

Adult Burials – 6
Niche Sales – 1
Grave Sales – 4

We are continuing to work on the north tree line and Mount Sinai trees. The mowers are ready to go for the Spring season. Staff has in-service the Mud Track Trailer and Cremation Trailer. Continuing to clean-up flowers and decorations that have been wind-blown.

WORK ORDER ENGINEERING ESTIMATE

HASTINGS UTILITIES

HASTINGS, NEBRASKA

Name of
Department: Electric

Construction: X

Retirement: _____

Work Order No.: EL-199

Budget Item No.: 2.53 21/22

Budget Item Amt: \$31,000

DESCRIPTION AND LOCATION:

Removing (1) 3 Phase Pad Mount Transformer and Installation of a New 3 Phase Pad Mount Transformer to Serve New Hospital Building Located at 715 North Kansas Avenue

PURPOSE OF WORK IMPROVEMENT:

Mary Lanning Healthcare New MSB Bulding

CONTRIBUTIONS/REMARKS:

Estimated Cost	Amount	Attached Map or DWG No.:	E-UD-785
1. Material to be Purchased	\$0.00	Sheet No.:	
2. Material from Stock	\$ 24,528.60		
3. Labor	\$ 2,480.00	Date Work to be Started:	2/15/2022
4. Truck Usage	\$ 1,050.00		
5. Equipment Usage	\$ -	Checked By: Douglas Baumgart	Date
6. Contract Amount		Digitally signed by Douglas Baumgart Date: 2022.02.25 08:17:06 -06'00'	
7. Easements		Checked By: Tyler Waite	Date
		Digitally signed by Tyler Waite Date: 2022.02.25 10:11:28 -06'00'	
SUBTOTAL	\$28,058.60	Approved By: Lee Vrooman	Date
Engineering & Administrative @ 6%	\$ 1,683.52	Digitally signed by Lee Vrooman Date: 2022.03.07 09:13:42 -06'00'	
Vehicle Usage @ 1%	\$ 280.59	Director of Engineering	
		Approved By:	Date
SUBTOTAL	\$30,022.70		
Less Developer Contribution		Hastings City Council	
		Authorized By: Kevin D Johnson	Date
		Digitally signed by Kevin D Johnson Date: 2022.03.07 09:16:20 -06'00'	
TOTAL ESTIMATED COST OF WORK ORDER	\$30,022.70	Manager	

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: EL-199

B.I. No.: 2.53

B.I. Yr.: 21/22

LABOR AND EQUIPMENT ESTIMATE

Classification of Labor or Equipment to be Used		No of Hr/Mi/Ft	Cost Per Unit	Subtotal	Total Cost
LABOR:	Engeneering Department (\$50)	8	50.00	400.00	\$2,480.00
	Electric Department	32	65.00	2,080.00	
	Gas Department	0	55.00	0.00	
	TOTAL - LABOR				
TRUCKS:	Trucks 22 & 23 (Hours)	2	218.75	437.50	\$1,050.00
	Trucks 24 & 28 (Hours)	0	137.50	0.00	
	Trucks 25 & 26 (Hours)	1	62.50	62.50	
	Truck 27 (Hours)	1	550.00	550.00	
				0.00	
				0.00	
	TOTAL - TRUCKS USAGE				
EQUIPMENT	Air Compressor (Hours)	0	31.25	0.00	\$0.00
	Backhoe (Hours)	0	37.50	0.00	
	Boring Machine or Bore (Feet)	0	1.50	0.00	
	Packer (Hours)			0.00	
	Trench (Feet)	0	8.75	0.00	
	Skid Steer			0.00	
	Hydra Tamp (Hours)	0	143.75	0.00	
	Spoil Vac (Hours)	0	75.00	0.00	
TOTAL - EQUIPMENT USAGE				\$0.00	
TOTAL COST ALL LABOR AND EQUIPMENT ESTIMATE				\$3,530.00	

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
1	ea.	019-09-06	5/8" x 10' Ground Rod	13.32	13.32	
1	ea.	020-02-03	5/8" Ground Clamp	1.68	1.68	
3	ea.	043-08-03	#2 15KV Loadbreak Elbow	33.95	101.85	
8	ea.	044-01-04	Split-Bolt Ground Connectors	1.74	13.92	
2	ea.	046-08-01	Transformer Ground Connectors	3.80	7.60	
3	ea.	049-18-00	15KV SMU-20 Fuse Holders	329.44	988.32	
3	ea.	049-18-13	100 Amp 15KV SMU-20 Fuses	119.57	358.71	
20	ft	068-01-04	#4 Bare Copper Ground Wire	0.82	16.40	
1110	ft	077-13-02	#2 15KV Aluminum 220Mil Jacketed Cables	1.57	1,742.70	
3	ea.	089-17-02	#2 15KV Termimatic	52.07	156.21	
3	ea.	089-50-03	#2 2 Hole Terminal Lugs	4.18	12.54	
6	ea.	370-01-06	1/2" Bronze Lock Washers	0.28	1.68	
12	ea.	370-02-06	Stainless Steel Washers	0.28	3.36	
6	ea.	381-04-01	1/2" Bronze Nuts	0.60	3.60	
			TOTAL		\$ 3,421.89	\$ -

Estimated By: B.Tran

Date: 2/10/22

Page 2

Date: 2/10/22 Page 3

WORK ORDER ENGINEERING ESTIMATE

HASTINGS UTILITIES

HASTINGS, NEBRASKA

Name of Department: GAS

Construction: X

Retirement: _____

Work Order No.: GA-361

Budget Item No.: 1.06 2021/2022

Budget Item Amt: \$32,000

DESCRIPTION AND LOCATION:

Relocation and upgrades for Noah's Ark Meterset on M Street.

PURPOSE OF WORK IMPROVEMENT:

Existing meterset is located inside their plant. Access to the meter is limited and at times not possible by vehicle. The meter is located in a congested work area and at risk of damage. Proposing to relocate the meter to the NW side of their property and put within a fenced and protected area. This will benefit the meter readers' monthly trips and permit a safer and quicker response during an emergency.

CONTRIBUTIONS/REMARKS:

Estimated Cost	Amount	Attached Map or DWG No.:	G-662
1. Material to be Purchased	\$5,640.62	Sheet No.:	2
2. Material from Stock	4,000.00	Date Work to be Started:	3/21/22
3. Labor	9,450.00	Checked By: Digitally signed by Ed Fleharty Date: 2022.02.22 16:54:02 -06'00'	Date
4. Truck Usage	0.00	Ed Fleharty	
5. Equipment Usage	1,092.50	Checked By: Digitally signed by Tyler Waite Date: 2022.03.03 13:17:39 -06'00'	Date
6. Contract Amount		Tyler Waite	
7. Fence Proposal	8,600.00	Approved By:	Date
8.		Digitally signed by Lee Vrooman Date: 2022.03.05 15:49:11 -06'00'	
SUBTOTAL	\$28,783.12	Lee Vrooman Director of Engineering	
Engineering & Administrative @ 6%	1,726.99	Approved By:	Date
Vehicle Usage @ 4%	1,151.32		
Subtotal	\$31,661.43		
Less Developer Contribution		Hastings City Council	
		Authorized By: Digitally signed by Kevin D Johnson Date: 2022.03.07 07:15:22 -06'00'	Date
		Kevin D Johnson Manager	
TOTAL ESTIMATED COST OF WORK ORDER	\$31,661.43		

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: GA-361

B.I. No.: 1.06

B.I. Yr.: 2021/2022

LABOR AND EQUIPMENT ESTIMATE

Classification of Labor or Equipment to be Used		No of Hr/Mi/Ft	Cost Per Unit	Subtotal	Total Cost
LABOR:	Engeneering Department (\$50)	24	50.00	1,200.00	
	Gas Department	150	55.00	8,250.00	
TOTAL - LABOR					\$9,450.00
TRUCKS:				0.00	
				0.00	
				0.00	
				0.00	
				0.00	
				0.00	
TOTAL - TRUCKS USAGE					\$0.00
EQUIPMENT:	Air Compressor (Hours)	1	7.50	7.50	
	Backhoe (Hours)	8	45.00	360.00	
	Boring Machine or Bore (Feet)	0	1.25	0.00	
	Packer (Hours)	1	5.00	5.00	
	Trench (Feet)	0	0.00	0.00	
	Skid Steer	0	0.00	0.00	
	Hydra Tamp (Hours)	2	180.00	360.00	
	Spoil Vac (Hours)	4	90.00	360.00	
TOTAL - EQUIPMENT USAGE					\$1,092.50
TOTAL COST ALL LABOR AND EQUIPMENT ESTIMATE					\$10,542.50

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
30	LF	601-02-10	Pipe, 4", Sch40, 0.237" Wall, Black, A53, Gra	4.47	134.10	
8	LF	N/S	Pipe, 3", Sch40, 0.216" Wall, Black, A53, Gra	14.10	-	112.80
-	LF	601-00-10	Pipe, 4", SDR 11, Black w/Yellow Stripe, HDP	2.97	2.97	
4	EA	625-02-05	Elbow, 90 degree, 4", LR, Std, A234 WPB, W	32.19	128.76	
2	EA	625-02-04	Elbow, 90 degree, 3", LR, Std, A234 WPB, W	8.44	16.88	
2	EA	621-02-42	Transition Fitting, 4", Straight, Sch40 CS x SD	193.15	386.30	
1	EA	N/S	Valve, Ball, 3", Kerotest, CL150, Weld Ends, I	1,169.33	-	1,169.33
3	EA	602-09-04	Valve, Ball, 4", Kerotest, CL150, Weld Ends, I	281.71	845.13	
2	EA	625-07-43	Tee, Reducing, 4"x3", Weld, Std., A234 WPB	18.28	36.56	
2	EA	N/S	Nipple, 3"x3"long, sch40, Black, Thread x We	5.88	-	11.76
2	EA	437-15-11	Cap, 3", Threaded, Black Malleable, CL150	15.00	30.00	
4	EA	N/S	Flange, 3", Class 150, Std, FF, Weld Neck	30.96	-	123.84
2	EA	N/S	Gasket, 3", CL150, Garlock, Blue Guard	5.42	-	10.84
40	EA	402-05-10	Stud Bolts, 5/8"x3-1/2", B7, Black	1.00	-	40.00
			TOTAL		\$1,580.70	\$ 1,468.57

Estimated By: Pfeifer/Keever

Date: 2/17/22

Page 2

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: GA-361

B.I. No.: 1.06

B.I. Yr.: 2021/2022

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
80	EA	402-05-10	Heavy Hex Nuts, 5/8", B7, Black	1.00	-	80.00
6	EA	N/S	Flange, 4", Class 150, Std, FF, Weld Neck	37.41	-	224.46
3	EA	N/S	Gasket, 4", CL150, Garlock, Blue Guard	6.99	-	20.97
1	EA	KGM	Strainer, Wye, 4", Flanged, CL125, Nibco - YS-61-C	820.38	-	820.38
1	EA	425-08-02	Nipple, 1-1/2" x 2", sch40, Black, TBE	2.75	-	2.75
1	EA	459-10-08	Valve, Ball, 1-1/2", Mueller, 100psig	180.74	-	180.74
1	EA	433-19-08	Plug, 1-1/2", CL125, Cast Iron, Square Head	2.00	2.00	
2	EA	N/S	Threadolet, 3/4", CL3000, Steel, A105	6.24	-	12.48
2	EA	N/S	Nipple, 3/4"x2", sch80, Black, Threaded	1.98	-	3.96
2	EA	LM-07362	Valve, Ball, 3/4", 3000#, Balon	71.90	143.80	
1	EA	N/S	Reducer, Bushing, 3/4"x1/4", Threaded, Steel	1.60	-	1.60
1	EA	N/A	Pressure Gauge, Ashcroft, 0-30PSI, 1/4" Bottom Md	93.85	-	93.85
1	EA	433-19-05	Plug, 3/4" NPT, Black, Steel	5.00	5.00	
1	EA	650-02-07	Gasket, Isolation Kit, 4", Class 150	12.97	12.97	
16	EA	KGM	Cap Screws, 5/8", Dresser, Coated	4.00	-	64.00
1	EA	Metershop	Meter, Roots, 16M175	1,500.00	-	1,500.00
1	EA	Metershop	MicroCorrecter, Dresser, PTZ+Log	1,000.00	-	1,000.00
1	EA	Metershop	MicroCorrecter Cover, Dresser, Stainless Steel	80.00	-	80.00
1	LS	097-09-12	Tapecoat H35, 2" wide roll	17.76	17.76	
1	EA	650-20-01	Rhino Tri-View Test Station	33.05	33.05	
30	LF	075-05-12	Tracer Wire, Yellow, #12 AWG, Stranded	0.10	3.00	
1	EA	650-40-01	Cadweld, #15, Wire to Pipe	1.29	1.29	
1	EA	650-25-17	Anode, Magnesium, High Potential, Bag, #17	65.88	65.88	
20	LF	072-02-10	Tracer Wire, Black, #10 AWG, Stranded	0.10	2.00	
10	LF	072-01-09	Tracer Wire, White, #10 AWG, Stranded	0.10	1.00	
1	EA	Mesa	Epi-Seal Seam Sealer, Glas Mesh, 1# Kit	37.11	-	37.11
1	EA	Mesa	4" FRP 120 Saddle	27.53	-	27.53
1	EA	Mesa	3" FRP 120 Saddle	22.22	-	22.22
					-	
	LS		Miscellaneous Lump	2,131.55	2,131.55	
					-	
					-	
					-	
					-	
					-	
					-	
					-	
			Total Page 3		\$ 2,419.30	\$4,172.05
			Total Page 2 Brt Fwd		\$ 1,580.70	\$1,468.57
					-	
			TOTAL (Pages 2 & 3)		\$ 4,000.00	\$5,640.62

Estimated By: Pfeifer/Keever

Date: 2/17/22 Page 3

Department: City Clerk
Staff Contact: Lori Vorderstrasse, Kim Jacobitz
Council Meeting Date: 3/14/2022

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on the application of BG Olive Saloon, LLC dba "BG Olive Saloon" for a Class "C" Liquor License at 423 W. 3rd Street.

Resolution No. 2022-09 approving/denying the application of BG Olive Saloon, LLC dba "BG Olive Saloon" for a Class "C" Liquor License at 423 W. 3rd Street.

Names of People/Business affected by this action:

Citizens of Hastings

Why Council action is required:

State Statutes

Type of action requested:

Resolution

Suggested motion:

Resolution No. 2022-09 approving/denying the application of BG Olive Saloon, LLC dba "BG Olive Saloon" for a Class "C" Liquor License at 423 W. 3rd Street.

Deadlines associated with action:

The Council has 45 days to conduct a hearing after the date of receipt of the notice from the Liquor Control Commission.

Department head comments:

This license is being applied for due to a change in ownership. There is currently a Class "C" Liquor License held at this location. A Class "C" Liquor License is for retail sale of beer, wine, spirits, on and off sale.

The Development Services Department and the Police Department findings regarding the liquor license application are attached.

City Administrator comments:

Recommend approval

RESOLUTION NO. 2022-09

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, that after hearing had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent city ordinances of the City of Hastings, Nebraska:

_____ The Hastings City Council hereby recommends that the application of BG Olive Saloon, LLC dba "BG Olive Saloon" for a Class "C" Liquor License at 423 W. 3rd Street, Hastings, Nebraska, be approved.

_____ The Hastings City Council hereby recommends that the application of BG Olive Saloon, LLC dba "BG Olive Saloon" for a Class "C" Liquor License at 423 W. 3rd Street, Hastings, Nebraska, be denied for the following reasons:

BE IT FURTHER RESOLVED, that the City Clerk is directed to transmit a copy of this Resolution to the Nebraska Liquor Control Commission.

PASSED AND APPROVED this _____ day of _____, 2022.

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)

APPROVED TO FORM:

Clint Schukei, City Attorney

PREMISES INFORMATIONTrade Name (doing business as) BG Olive SaloonStreet Address 423 West 3rd StreetCity Hastings County Adams 14 Zip Code 68901 +7540Premises Telephone number 402-463-9181

Business e-mail address _____

Is this location inside the city/village corporate limits

YES

X

NO

MAILING ADDRESS (where you want to receive mail from the Commission)

Check if same as premises

Name BG Olive Saloon, LLCStreet Address 423 West 3rd StreetCity Hastings State NE Zip Code 68901 +7540**DESCRIPTION AND DIAGRAM OF THE AREA TO BE LICENSED**

IN THE SPACE PROVIDED BELOW OR ATTACH A DRAWING OF THE AREA TO BE LICENSED.

DO NOT SEND BLUEPRINTS, ARCHITECT OR CONSTRUCTION DRAWINGS

PROVIDE LENGTH X WIDTH IN FEET (NOT SQUARE FOOTAGE)

INDICATE THE DIRECTION OF NORTH

Building length 49 1/2 x width 70 in feet

Is there a basement?

Yes

No

X

If yes, length _____ x width _____ in feet

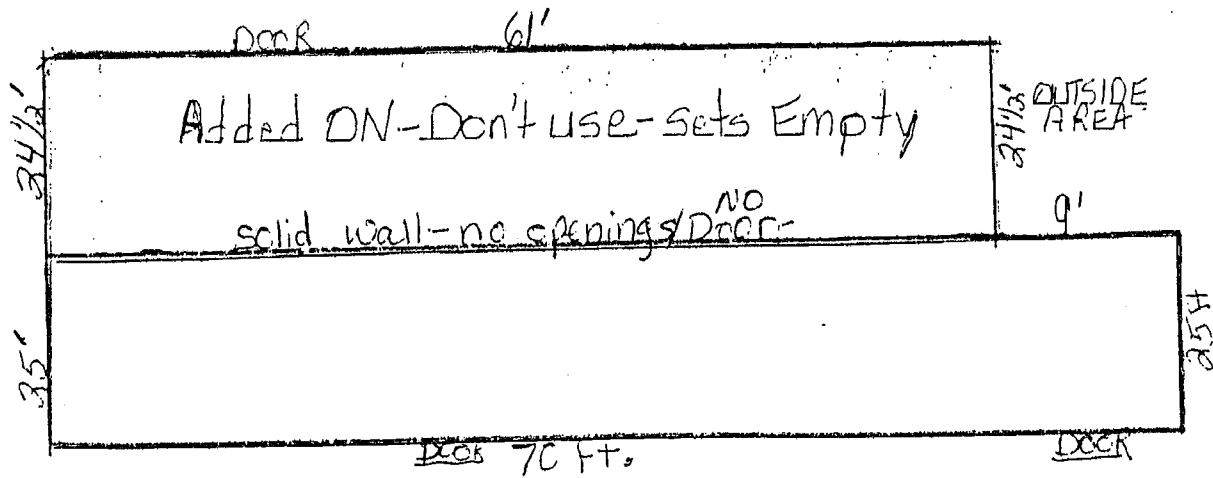
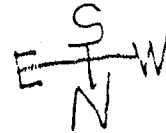
Is there an outdoor area?

Yes

No

XIf yes, length 24 1/2 x width 9 in feetNumber of floors of the building 1**PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET**

One story bldg approx 50 x 70 with an
outdoor area approx 25 x 9





February 24, 2022

RE: 423 W. 3rd St. Hastings, NE 68901

This letter has been prepared in response to your Request for Zoning Information for the above reference properties.

The zoning for the property is C-2 Central Business District, the BG Olive Saloon is a permitted use within the district

I hope this information is helpful. Please contact me if you have any further questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brian H.", with a stylized flourish at the end.

Brian Hurskainen
City Planner



317 SOUTH BURLINGTON, HASTINGS, NEBRASKA 68901

Date: February 25th, 2022

To: Dave Ptak, City Administrator

From: Detective Sgt. Paul Weber

Re: Liquor Application

I have reviewed the Application for License; BG Olive Saloon, LLC, located at 423 West Third Street, Hastings, Ne under the owner/manager name of Bradley J. Gregory aka: Brad Gregory.

I have not discovered any information that would disqualify either the applicant or the establishment.

Sgt. Paul Weber

Department: City Clerk
Staff Contact: Kim Jacobitz, Lori Vorderstrasse
Council Meeting Date: 3/14/2022

AGENDA ITEM SUMMARY SHEET

Description of Item:

Approval of the manager application of Bradley J. Gregory in connection with the Class "C" Liquor License of BG Olive Saloon, LLC dba "BG Olive Saloon" located at 423 W. 3rd Street.

Names of People/Business affected by this action:

Citizens of Hastings

Why Council action is required:

State Statutes

Type of action requested:

Motion

Suggested motion:

Approval of the manager application of Bradley J. Gregory in connection with the Class "C" Liquor License of BG Olive Saloon, LLC dba "BG Olive Saloon" located at 423 W. 3rd Street.

Deadlines associated with action:

No

Department head comments:

The Police Department findings regarding the liquor license application and manager application are attached.

City Administrator comments:

Recommend approval



317 SOUTH BURLINGTON, HASTINGS, NEBRASKA 68901

Date: February 25th, 2022

To: Dave Ptak, City Administrator

From: Detective Sgt. Paul Weber

Re: Liquor Application

I have reviewed the Application for License; BG Olive Saloon, LLC, located at 423 West Third Street, Hastings, Ne under the owner/manager name of Bradley J. Gregory aka: Brad Gregory.

I have not discovered any information that would disqualify either the applicant or the establishment.

Sgt. Paul Weber

Department: Development Services
Staff Contact: Brian Hurskainen
Council Meeting Date: 3/14/2022

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on the request of Troy Stickels to change zoning from "R-3, Multiple Family Residential District" to "C-3, Commercial Business District" for property commonly addressed as 1430 West 16th Street, Hastings, Nebraska 68901 and to amend the Zoning District Map.

Ordinance No. 4697 amending the Zoning District Map to change zoning from "R-3, Multiple Family Residential District" to "C-3, Commercial Business District"

Names of People/Business affected by this action:

The applicant, surrounding neighborhood, people of Hastings, and the City.

Why Council action is required:

Neb. Rev. Stat. 16-404 requires that ordinances be passed by the City Council on three readings, unless three-fourth of the City Council members vote to suspend this requirement.

Type of action requested:

Ordinance

Suggested motion:

Motion to approve Ordinance No. 4697 and to amend the Official Zoning District Map.

Deadlines associated with action:

Not Applicable

Department head comments:

Surrounding zoning is as follows:

North – I-1, Light Industrial District

South – R-3, Multiple Family Residential District

East – R-1 Urban Single Family Residential District (High School Fields)

West – R-1 Urban Single Family Residential District (Libs Park)

This rezone is to fix an inconsistency with the zoning code and the current use of the YMCA. The closest category to what their use is defined as would be an Indoor entertainment and recreation business, defined as:

Indoor entertainment and recreation business. A Service use where facilities for indoor sports,

entertainment, or similar recreation opportunities for participants of spectators are offered as a business. Examples of uses include roller skating rinks, movie theaters, or fitness clubs.

With the current zoning of R-3, Multiple family residential, indoor entertainment and recreation are not permitted as uses. The change to C-3, Commercial Business, allows them to have this use and upgrade their facility.

The Future Land Use Plan for this area has the land designated as a Mixed-Use Neighborhood. This is a supported use as the plan mentions institutional uses as appropriate for the designation.

Planning Commission recommended approval 7-0 at the regular meeting held on February 15, 2022.

City Administrator comments:

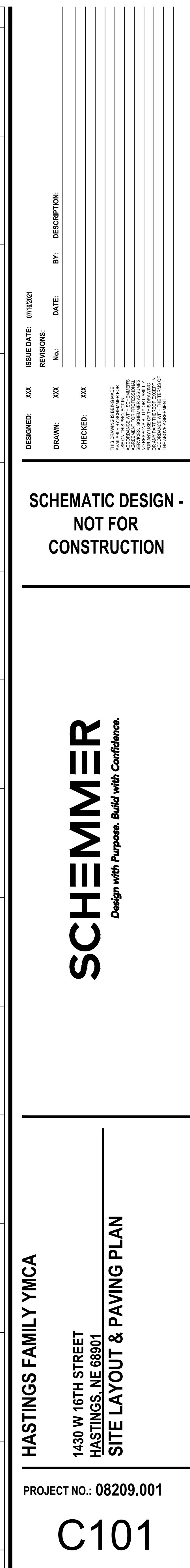
Recommend approval

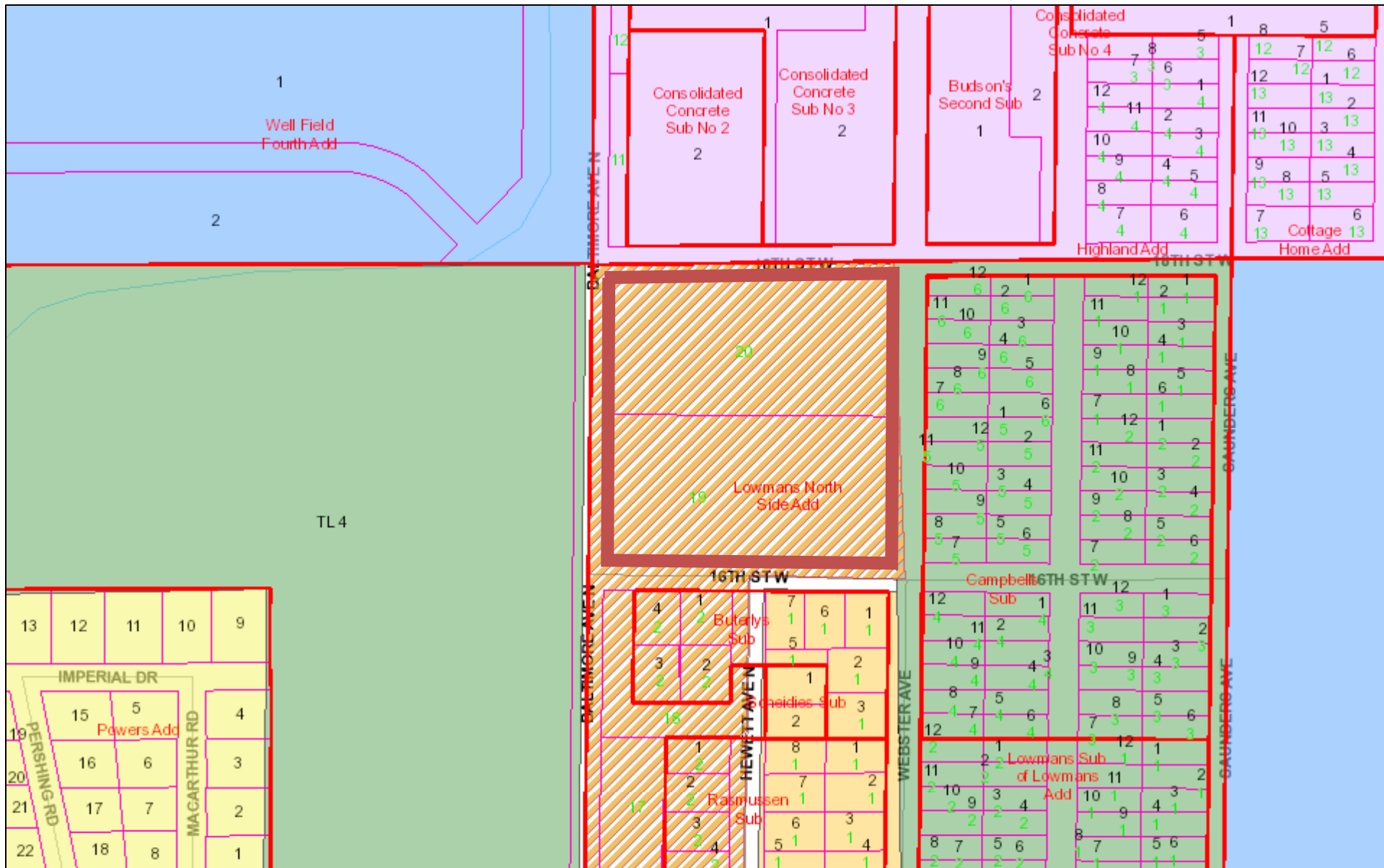
Hastings Family YMCA
January 25, 2022

I. PROJECT SUMMARY

The Hastings Family YMCA is planning an addition and renovation to their existing facility located at 1430 West 16th Street in Hastings, Nebraska. The planned building consists of 51,768 sf of renovated space and 79,939 sf of building additions, as well as site modifications. Site modifications include grading, parking lot improvements, sidewalks, utilities, and storm water management BMPs.

The site is currently zoned R-3 and in order to conform to the current zoning code, we have been asked to rezone this property to the C-3 zoning district.





Legend

- | | | |
|------------------------|--------------------------|--------------------------|
| Runways | Urban Residential | Parks & Recreation |
| SUBDIVISIONS | Mixed-Use - Neighborhood | Agriculture |
| LOTS | Mixed-Use - Community | South Burlington Overlay |
| City boundary | Mixed-Use Downtown | Highway 6 Overlay |
| ETJ boundary | Commercial/Retail | Urban Industrial Overlay |
| Future Land Use | Employment | |
| Rural Residential | Public / Semi-Public | |
| Suburban Residential | | |

Sub Title

Future Land Use

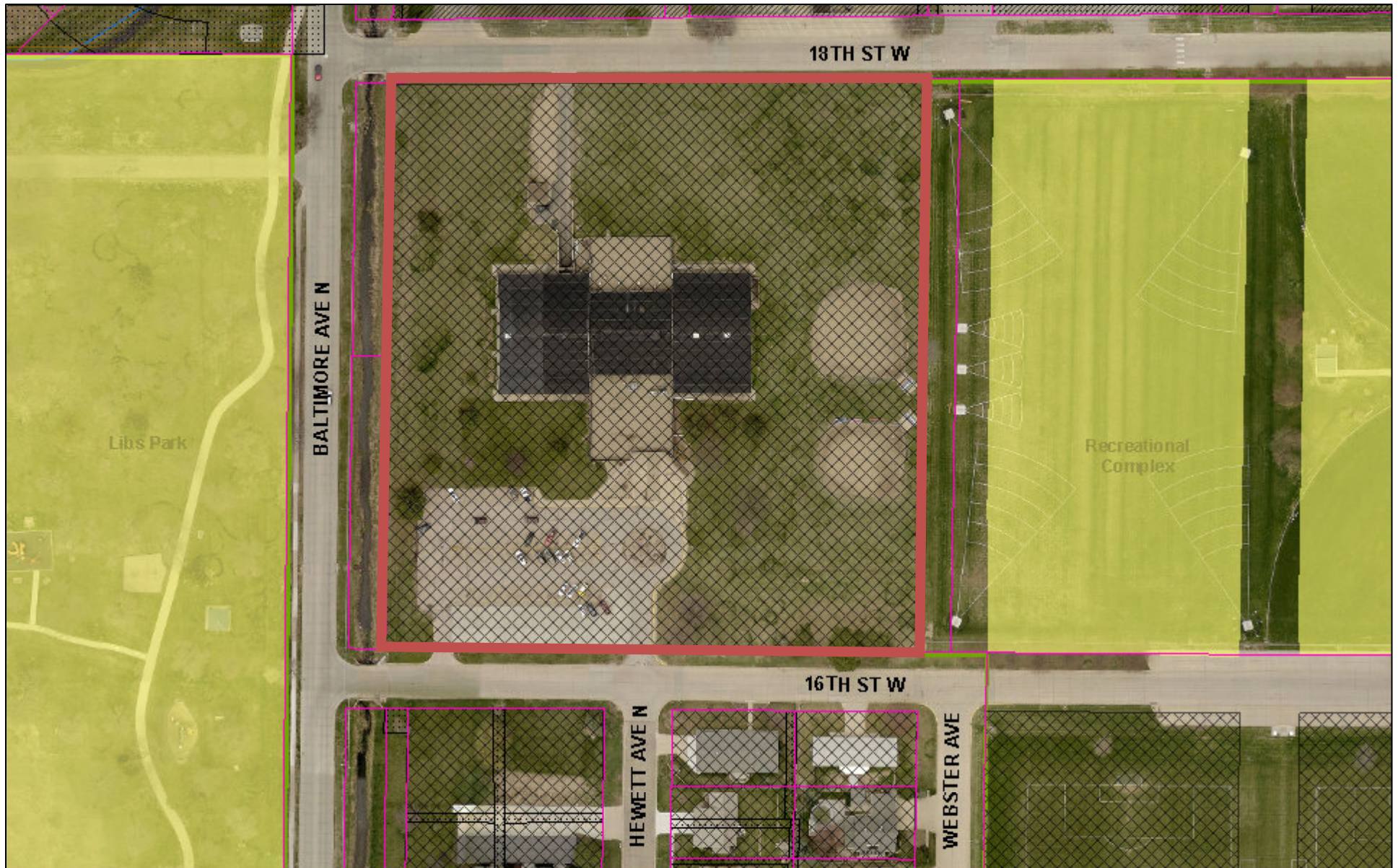
2/7/2022, 8:55:26 AM

This map is to be used for reference purposes only. Legal Survey Title Search is necessary for precise information.



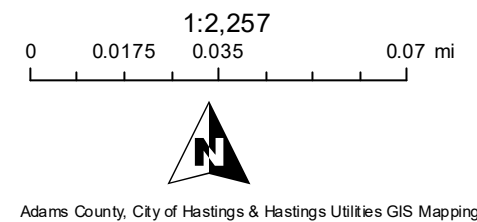
1:4,514

ArcGIS Web Map



2/7/2022, 8:50:14 AM

	Limits		Easements		C-0		CMP		MU		R-1		R-1S		R-5
	OneMile	Zoning			C-1		CZ		MU		R-1		R-2		TA
	TwoMile		A		C-2		FS		R-1		R-3		R-3G		
	Parcels		AG		C-3		I-1		R-1A		R-3G				



ORDINANCE NO. 4697

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA TO REZONE CERTAIN PROPERTY FROM “R-3, MULTIPLE FAMILY RESIDENTIAL DISTRICT” TO “C-3, COMMERCIAL BUSINESS DISTRICT”;

TO REPEAL ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

SECTION 1. That the following described real property, which is commonly known as 1430 West 16th Street, Hastings, Nebraska and which is legally described as follows:

All blocks 19 and 20, except the West 40 feet thereof of block 19 Lowman’s North Side Addition to the City of Hastings, Adams County, Nebraska,
currently zoned “R-3, Multiple Family Residential District” be changed to “C-3, “Commercial Business District”.

SECTION 2. That the City Engineer is hereby directed to cause the Official Zoning District Map of the City of Hastings, Nebraska to be changed in accordance with the foregoing provisions.

SECTION 3. That any ordinance passed and approved prior to the passage of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 4. This ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this 14th day of March, 2022.

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)

APPROVED TO FORM:

Clint Schukei, City Attorney



Permit #: 22010

Permit Date: 01/25/22

Permit Type:

GROUP: Planning

Permit Type: Zoning Change (Rezone)

Title: YMCA Rezone

Site Address: 1430 W 16th Street

Parcel Number:

Owner Name: Troy Stickels

Owner Address: 1430 W 16th St.

City State Zip: Hastings, NE 68901

Owner Phone:

Owner Email: dkerns@schemmer.com

Applicant Name: Troy Stickels

Applicant Address: 1430 W 16th St.

City, State, Zip: Hastings, NE 68901

Phone Number: 4024633139

Applicant Email: troys@hastingsymca.net

Proposed Use: Commercial

Description:

Number of Cases: 1

Project Cost: 0

Square Feet: 79600

Within City Limits: Yes

Current Zoning: R-3, Multiple Family Residential

Current Zoning Explained:**Proposed Zoning:** C-3, General Business**Conditions:****Conditions Defined:****1st PN & Agenda Send By (11:30):** 02/02/2022**1st PN & Agenda Due Date:** 02/04/2022**1st PN & Agenda Sent:** 01/31/2022**2nd PN & Agenda Send By (11:30):****2nd PN & Agenda Due Date:****2nd PN & Agenda Sent:****Sign / Website Posting - Post By:** 02/04/2022**Sign / Website Posting - Posted:** 02/03/2022**APO Letter - Send By:** 02/04/2022**APO Letter - Sent:** 02/04/2022**PC Approval - Date Approved:** 02/15/2022**PC Outcome Letter - Due:** 02/16/2022**PC Outcome - Completed:****CRA Approval - Meeting Date:****CRA Approval - Approved:****CC Packet - Goal Load Date:** 03/04/2022**CC Packet - Due Date:** 03/08/2022**CC Out/Admin Due Date:** 03/14/2022**CC Packet - Completed:****Stage:** Ready for CC Staff Report**CC Out/Admin - Completed:****ENG Meeting:****ENG Email:****Plat Track Review Email:****Communication Preferences:****Status:** Open**Assigned To:** Brian Hurskainen**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010016695	1430 W 16TH ST		Y M C A OF HASTINGS		

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
01/28/2022	2. City Council Meeting		03/14/2022		Brian Hurskainen	Open
01/28/2022	1. Planning Commission Meeting		02/15/2022		Brian Hurskainen	Open

Fees

Fee	Description	Notes	Amount
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Rezoning Application

(Amendment to the Zoning Map)

\$550.00

Total**\$550.00****Payments**

Date	Paid By	Description	Payment Type	Accepted By	Amount
01/25/2022	Daniel J Kerns	327244			\$550.00
Outstanding Balance					\$0.00

Uploaded Files

Date	File Name
01/26/2022	10599625-Owner's Authorization Letter.pdf
01/25/2022	10592477-Narrative.pdf
01/25/2022	11fe3e1488128b18ad0a8f8d85a5ea4d_scene_13.jpg
01/25/2022	3d729a629c773e4b0df2547e2d3b69d2_scene_11.jpg
01/25/2022	1c02041211b1e72e21163c1a06269254_scene_12.jpg
01/25/2022	e716d2f7dcd35ffff7415b6c177d2f93_scene_4.jpg
01/25/2022	d7928e5091a9f28d8c6aff0d99470d0_scene_9.jpg
01/25/2022	64493a65b7f0310615d0cb4a76eea8a5_scene_1.jpg
01/25/2022	c12384a69dbdd2b1128de1d148416b90_scene_3.jpg
01/25/2022	c45ca209b4a1ccf7a2c6e675dfc33467_08209001-1-c101.pdf

Department: Development Services
Staff Contact: Brian Hurskainen
Council Meeting Date: 3/14/2022

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on the request of the City of Hastings Development Services Department to amend City Code Chapter 34, Article I, regarding definitions of hotels and motels.

Ordinance No. 4698

Names of People/Business affected by this action:

The residents of Hastings, visitors to the City of Hastings and City of Hastings staff.

Why Council action is required:

Neb. Rev. Stat. 16-404 requires that ordinances be passed by the City Council on three readings, unless three-fourth of the City Council members vote to suspend this requirement.

Type of action requested:

Ordinance

Suggested motion:

Motion to approve Ordinance No. 4698 to amend City Code Chapter 34, Article I, regarding definitions of hotels and motels.

Deadlines associated with action:

Not applicable

Department head comments:

City staff have recently been made aware of the definitions for hotels and motels that were creating some challenges for developers and inconsistent with neighboring communities. With how the definition reads now, someone needs 12 or more rooms to open a hotel and there cannot be any provisions for cooking in the individual rooms. The room restriction seems like an odd condition when looking at the surrounding communities like Kearney and Grand Island, both of which do not have any number of rooms in their definitions. The section about cooking in the rooms also seems unnecessary when looked at in relation to the rest of the Tri Cities. In addition, there are currently operating hotels within the city limits (i.e., 200 W 31st Street) that have things to cook with, such as microwaves, electric stovetops and refrigerators within individual rooms. Having these things within the rooms can give travelers a little flexibility and help them enjoy their stay in Hastings a little more, particularly in a city that admittedly has fewer places to eat. The revision to the definition for motels is strictly to simplify the definition and to get closer with surrounding

communities. Parking areas are a given with the transient nature of the people being served with these types of uses. A majority of the people that travel to Hastings are doing it by automobile and will need a place to leave their car in the immediate vicinity. Vending Machines are another omission because they do not add people to the area; no one goes out to these places just to use the vending machines. The other uses listed are accessory uses but can be used by people not staying there. These amendments create fewer arbitrary restrictions for developers and more closely follow what our neighbors in the Tri-Cities adhere to with regard to hotels and motels.

Planning Commission recommended approval 7-0 at their regular meeting held on February 15, 2022.

City Administrator comments:

Recommend approval

Hotel shall mean a building or portion thereof, or a group of buildings, offering transient lodging accommodations on a daily rate to the general public and providing services associated with restaurants, meeting rooms, and recreational facilities. The word "hotel" includes motel, inn, automobile court, motor inn, motor lodge, motor court, tourist court, motor hotel.

V. *Lodging.* Lodging services involving the provision of room and/or board, but not meeting the classification criteria of Bed and Breakfasts. Typical uses include hotels, apartment hotels, and motels.

Sec. 34-104. Descriptions and categories of uses.

The following categories and descriptions of specific uses of land and buildings correspond to the Use Table 34-200. Where a use appears to meet two or more descriptions or where a use is not described, the Director shall make a determination of the most comparable use. In making this determination, the Director shall compare: (a) the intensity and scale of the use relative to the site; (b) the typical site and building designs associated with the use; (c) the functional or operational characteristics and the potential impacts the use on adjacent property; and (d) the potential contribution of the use to the overall character of the district or districts in which the comparable use is allowed. All other uses which cannot be interpreted in this manner are different from the described uses, are not anticipated by these regulations, and may only be allowed by a zoning text amendment.

- (1) *Residential uses.* The residential use category is for all types of dwelling units used for permanent residence, including a variety of lot types, building types, and unit types, that may vary in the kind and classes of buildings based on the character of the neighborhood.

Detached dwelling. A residential use in a detached building designed as a single principal dwelling unit and situated on its own fee simple lot.

Detached dwelling, accessory. A detached single family dwelling located a lot developed with a detached dwelling as the principal use, and accessory to the principal detached dwelling.

Semi-attached dwelling ("duplex"). A residential use in detached building designed as two principal dwelling units. It may be designed as a "paired house," matching the appearance of a house, or it may be designed as a "flat-over-flat," matching the appearance of a small apartment building. A duplex is situated on its own fee simple lot, but each unit of a side-by-side paired house may be platted on an individual lot if party walls are used.

Attached dwelling ("townhouse"). A residential use in a building designed with a series of attached principal dwelling units separated by a single common wall. Each unit is typically situated on its own fee simple lot where party walls are used, but buildings or grounds may be owned in common. Each unit has the same orientation and front façade, and has its own private entrance to the exterior of the structure.

Multi-dwelling building ("apartment"). A residential use in a building designed for more than two principal dwelling units and situated on a single fee simple lot. This building type includes a number of variations based on the permitted building scale, including "stacked flats" (three-story/tri-plex), "six-plex" (paired stacked flats), or larger apartment buildings.

Live/work. A primarily residential use in a building designed for two principal uses, where a portion is designed for residential dwelling use, and a portion is designed for a limited non-residential use to support the occupation or vocation of the resident of the dwelling unit. The non-residential portion is limited to the first story and less than 50 percent of the total floor area of the building. The building is situated on its own fee simple lot but may be attached or detached based on zoning district standards and context.

Mixed-use dwelling. A residential use in a building designed for a mix of uses with office or retail on the first story/street-front and residential uses on the upper stories where the dwelling units are not accessory to the non-residential uses. Mixed-use buildings may be either small- or large-scale, with larger scale buildings, depending on the context and zoning district standards, and typically being broken into multiple fee simple lots with party walls, but the dwelling units may be owned in fee simple, as condominiums, or apartments.

Group housing. The grouping or clustering of living units (dwelling units) on a suitable site in such a manner that the amount of usable open space per unit is equal to or exceeds the open space

requirements for conventional development under the pertinent use district standards. Group housing developments are only allowed by conditional use permit.

Type A manufactured housing. A factory built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, as promulgated by the United States Department of Housing and Urban Development, or any successor regulations thereto. See the provisions of Section 34-312 for additional regulations relating to Type A and Type B Dwellings.

Type B manufactured housing. A modular housing unit as defined in Section 71-1557 of the Nebraska Revised Statutes 1943 which bears the seal of the Nebraska Department of Health. See the provisions of Section 34-312 for additional regulations relating to Type A and Type B dwelling.

Mobile home court. Any mobile home court, trailer park, trailer court or tract of land designated, maintained or tended for the purpose of supplying a location or accommodation for any mobile home or Type A or Type B manufactured dwelling and upon which one or more mobile homes or Type A or Type B manufactured dwelling are parked, and shall include all building used or intended for use as part of the equipment thereof, whether a charge is made for the use of the mobile home court and its facilities or not. 'Mobile home court' shall not include automobile or trailer sales lots on which unoccupied mobile homes are parked for purposes of inspection or sale or storage or a tract of land used to park trailers temporarily for overnight stays for a maximum period of one week where the mobile home trailer is parked for recreational purposes or for stopping by migrating persons while passing through the City.

Mobile home, accessory. A detached, single or two family dwelling which was originally designed for long-term human habitation and which was constructed and fabricated into a complete unit at a factory and capable of being transported to a location for use on its own chassis and wheels, identified by model number and serial number by its manufacturer, and designed primarily for placement on an impermanent foundation, when used for residential or any other purposes, but not including any structure which meets the definition of a Type A or Type B manufactured dwelling.

- (2) *Civic uses.* The civic use category includes uses serving a broad and general public and community interest to enhance daily cultural, social or recreation opportunities for area landowners and residents. This category is based on the need of different kinds and classes of buildings in close proximity with other uses, which can be integrated in to these areas with the appropriate level of civic design. The civic use category may contain uses that are either public and accessible to all citizens; common and accessible by rights associated with ownership; or private and accessible by membership or general association.

Neighborhood assembly (< 350 maximum occupancy). A civic use that conducts organized services, assemblies, or programs on a periodic or occasional basis, primarily for the convenience, entertainment, education, and social or spiritual welfare of nearby residents. Neighborhood assemblies typically have buildings and supporting facilities designed for a capacity of no more than 350 people for any one event. Common examples include meeting halls, neighborhood association club houses, or smaller neighborhood churches.

Community assembly (350—700 maximum occupancy). A civic use that conducts organized services, assemblies, or programs on a periodic or occasional basis, primarily for the convenience, entertainment, education, and social or spiritual welfare for citizens in the general vicinity. Community assemblies typically have buildings and supporting facilities designed for a capacity of no more than 750 people for any one event. Common examples include community centers, museum, or large churches. For larger facilities see entertainment venue.

Eleemosynary or philanthropic institution. A private, non-profit organization which is not organized or operated for the purpose of carrying on a trade or business, no part of the net earnings of which inures to the benefit of any member of said organization or individual, and which either (a) provides volunteer aid to the sick and wounded of the armed forces in time of war and natural relief in case of a national calamity or emergency or (b) provides all or any of the following: religious, social, physical, recreational, and benevolent services. In addition, such term shall include such an organization providing housing and related facilities for elderly or physically handicapped families. This definition shall not be construed to include supervised homes, halfway houses, or supervised home for the mentally handicapped.

Golf course/clubhouse (non-business). A civic use engaged in the management and operation of a golf course as an outdoor recreation activity, and any accessory sales or businesses associated with the operation of the golf course and which are intended solely for patrons of the golf course.

Public park/playground. A civic use where an area of land is used for structured or unstructured outdoor recreation.

Public museum or library. A building used for the artistic, cultural, educational or other exhibition of materials, artifacts, and resources which are presented or made available to the public.

School, elementary or middle. A civic use where buildings and facilities are used for the education and instruction of K through 8 students.

School, secondary. A civic use where buildings and facilities are used for the education and instruction of 9 through 12 students.

School, college or university. A civic use where buildings and facilities are used for the education and instruction of post secondary.

- (3) *Service uses.* The service use category is for businesses engaged in the exchange of professional skills, advice, personal care or other resources, and the nature of the exchange generally requires frequent interactions with the clients, customers or patrons on the premises, and where lots or buildings may require access or exposure to the public-at-large.

Adult care, home. A residence or facility wherein adult day services are provided for less than four adults.

Adult care facility. A program of structured and monitored social, manual, physical, and intellectual services and activities provided in a supervised, ambulatory (including wheelchairs) setting outside an individual's own home, directed toward adults who do not require 24-hour institutional care but who, because of physical or mental impairment (including social isolation) require services in a group setting for the purpose of achieving or maintaining self-sufficiency, preventing or remedying neglect, abuse, or exploitation, and preventing or reducing inappropriate institutional care. Adult day services will constitute a home occupation if conducted in a residence, and in accordance with Hastings City Code Section 34-302.

Automobile service station—Limited. A service use engaged in the retail sale of fuel, and may include accessory sales of lubricants, accessories, repair services, or maintenance services. This use is limited to no more than two fuel pump islands and no more than eight fueling stations.

Automobile service station—General. A service use engaged in the retail sale of fuel, and may include accessory sales of lubricants, accessories, repair services, or maintenance services, or accessory convenience retail. This use is limited to no more than four fuel pump islands and no more than 16 fueling stations.

Automobile service station—Large-scale. A service use engaged in the retail sale of fuel, and may include accessory sales of lubricants, accessories, repair services, or maintenance services, or accessory

convenience retail. This use may have more than four fuel pump islands and more than 16 fueling stations.

Automobile repair—Limited. A service use engaged in the repair, maintenance, or condition of motor vehicles and including the accessory sales of lubricants, parts, or accessories, where the scale of the business and design of the site is such that no outside overnight storage of vehicles or equipment is required.

Automobile repair—General. A service use engaged in the repair, maintenance, or condition of motor vehicles and including the accessory sales of lubricants, parts, or accessories. Where outside overnight storage of vehicles or equipment may be required.

Bank. A service use providing financial services to the general public, including associated office and customer service facilities.

Child care, home. A service use wherein there is provided for up to eight children, as a secondary use within a residential dwelling, any care, supervision, custody, control or other services in lieu of parental supervision, for compensation.

Child care facility. A service use wherein there is provided for children, as a principal or as an accessory use of non-residential buildings, any care, supervision, custody, control or other services in lieu of parental supervision, for compensation.

Halfway house, quasi-institutional use. Shall be described as a licensed home by the State of Nebraska or the United States Government, for individuals on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, living together as a single housekeeping unit, wherein supervision, rehabilitation, re-employment and counseling are provided to mainstream residents back into society, enabling them to live independently.

Kennel, commercial. An establishment where any combination of more than four dogs or cats are bred, boarded, trained, or sold. Any dog or cat which is younger than four months old, shall not be counted towards the four animal limit. A veterinary clinic shall not be considered to be a kennel for purposes of this chapter.

Lodging, bed and breakfast. A service use where up to six guest rooms are rented, generally for short-term occupancy for sleeping, together with limited facilities for the accommodations of guest in a home-like atmosphere.

Lodging, rooming house. A service use where more than six guest rooms are rented, generally for short-term occupancy for sleeping, together with limited facilities for the accommodations of guest in a home-like atmosphere.

Lodging, hotel. A building occupied or used as a more or less temporary abiding place of individuals or groups of individuals who are lodged, with or without meals, ~~and in which there are more than 12 sleeping rooms, and no provisions for cooking in individual rooms.~~

Lodging, motel. A building containing one or more sleeping rooms to be rented on a daily basis, primarily to the motoring public, together with ~~parking area,~~ recreation space, ~~vending machines,~~ restaurants, clubs, or other related accessory uses including meeting room and banquet facilities.

Medical office. A service use where physicians, dentists, or other health care professionals carrying on their professions. A medical office may include a dental or medical laboratory, but may not include in-patient care or operating rooms for major surgery and may not be open for after-hours emergency care.

Medical clinic. A service use where physicians, dentists, or other health care professionals are associated for the purpose of carrying on their professions. A health clinic may include a dental or

medical laboratory, after hours emergency care, but it may not include in-patient care or operating rooms for major surgery.

Medical hospital. A service use providing health services, primarily for inpatients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities and staff offices.

Nursing home/assisted living. Any structure used or occupied by persons recovering from illness or suffering from infirmities of old age in a group care setting.

Professional services office. A service use where individuals with specialized knowledge provide planning, advice, technical aid to the general public. Examples include doctor of medicine, engineer, lawyer, accountant, insurance agent or other similar professional services.

Self storage. A self-service storage facility designed to provide dead storage for families and small businesses only.

Veterinary office. A Service use where domestic animals are cared for in an office environment and any boarding areas is only accessory to the primary use of the facility for ordinary care and treatment of domestic animals.

Veterinary hospital. A service use where animals are admitted for examination, treatment, or health care by a doctor of veterinary medicine, which may include boarding and other facilities associated with longer term care or extraordinary treatments.

- (4) *Employment uses.* The employment use category is for businesses engaged in administrative, clerical, and professional operations and support, where products or services are of the nature that generally do not require daily on-premise interactions with the clients, customers or patrons, and where lots and buildings are not primarily designed to maximize exposure to the public-at-large.

Home occupation. Any occupation or activity carried on within a dwelling unit by a member(s) of the family residing on the premises, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character thereof. The regulations pertaining to home occupations can be found in Section 34-302.

Office—Limited. An employment use which is limited and associated with another use, and generally involves less than 2,000 square feet of office space, and where each owner or tenant typically employs less than ten employees on premises.

Office—Small. An employment use which is not an accessory to another use, but limited individual units of gross leasable area are less than 3,500 square feet, and where each owner or tenant typically employs less than 20 employees on premises. Examples include small-scale professional service offices such as accountants, architects, insurance, law, real estate, or other similar businesses which can operate within the unit square footage and employee limits of this category.

Office—General. An employment use where individual units of gross leasable area are between 3,500 and 20,000 square feet, and where each owner or tenant typically employs between 20 and 100 employees on premises. Examples include large professional service offices such as accountants, architects, insurance, law, real estate, or other similar businesses which exceed the office—limited category, or other moderate size business or corporate employment operations.

Major office or office complex. An employment use where individual units of gross leasable area may be more than 20,000 square feet in a single building or group of buildings, and each owner or tenant may typically employ more than 100 employees on premises. Examples include major professional service firms or large corporate offices.

-
- (5) *Commercial and retail uses.* The commercial use category is for businesses engaged in the exchange of merchandise for general consumers, and nature of the exchange generally requires frequent interactions with the clients, customers or patrons on the premises, where lots or buildings are primarily designed for exposure to the public-at-large.

Convenience retail, automobile (< 5K). A commercial use primarily engaged in the small-scale sale of household merchandise and general consumer products and involving less than 5,000 square feet of gross leasable area. Convenience retail, automobile uses are characterized by a target market based on high-traffic roadways, or are an associated accessory to an employment or service business.

Convenience retail/corner store (< 2K). A commercial use primarily engaged in the small-scale sale of household merchandise and general consumer products and involving less than 2,000 square feet of gross leasable area. Convenience retail/corner store uses are characterized by a target market area of less than ¼ mile radius for most of its on-premise sales or are associated accessory to an employment or service business.

Neighborhood retail (< 5K). A commercial use primarily engaged in the small-scale sale of household merchandise and general consumer products and involving less than 5,000 square feet of gross leasable area. Neighborhood retail uses are characterized by a target market area of less than ½ mile radius for most of its on premise sales.

General retail (5K—20K). A commercial use primarily engaged in the sale of household merchandise, specialty merchandise, and consumer products and involving between 5,000 and 20,000 square feet of gross leasable area. General retail uses are characterized by a target market area of less than one mile radius for most of its on-premise sales.

Large-scale retail (20K—100K). A commercial use primarily engaged in the s sale of household merchandise, specialty merchandise or general consumer products and involving between 20,000 and 100,000 square feet of gross leasable area. Large-scale retail uses are characterized by a target market area that may be greater than one mile radius for its on-premise sales.

Warehouse retail (> 100K). A commercial use primarily engaged in the sale of household merchandise, specialty products, general consumer products, or wholesale products and involving greater than 100,000 square feet of gross leasable area. Warehouse retail uses are characterized by a target market area more than one mile radius for most of its sales.

Grocery store (< 45,000K). A commercial use engaged in the retail sale of a broad range of food products and limited household products for consumption off premises, although some limited areas may be dedicated to the on-premise sale and consumption of food. A grocery store involves less than 45,000 square feet of gross leasable area and is characterized by a target market of less than one-mile radius.

Supermarket (> 45,000[K]). A commercial use engaged in the retail sale of a broad range of food and household products for consumption off premises, although some limited areas may be dedicated to the on-premise sale and consumption of food. A supermarket typically involves more than 45,000 square feet of gross leasable area and is characterized by a target market of greater than one-mile radius.

Indoor entertainment and recreation business. A service use where facilities for indoor sports, entertainment, or similar recreation opportunities for participants of spectators are offered as a business. Examples of uses include roller skating rinks, movie theaters, or fitness clubs.

Outdoor entertainment and recreation business. A service use where facilities for outdoor sports, entertainment, or similar recreation opportunities for participants of spectators are offered as a business. Examples race tracks, driving ranges, or other similar grounds.

Entertainment, venue. A Service use where floor shows or other forms of entertainment, performances or presentations by persons are provided for guests, which may include accessory dining, bar, and similar refreshment services. Examples include concert halls, dinner theaters, or banquet halls, or auditoriums.

Outdoor sales, limited. The limited display of merchandise on a sidewalk or an exterior private area of a site associated with an otherwise permitted commercial use. This display is further limited by the following: (1) it only occurs during regular business hours and is brought indoors; (2) is limited in extent to less than ten percent of the entire merchandise area of the commercial use; and (3) it is limited to seasonal sales or events lasting no longer than one-week at a time with at least four weeks between consecutive events.

Outdoor sales, seasonal. The limited display of merchandise on a sidewalk or an exterior private area of a site associated with an otherwise permitted commercial use. This display is further limited by the following: (1) it only occurs during regular business hours and is brought indoors; (2) is limited in extent to less than 20 percent of the entire merchandise area of the commercial use; and (3) it is limited to seasonal sales or events lasting no longer than one month at a time with at least two months between consecutive events.

Outdoor sales, yard. The display and sale of merchandise where the primary business is generated by merchandise displayed permanently and year round on an exterior portion of the site.

Outdoor market (farmers market). A special event outdoor sales of products that are produced off-site by a number of different merchants, typically farm or craft products.

- (6) *Industrial uses.* The industrial use category is for businesses engaged in manufacturing, fabrication, warehousing, processing, wholesale or disposal of goods, products and component parts, and services related to these businesses. These uses typically belong in a special district due to their inability to blend with the uses from other use categories, except when occurring at the smallest scale.

Grain storage elevator. A facility used for the storage, exchange, processing and distribution of grain.

Manufacturing, limited. An industrial use where small-scale activities produce no by products such as smoke, odor, dust or noise discernable from the outside of the building in which it is located. Individual facilities typically occupy less than 10,000 square feet of gross leasable area, it requires no outside storage, and distribution and deliveries are commonly made by general consumer delivery services, requiring no significant truck access. A retail, showroom, or service component is often associated with the use. Examples include artist studios, metal and wood shops, arts and crafts manufacturing, small appliance or machine repairs, or other small-scale assembly of finished parts or products from previously prepared materials.

Manufacturing, light. An industrial use whereby products such as smoke, odor, dust or noise are not discernable from outside of the building in which it is located. It requires no outdoor storage or operations to occur, and where distribution and deliveries can occur from general consumer delivery services or limited commercial truck access. Examples include research labs or facilities, small electronics or computer assembly and manufacturing, furniture assembly.

Manufacturing general. An industrial use whereby products such as smoke, odor, dust or noise are not discernable from beyond the property boundary. Limited outdoor storage or materials may occur, and operations may require substantial commercial vehicle access for distribution and deliveries. Examples include large-scale non-animal food processing, commercial warehouses or wholesale distribution centers.

Manufacturing, heavy. An industrial use capable of producing significant by products discernable from outside the building and property including noise, odors, or other potentially offensive materials. It includes outdoor storage of materials and operations may require substantial commercial vehicle

assess for distribution and deliveries. Examples include food-processing involving animals, metal or chemical manufacturing, impoundment yards.

Impound yard. A place where the primary use is the storage or parking of operating or non-operating vehicles for longer than 48 hours, including, but not limited to, the following: (1) the storage of private parking towed-away vehicles; or (2) the long term storage of vehicles with consent of the owner.

Recycling collection and processing. An industrial use where land and buildings are used for the public drop-off, storage, and packaging of recyclable materials. Processing may occur on site, or materials may be shipped to other industrial sites for further processing.

Salvage yard/junkyard. Any lot, or portion of a lot, which is used for the purpose of the outdoor storage, handling, dismantling or wrecking of abandoned airplanes, appliances, vehicles, boats, building and building materials, machinery, equipment, or parts thereof, including but not limited to, scrap metals, wood, lumber, plastic, fiber, or other tangible materials as defined in this subsection under "junk."

Slaughter house/meat packing. A manufacturing use where live animals are temporary boarded for processing and distribution as food or other byproducts.

Storage or sale of liquid petroleum. A manufacturing use where storage, processing and sale of large quantities of combustible or flammable fuels may be present on the premises, and where frequent truck traffic is necessary for the safe distribution of products.

Warehouse storage/bulk storage. A structure containing an area whose primary purpose is storing commercial, industrial or private personal property, which may or may not include associated office space.

Wholesale. A merchant or middleman who sells chiefly to retailers, other merchants, or industrial, institutional and commercial users mainly for resale or business use.

- (7) *Agriculture and natural resource uses.* The agriculture use category is for uses that are commonly associated with an agrarian or rustic lifestyle, and which demand little or no public infrastructure or services.

Limited agriculture (AR). The production of grain, animals, food and fiber on a small scale where any impacts on potential adjacent property from storage, operations, and equipment can be internalized into the site or buffered from abutting areas, typically not occurring on lots or parcels larger than ten acres.

General agriculture. The production of grain, animals, food and fiber; the science and art of farming and ranching; and the work of cultivating the soil, producing crops and raising livestock. General agriculture specifically excludes concentrated feeding operation where animals are confined, fed and maintained for 45 consecutive days or more in any 12 month period.

Aquaculture. The raising, feeding, planting, and harvesting of fish, shellfish or water borne plants, and associated facilities necessary for the use.

Feed lot.

- (a) Any tract of land or structure wherein any type of fowl or the by-products thereof are raised for sale at wholesale or retail.
- (b) Any structure, pen or corral wherein cattle, horses, sheep, goats, swine, fowls or other animals maintained in close quarters for the purpose of fattening and confinement feeding of such livestock or fowl for final shipment to market.

Natural resource extraction. The growth, harvesting, cultivating land preparation of plants or other products of the land for distribution and sale as raw material in some other manufacturing process.

Nursery. The use of land and facilities for growing trees and plants for the retail or wholesale distribution on the premises. Examples include tree farms, orchards, or commercial greenhouses.

Stable, public. A business engaged in the keeping of horses, ponies, mules or cows for others.

- (8) *Public service uses.* The public service use category is for business or government entities engaged in serving a broad and general public and community interest to enhance general health, safety, welfare and convenience for landowners and residents. This category is based on the need of different kinds and classes of buildings in close proximity with other uses, which can be buffered from these areas with the appropriate site design, or alternatively which can be located in special purpose districts and still serve the public interest.

Air field. An area constructed for the purpose of serving as a location for small airplanes or similar aircraft to land and take off.

Heli-stop. A hard surfaced area constructed for the purpose of serving as a location for helicopters to land and take off.

Public parking lot. A parking area available for public use whether free, for compensation or as an accommodation for clients or customers.

Public recreation grounds. Structures used primarily for participation by the public in athletic activities such as tennis, handball, racquetball, basketball, and other court games; jogging, track and field, baseball, football, soccer, and other field games; skating, swimming, or golf. Recreational facilities shall include country clubs and athletic clubs; it shall not include facilities accessory to a private residence used only by the owner and guest, nor shall it include arenas or stadia used primarily for spectators to watch athletic events.

Public utility plant. A public service use where land is used for the concentrated location of fixed equipment necessary to serve large areas with utility service, including operations of the utility other accessory buildings and facilities essential to the operation of the equipment, distribution, and processing associated with the utility. Examples include sewage treatment plant, electric supply plant, water supply plant, or sanitary landfill.

Public utility substation. A public service use where land is used for equipment necessary to serve adjacent areas with utility services, which facilitates are typically unmanned except for during ordinary maintenance.

Cemetery. An area where land is used for the burial of the deceased, both human and animals, and dedicated for internment purposes, including columbaria, crematoria, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Small wind energy systems. Facilities used to generate energy from wind as a use accessory to other permitted structures on the premises.

Large scale wind generator (wind farms). Any wind generator facilitates that do not qualify for small scale wind energy systems according to the standards of these regulations.

Telecommunication facilities and support structures. Any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information including, but not limited to, cellular telephone service, personal communications service (PCS), and paging service. A telecommunication facility can consist of one or more antennas and accessory equipment or one base station, and supporting structures.

All words and phrases shall have their ordinary and customary meanings unless the context of the word or phrase indicates otherwise.

(Ord. No. 4233-11/2009, 4309 -10/2011, 4354 -7/2013 and 4416 -11/2014)

ORDINANCE NO. 4698

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTIONS 34-104 OF THE OFFICIAL CITY CODE OF THE CITY OF HASTINGS, NEBRASKA, TO PROVIDE FOR A CHANGE IN THE DESCRIPTIONS AND CATEGORIES OF USES OF LODGING HOTEL AND LODGING MOTEL; TO REPEAL ANY ORDINANCE IN CONFLICT HERewith; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

SECTION 1. That Section 34-104 of the Official City Code of the City of Hastings, Nebraska, be and the same is here by amended to read as follows:

34-104. Descriptions and categories of uses.

The following categories and descriptions of specific uses of land and buildings correspond to the Use Table 34-200. Where a use appears to meet two or more descriptions or where a use is not described, the Director shall make a determination of the most comparable use. In making this determination, the Director shall compare: (a) the intensity and scale of the use relative to the site; (b) the typical site and building designs associated with the use; (c) the functional or operational characteristics and the potential impacts the use on adjacent property; and (d) the potential contribution of the use to the overall character of the district or districts in which the comparable use is allowed. All other uses which cannot be interpreted in this manner are different from the described uses, are not anticipated by these regulations, and may only be allowed by a zoning text amendment.

- (1) *Residential uses.* The residential use category is for all types of dwelling units used for permanent residence, including a variety of lot types, building types, and unit types, that may vary in the kind and classes of buildings based on the character of the neighborhood.

Detached dwelling. A residential use in a detached building designed as a single principal dwelling unit and situated on its own fee simple lot.

Detached dwelling, accessory. A detached single family dwelling located a lot developed with a detached dwelling as the principal use, and accessory to the principal detached dwelling.

Semi-attached dwelling ("duplex"). A residential use in detached building designed as two principal dwelling units. It may be designed as a "paired house," matching the appearance of a house, or it may be designed as a "flat-over-flat," matching the appearance of a small apartment building. A duplex is situated on its own fee simple

lot, but each unit of a side-by-side paired house may be platted on an individual lot if party walls are used.

Attached dwelling ("townhouse"). A residential use in a building designed with a series of attached principal dwelling units separated by a single common wall. Each unit is typically situated on its own fee simple lot where party walls are used, but buildings or grounds may be owned in common. Each unit has the same orientation and front façade, and has its own private entrance to the exterior of the structure.

Multi-dwelling building ("apartment"). A residential use in a building designed for more than two principal dwelling units and situated on a single fee simple lot. This building type includes a number of variations based on the permitted building scale, including "stacked flats" (three-story/tri-plex), "six-plex" (paired stacked flats), or larger apartment buildings.

Live/work. A primarily residential use in a building designed for two principal uses, where a portion is designed for residential dwelling use, and a portion is designed for a limited non-residential use to support the occupation or vocation of the resident of the dwelling unit. The non-residential portion is limited to the first story and less than 50 percent of the total floor area of the building. The building is situated on its own fee simple lot but may be attached or detached based on zoning district standards and context.

Mixed-use dwelling. A residential use in a building designed for a mix of uses with office or retail on the first story/street-front and residential uses on the upper stories where the dwelling units are not accessory to the non-residential uses. Mixed-use buildings may be either small- or large-scale, with larger scale buildings, depending on the context and zoning district standards, and typically being broken into multiple fee simple lots with party walls, but the dwelling units may be owned in fee simple, as condominiums, or apartments.

Group housing. The grouping or clustering of living units (dwelling units) on a suitable site in such a manner that the amount of usable open space per unit is equal to or exceeds the open space requirements for conventional development under the pertinent use district standards. Group housing developments are only allowed by conditional use permit.

Type A manufactured housing. A factory built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, as promulgated by the United States Department of Housing and Urban Development, or any successor regulations thereto. See the provisions of Section 34-312 for additional regulations relating to Type A and Type B Dwellings.

Type B manufactured housing. A modular housing unit as defined in Section 71-1557 of the Nebraska Revised Statutes 1943 which bears the seal of the Nebraska

Department of Health. See the provisions of Section 34-312 for additional regulations relating to Type A and Type B dwelling.

Mobile home court. Any mobile home court, trailer park, trailer court or tract of land designated, maintained or tended for the purpose of supplying a location or accommodation for any mobile home or Type A or Type B manufactured dwelling and upon which one or more mobile homes or Type A or Type B manufactured dwelling are parked, and shall include all building used or intended for use as part of the equipment thereof, whether a charge is made for the use of the mobile home court and its facilities or not. 'Mobile home court' shall not include automobile or trailer sales lots on which unoccupied mobile homes are parked for purposes of inspection or sale or storage or a tract of land used to park trailers temporarily for overnight stays for a maximum period of one week where the mobile home trailer is parked for recreational purposes or for stopping by migrating persons while passing through the City.

Mobile home, accessory. A detached, single or two family dwelling which was originally designed for long-term human habitation and which was constructed and fabricated into a complete unit at a factory and capable of being transported to a location for use on its own chassis and wheels, identified by model number and serial number by its manufacturer, and designed primarily for placement on an impermanent foundation, when used for residential or any other purposes, but not including any structure which meets the definition of a Type A or Type B manufactured dwelling.

- (2) *Civic uses.* The civic use category includes uses serving a broad and general public and community interest to enhance daily cultural, social or recreation opportunities for area landowners and residents. This category is based on the need of different kinds and classes of buildings in close proximity with other uses, which can be integrated in to these areas with the appropriate level of civic design. The civic use category may contain uses that are either public and accessible to all citizens; common and accessible by rights associated with ownership; or private and accessible by membership or general association.

Neighborhood assembly (< 350 maximum occupancy). A civic use that conducts organized services, assemblies, or programs on a periodic or occasional basis, primarily for the convenience, entertainment, education, and social or spiritual welfare of nearby residents. Neighborhood assemblies typically have buildings and supporting facilities designed for a capacity of no more than 350 people for any one event. Common examples include meeting halls, neighborhood association club houses, or smaller neighborhood churches.

Community assembly (350—700 maximum occupancy). A civic use that conducts organized services, assemblies, or programs on a periodic or occasional basis, primarily for the convenience, entertainment, education, and social or spiritual welfare for citizens in the general vicinity. Community assemblies typically have buildings and supporting facilities designed for a capacity of no more than 750 people for any one event. Common examples include community centers, museum, or large churches. For larger facilities see entertainment venue.

Eleemosynary or philanthropic institution. A private, non-profit organization which is not organized or operated for the purpose of carrying on a trade or business, no part of

the net earnings of which inures to the benefit of any member of said organization or individual, and which either (a) provides volunteer aid to the sick and wounded of the armed forces in time of war and natural relief in case of a national calamity or emergency or (b) provides all or any of the following: religious, social, physical, recreational, and benevolent services. In addition, such term shall include such an organization providing housing and related facilities for elderly or physically handicapped families. This definition shall not be construed to include supervised homes, halfway houses, or supervised home for the mentally handicapped.

Golf course/clubhouse (non-business). A civic use engaged in the management and operation of a golf course as an outdoor recreation activity, and any accessory sales or businesses associated with the operation of the golf course and which are intended solely for patrons of the golf course.

Public park/playground. A civic use where an area of land is used for structured or unstructured outdoor recreation.

Public museum or library. A building used for the artistic, cultural, educational or other exhibition of materials, artifacts, and resources which are presented or made available to the public.

School, elementary or middle. A civic use where buildings and facilities are used for the education and instruction of K through 8 students.

School, secondary. A civic use where buildings and facilities are used for the education and instruction of 9 through 12 students.

School, college or university. A civic use where buildings and facilities are used for the education and instruction of post secondary.

- (3) *Service uses.* The service use category is for businesses engaged in the exchange of professional skills, advice, personal care or other resources, and the nature of the exchange generally requires frequent interactions with the clients, customers or patrons on the premises, and where lots or buildings may require access or exposure to the public-at-large.

Adult care, home. A residence or facility wherein adult day services are provided for less than four adults.

Adult care facility. A program of structured and monitored social, manual, physical, and intellectual services and activities provided in a supervised, ambulatory (including wheelchairs) setting outside an individual's own home, directed toward adults who do not require 24-hour institutional care but who, because of physical or mental impairment (including social isolation) require services in a group setting for the purpose of achieving or maintaining self-sufficiency, preventing or remedying neglect, abuse, or exploitation, and preventing or reducing inappropriate institutional care. Adult day services will constitute a home occupation if conducted in a residence, and in accordance with Hastings City Code Section 34-302.

Automobile service station—Limited. A service use engaged in the retail sale of fuel, and may include accessory sales of lubricants, accessories, repair services, or

maintenance services. This use is limited to no more than two fuel pump islands and no more than eight fueling stations.

Automobile service station—General. A service use engaged in the retail sale of fuel, and may include accessory sales of lubricants, accessories, repair services, or maintenance services, or accessory convenience retail. This use is limited to no more than four fuel pump islands and no more than 16 fueling stations.

Automobile service station—Large-scale. A service use engaged in the retail sale of fuel, and may include accessory sales of lubricants, accessories, repair services, or maintenance services, or accessory convenience retail. This use may have more than four fuel pump islands and more than 16 fueling stations.

Automobile repair—Limited. A service use engaged in the repair, maintenance, or condition of motor vehicles and including the accessory sales of lubricants, parts, or accessories, where the scale of the business and design of the site is such that no outside overnight storage of vehicles or equipment is required.

Automobile repair—General. A service use engaged in the repair, maintenance, or condition of motor vehicles and including the accessory sales of lubricants, parts, or accessories. Where outside overnight storage of vehicles or equipment may be required.

Bank. A service use providing financial services to the general public, including associated office and customer service facilities.

Child care, home. A service use wherein there is provided for up to eight children, as a secondary use within a residential dwelling, any care, supervision, custody, control or other services in lieu of parental supervision, for compensation.

Child care facility. A service use wherein there is provided for children, as a principal or as an accessory use of non-residential buildings, any care, supervision, custody, control or other services in lieu of parental supervision, for compensation.

Halfway house, quasi-institutional use. Shall be described as a licensed home by the State of Nebraska or the United States Government, for individuals on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, living together as a single housekeeping unit, wherein supervision, rehabilitation, re-employment and counseling are provided to mainstream residents back into society, enabling them to live independently.

Kennel, commercial. An establishment where any combination of more than four dogs or cats are bred, boarded, trained, or sold. Any dog or cat which is younger than four months old, shall not be counted towards the four-animal limit. A veterinary clinic shall not be considered to be a kennel for purposes of this chapter.

Lodging, bed and breakfast. A service use where up to six guest rooms are rented, generally for short-term occupancy for sleeping, together with limited facilities for the accommodations of guest in a home-like atmosphere.

Lodging, rooming house. A service use where more than six guest rooms are rented, generally for short-term occupancy for sleeping, together with limited facilities for the accommodations of guest in a home-like atmosphere.

Lodging, hotel. A building occupied or used as a more or less temporary abiding place of individuals or groups of individuals who are lodged, with or without meals.

Lodging, motel. A building containing one or more sleeping rooms to be rented on a daily basis, primarily to the motoring public, together with recreation space, restaurants, clubs, or other related accessory uses including meeting room and banquet facilities.

Medical office. A service use where physicians, dentists, or other health care professionals carrying on their professions. A medical office may include a dental or medical laboratory, but may not include in-patient care or operating rooms for major surgery and may not be open for after-hours emergency care.

Medical clinic. A service use where physicians, dentists, or other health care professionals are associated for the purpose of carrying on their professions. A health clinic may include a dental or medical laboratory, after hours emergency care, but it may not include in-patient care or operating rooms for major surgery.

Medical hospital. A service use providing health services, primarily for inpatients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities and staff offices.

Nursing home/assisted living. Any structure used or occupied by persons recovering from illness or suffering from infirmities of old age in a group care setting.

Professional services office. A service use where individuals with specialized knowledge provide planning, advice, technical aid to the general public. Examples include doctor of medicine, engineer, lawyer, accountant, insurance agent or other similar professional services.

Self storage. A self-service storage facility designed to provide dead storage for families and small businesses only.

Veterinary office. A Service use where domestic animals are cared for in an office environment and any boarding areas is only accessory to the primary use of the facility for ordinary care and treatment of domestic animals.

Veterinary hospital. A service use where animals are admitted for examination, treatment, or health care by a doctor of veterinary medicine, which may include boarding and other facilities associated with longer term care or extraordinary treatments.

- (4) *Employment uses.* The employment use category is for businesses engaged in administrative, clerical, and professional operations and support, where products or services are of the nature that generally do not require daily on-premise interactions with the clients, customers or patrons, and where lots and buildings are not primarily designed to maximize exposure to the public-at-large.

Home occupation. Any occupation or activity carried on within a dwelling unit by a member(s) of the family residing on the premises, which occupation or activity is incidental and secondary to the residential occupancy and does not change the

residential character thereof. The regulations pertaining to home occupations can be found in Section 34-302.

Office—Limited. An employment use which is limited and associated with another use, and generally involves less than 2,000 square feet of office space, and where each owner or tenant typically employs less than ten employees on premises.

Office—Small. An employment use which is not an accessory to another use, but limited individual units of gross leasable area are less than 3,500 square feet, and where each owner or tenant typically employs less than 20 employees on premises. Examples include small-scale professional service offices such as accountants, architects, insurance, law, real estate, or other similar businesses which can operate within the unit square footage and employee limits of this category.

Office—General. An employment use where individual units of gross leasable area are between 3,500 and 20,000 square feet, and where each owner or tenant typically employs between 20 and 100 employees on premises. Examples include large professional service offices such as accountants, architects, insurance, law, real estate, or other similar businesses which exceed the office—limited category, or other moderate size business or corporate employment operations.

Major office or office complex. An employment use where individual units of gross leasable area may be more than 20,000 square feet in a single building or group of buildings, and each owner or tenant may typically employ more than 100 employees on premises. Examples include major professional service firms or large corporate offices.

- (5) *Commercial and retail uses.* The commercial use category is for businesses engaged in the exchange of merchandise for general consumers, and nature of the exchange generally requires frequent interactions with the clients, customers or patrons on the premises, where lots or buildings are primarily designed for exposure to the public-at-large.

Convenience retail, automobile (< 5K). A commercial use primarily engaged in the small-scale sale of household merchandise and general consumer products and involving less than 5,000 square feet of gross leasable area. Convenience retail, automobile uses are characterized by a target market based on high-traffic roadways, or are an associated accessory to an employment or service business.

Convenience retail/corner store (< 2K). A commercial use primarily engaged in the small-scale sale of household merchandise and general consumer products and involving less than 2,000 square feet of gross leasable area. Convenience retail/corner store uses are characterized by a target market area of less than ¼ mile radius for most of its on-premise sales or are associated accessory to an employment or service business.

Neighborhood retail (< 5K). A commercial use primarily engaged in the small-scale sale of household merchandise and general consumer products and involving less than 5,000 square feet of gross leasable area. Neighborhood retail uses are characterized by a target market area of less than ½ mile radius for most of its on-premise sales.

General retail (5K—20K). A commercial use primarily engaged in the sale of household merchandise, specialty merchandise, and consumer products and involving between 5,000 and 20,000 square feet of gross leasable area. General retail uses are characterized by a target market area of less than one-mile radius for most of its on-premise sales.

Large-scale retail (20K—100K). A commercial use primarily engaged in the sale of household merchandise, specialty merchandise or general consumer products and involving between 20,000 and 100,000 square feet of gross leasable area. Large-scale retail uses are characterized by a target market area that may be greater than one-mile radius for its on-premise sales.

Warehouse retail (> 100K). A commercial use primarily engaged in the sale of household merchandise, specialty products, general consumer products, or wholesale products and involving greater than 100,000 square feet of gross leasable area. Warehouse retail uses are characterized by a target market area more than one-mile radius for most of its sales.

Grocery store (< 45,000K). A commercial use engaged in the retail sale of a broad range of food products and limited household products for consumption off premises, although some limited areas may be dedicated to the on-premise sale and consumption of food. A grocery store involves less than 45,000 square feet of gross leasable area and is characterized by a target market of less than one-mile radius.

Supermarket (> 45,000[K]). A commercial use engaged in the retail sale of a broad range of food and household products for consumption off premises, although some limited areas may be dedicated to the on-premise sale and consumption of food. A supermarket typically involves more than 45,000 square feet of gross leasable area and is characterized by a target market of greater than one-mile radius.

Indoor entertainment and recreation business. A service use where facilities for indoor sports, entertainment, or similar recreation opportunities for participants or spectators are offered as a business. Examples of uses include roller skating rinks, movie theaters, or fitness clubs.

Outdoor entertainment and recreation business. A service use where facilities for outdoor sports, entertainment, or similar recreation opportunities for participants or spectators are offered as a business. Examples race tracks, driving ranges, or other similar grounds.

Entertainment, venue. A Service use where floor shows or other forms of entertainment, performances or presentations by persons are provided for guests, which may include accessory dining, bar, and similar refreshment services. Examples include concert halls, dinner theaters, or banquet halls, or auditoriums.

Outdoor sales, limited. The limited display of merchandise on a sidewalk or an exterior private area of a site associated with an otherwise permitted commercial use. This display is further limited by the following: (1) it only occurs during regular business hours and is brought indoors; (2) is limited in extent to less than ten percent of the entire merchandise area of the commercial use; and (3) it is limited to seasonal sales or

events lasting no longer than one-week at a time with at least four weeks between consecutive events.

Outdoor sales, seasonal. The limited display of merchandise on a sidewalk or an exterior private area of a site associated with an otherwise permitted commercial use. This display is further limited by the following: (1) it only occurs during regular business hours and is brought indoors; (2) is limited in extent to less than 20 percent of the entire merchandise area of the commercial use; and (3) it is limited to seasonal sales or events lasting no longer than one month at a time with at least two months between consecutive events.

Outdoor sales, yard. The display and sale of merchandise where the primary business is generated by merchandise displayed permanently and year-round on an exterior portion of the site.

Outdoor market (farmers market). A special event outdoor sales of products that are produced off-site by a number of different merchants, typically farm or craft products.

- (6) *Industrial uses.* The industrial use category is for businesses engaged in manufacturing, fabrication, warehousing, processing, wholesale or disposal of goods, products and component parts, and services related to these businesses. These uses typically belong in a special district due to their inability to blend with the uses from other use categories, except when occurring at the smallest scale.

Grain storage elevator. A facility used for the storage, exchange, processing and distribution of grain.

Manufacturing, limited. An industrial use where small-scale activities produce no by products such as smoke, odor, dust or noise discernable from the outside of the building in which it is located. Individual facilities typically occupy less than 10,000 square feet of gross leasable area, it requires no outside storage, and distribution and deliveries are commonly made by general consumer delivery services, requiring no significant truck access. A retail, showroom, or service component is often associated with the use. Examples include artist studios, metal and wood shops, arts and crafts manufacturing, small appliance or machine repairs, or other small-scale assembly of finished parts or products from previously prepared materials.

Manufacturing, light. An industrial use whereby products such as smoke, odor, dust or noise are not discernable from outside of the building in which it is located. It requires no outdoor storage or operations to occur, and where distribution and deliveries can occur from general consumer delivery services or limited commercial truck access. Examples include research labs or facilities, small electronics or computer assembly and manufacturing, furniture assembly.

Manufacturing general. An industrial use whereby products such as smoke, odor, dust or noise are not discernable from beyond the property boundary. Limited outdoor storage or materials may occur, and operations may require substantial commercial vehicle access for distribution and deliveries. Examples include large-scale non-animal food processing, commercial warehouses or wholesale distribution centers.

Manufacturing, heavy. An industrial use capable of producing significant by products discernable from outside the building and property including noise, odors, or other potentially offensive materials. It includes outdoor storage of materials and operations may require substantial commercial vehicle assess for distribution and deliveries. Examples include food-processing involving animals, metal or chemical manufacturing, impoundment yards.

Impound yard. A place where the primary use is the storage or parking of operating or non-operating vehicles for longer than 48 hours, including, but not limited to, the following: (1) the storage of private parking towed-away vehicles; or (2) the long-term storage of vehicles with consent of the owner.

Recycling collection and processing. An industrial use where land and buildings are used for the public drop-off, storage, and packaging of recyclable materials. Processing may occur on site, or materials may be shipped to other industrial sites for further processing.

Salvage yard/junkyard. Any lot, or portion of a lot, which is used for the purpose of the outdoor storage, handling, dismantling or wrecking of abandoned airplanes, appliances, vehicles, boats, building and building materials, machinery, equipment, or parts thereof, including but not limited to, scrap metals, wood, lumber, plastic, fiber, or other tangible materials as defined in this subsection under "junk."

Slaughter house/meat packing. A manufacturing use where live animals are temporary boarded for processing and distribution as food or other byproducts.

Storage or sale of liquid petroleum. A manufacturing use where storage, processing and sale of large quantities of combustible or flammable fuels may be present on the premises, and where frequent truck traffic is necessary for the safe distribution of products.

Warehouse storage/bulk storage. A structure containing an area whose primary purpose is storing commercial, industrial or private personal property, which may or may not include associated office space.

Wholesale. A merchant or middleman who sells chiefly to retailers, other merchants, or industrial, institutional and commercial users mainly for resale or business use.

- (7) *Agriculture and natural resource uses.* The agriculture use category is for uses that are commonly associated with an agrarian or rustic lifestyle, and which demand little or no public infrastructure or services.

Limited agriculture (AR). The production of grain, animals, food and fiber on a small scale where any impacts on potential adjacent property from storage, operations, and equipment can be internalized into the site or buffered from abutting areas, typically not occurring on lots or parcels larger than ten acres.

General agriculture. The production of grain, animals, food and fiber; the science and art of farming and ranching; and the work of cultivating the soil, producing crops and raising livestock. General agriculture specifically excludes concentrated feeding operation where animals are confined, fed and maintained for 45 consecutive days or more in any 12-month period.

Aquaculture. The raising, feeding, planting, and harvesting of fish, shellfish or water borne plants, and associated facilities necessary for the use.

Feed lot.

- (a) Any tract of land or structure wherein any type of fowl or the by-products thereof are raised for sale at wholesale or retail.
- (b) Any structure, pen or corral wherein cattle, horses, sheep, goats, swine, fowls or other animals maintained in close quarters for the purpose of fattening and confinement feeding of such livestock or fowl for final shipment to market.

Natural resource extraction. The growth, harvesting, cultivating and preparation of plants or other products of the land for distribution and sale as raw material in some other manufacturing process.

Nursery. The use of land and facilities for growing trees and plants for the retail or wholesale distribution on the premises. Examples include tree farms, orchards, or commercial greenhouses.

Stable, public. A business engaged in the keeping of horses, ponies, mules or cows for others.

- (8) *Public service uses.* The public service use category is for business or government entities engaged in serving a broad and general public and community interest to enhance general health, safety, welfare and convenience for landowners and residents. This category is based on the need of different kinds and classes of buildings in close proximity with other uses, which can be buffered from these areas with the appropriate site design, or alternatively which can be located in special purpose districts and still serve the public interest.

Air field. An area constructed for the purpose of serving as a location for small airplanes or similar aircraft to land and take off.

Heli-stop. A hard-surfaced area constructed for the purpose of serving as a location for helicopters to land and take off.

Public parking lot. A parking area available for public use whether free, for compensation or as an accommodation for clients or customers.

Public recreation grounds. Structures used primarily for participation by the public in athletic activities such as tennis, handball, racquetball, basketball, and other court games; jogging, track and field, baseball, football, soccer, and other field games; skating, swimming, or golf. Recreational facilities shall include country clubs and athletic clubs; it shall not include facilities accessory to a private residence used only by the owner and guest, nor shall it include arenas or stadia used primarily for spectators to watch athletic events.

Public utility plant. A public service use where land is used for the concentrated location of fixed equipment necessary to serve large areas with utility service, including operations of the utility other accessory buildings and facilities essential to the operation of the equipment, distribution, and processing associated with the utility.

Examples include sewage treatment plant, electric supply plant, water supply plant, or sanitary landfill.

Public utility substation. A public service use where land is used for equipment necessary to serve adjacent areas with utility services, which facilitates are typically unmanned except for during ordinary maintenance.

Cemetery. An area where land is used for the burial of the deceased, both human and animals, and dedicated for internment purposes, including columbaria, crematoria, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Small wind energy systems. Facilities used to generate energy from wind as a use accessory to other permitted structures on the premises.

Large scale wind generator (wind farms). Any wind generator facilitates that do not qualify for small scale wind energy systems according to the standards of these regulations.

Telecommunication facilities and support structures. Any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information including, but not limited to, cellular telephone service, personal communications service (PCS), and paging service. A telecommunication facility can consist of one or more antennas and accessory equipment or one base station, and supporting structures.

All words and phrases shall have their ordinary and customary meanings unless the context of the word or phrase indicates otherwise.

SECTION 2. That any ordinance passed and approved prior to the passage of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this 14th day of March , 2022.

ATTEST:

Corey Stutte, Mayor

Kimberly S. Jacobitz, City Clerk

(S E A L)

APPROVED TO FORM:

Clint Schukei, City Attorney

Department: Development Services
Staff Contact: Brian Hurskainen
Council Meeting Date: 3/14/2022

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on the request of Randy Chick regarding Plan Modification No. 2022-1 to amend the Redevelopment Plan for Redevelopment Area Number #14, Trail Ridge Addition 2.0, generally located southwest of East 33rd Street and East Laux Drive, Hastings, Nebraska.

Resolution No. 2022-05

Names of People/Business affected by this action:

The applicant, the people of Hastings, the Community Redevelopment Authority, and the City.

Why Council action is required:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall submit such plan to the planning commission or board of the city in which the redevelopment project area is located for review and recommendations as to its conformity with the general plan for the development of the city as a whole. The planning commission or board shall submit its written recommendations with respect to the proposed redevelopment plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission or board or, if no recommendations are received within such thirty days, then without such recommendations, an authority may recommend the redevelopment plan to the governing body of the city for approval (N.R.S. 18-2112).

Type of action requested:

Resolution

Suggested motion:

Motion to approve Resolution 2022-05, Plan Modification No. 2022-1 to amend the Redevelopment Plan for Redevelopment Area Number #14, Trail Ridge Addition 2.0

Deadlines associated with action:

Not applicable

Department head comments:

Hastings Economic Development Corporation (HEDC) wants to amend the Redevelopment Plan for Area #14. The developer intends to build out the infrastructure for Trail Ridge Addition.

HEDC will utilize Tax Increment Financing to aid in infrastructure costs including site preparation,

water, sewer and paving, design and construction of a public park, architectural, engineering and planning costs, capitalized interest, and legal fees, and any other eligible public improvements essential for public uses in accordance with the Redevelopment Plan. Total anticipated project costs are approximately \$9,920,000.00 for construction and installation of the project. Cost of TIF eligible public improvements are estimated to be \$2,000,000.00. The redevelopment project area currently has an estimated valuation of \$41,679.00. The proposed redevelopment will create an additional valuation of \$7,878,321.00.

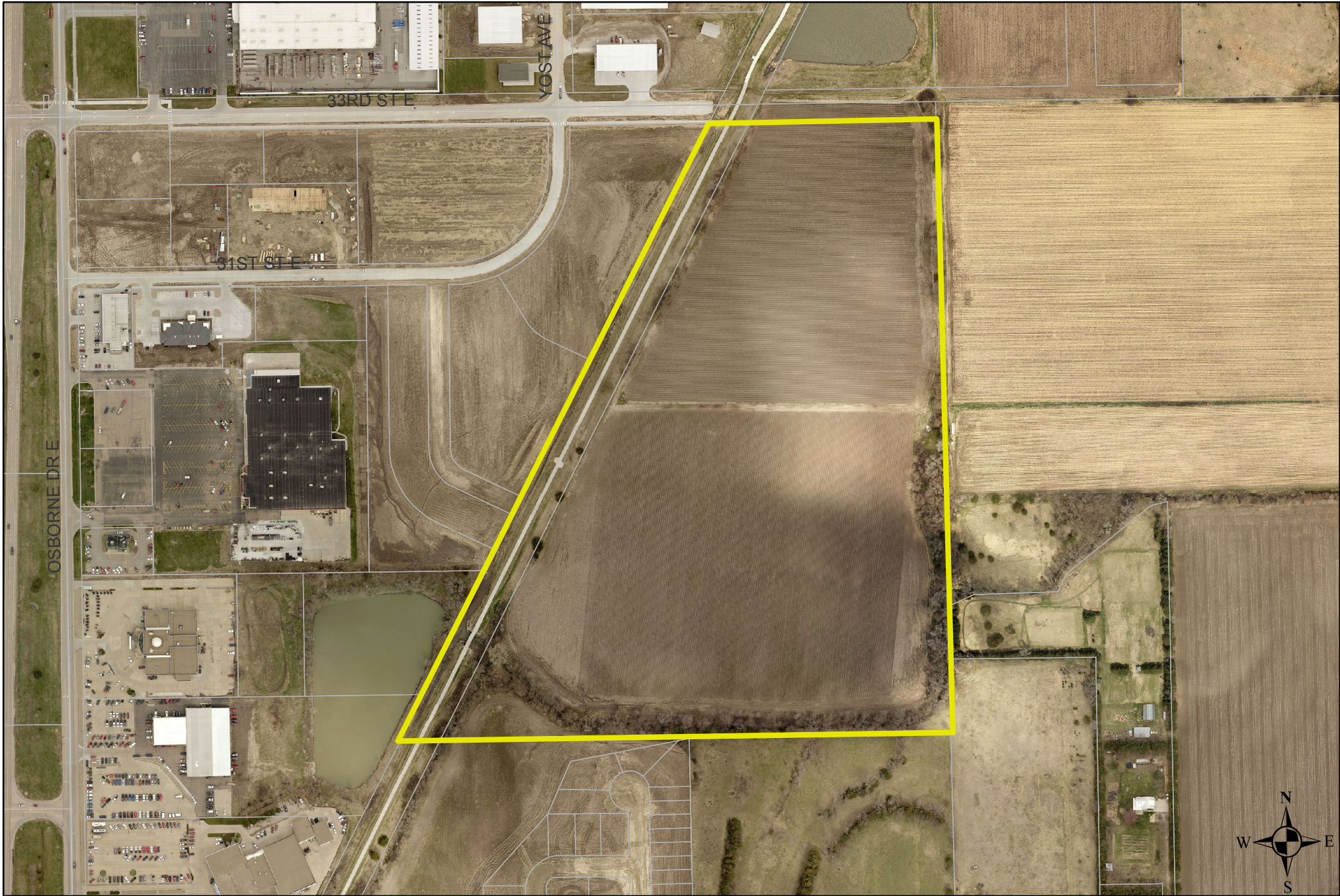
Future Land Use for this area is Mixed Use – Neighborhood. The *Imagine Hastings* Comprehensive Plan stated a desire for a land use pattern that is supportive of similar uses. This area is currently zoned R-1 and will not require rezone to accommodate this use.

Plan Modification 2022-1, attached, details further information.

Planning Commission recommended approval 7-0 at their regular meeting held on February 15, 2022.

City Administrator comments:

Recommend approval



Trail Ridge Addition, Aerial Map

REDEVELOPMENT PLAN #14
PLAN MODIFICATION NO. 2022-1
(Hastings Economic Development Corporation
Trail Ridge Addition 2.0 Redevelopment Project)

The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #14 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for the financing of a specific redevelopment related project in Area #14.

Executive Summary:

Project Description

THE PROJECT CONSISTS OF REDEVELOPMENT OF LAND SOUTH OF N. 33RD STREET LOCATED IN TRAIL RIDGE ADDITION. THE DEVELOPER HAS ACQUIRED THE PROPERTY AND PLANS TO BUILD OUT INFRASTRUCTURE ON FRAHM LANE, RITTENHOUSE STREET, FISHER STREET AND BROOKING CIRCLE INCLUDING SITE PREPARATION, WATER, SEWER AND STREETS. THE DEVELOPER PLANS TO SELL THE LOTS TO LOCAL BUILDERS WHO WILL CONSTRUCT HOUSING.

Hastings Economic Development Corporation (HEDC) will utilize Tax Increment Financing to pay for water, sewer and paving and other infrastructure expenses associated with the development of Frahm Lane, Rittenhouse Street, Fisher Street and Brooking Circle. The use of Tax Increment Financing is an integral part of the development plan and necessary to make this project affordable. The project will result in the sale of 33 lots and the construction of 33 single family homes. The addition of single-family housing is consistent with the 2016 Hastings Housing Study and this project would not be possible without the use of TIF.

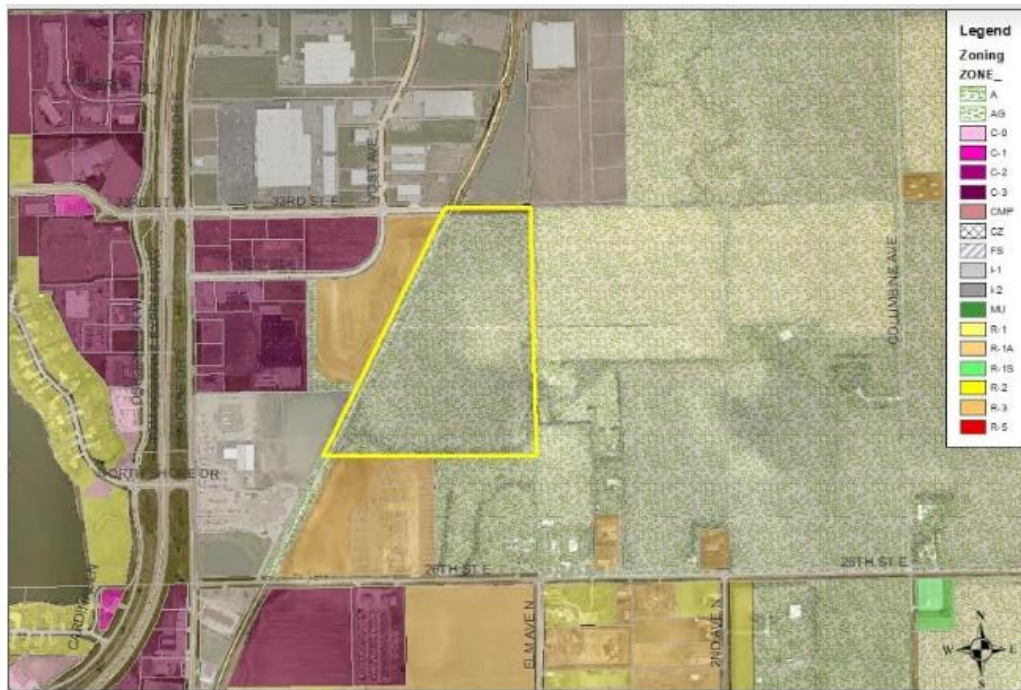
TAX INCREMENT FINANCING TO PAY FOR INSTALLATION OF WATER, SEWER AND PAVING AND OTHER PUBLIC IMPROVEMENTS ON THE PROPERTY WILL COME FROM THE FOLLOWING REAL PROPERTY:

Property Description (the "Redevelopment Project Area")

Legal Description: Lots 2 thru 7, Block 1 and Lots 11 thru 23, Block 1 Trail Ridge Addition, Lots 1 thru 4, Block 2 and Lots 7 thru 11, Block 2 Trail Ridge Addition, Lots 1 thru 5, Block 3 Trail Ridge Addition all in the City of Hastings, Adams County, Nebraska according to the recorded plats thereof.

HEDC will utilize Tax Increment Financing to aid in infrastructure costs including site preparation, water, sewer and paving, design and construction of a public park, architectural, engineering and planning costs, capitalized interest, and legal fees, and any other eligible public improvements essential for public uses in accordance with the Redevelopment Plan.

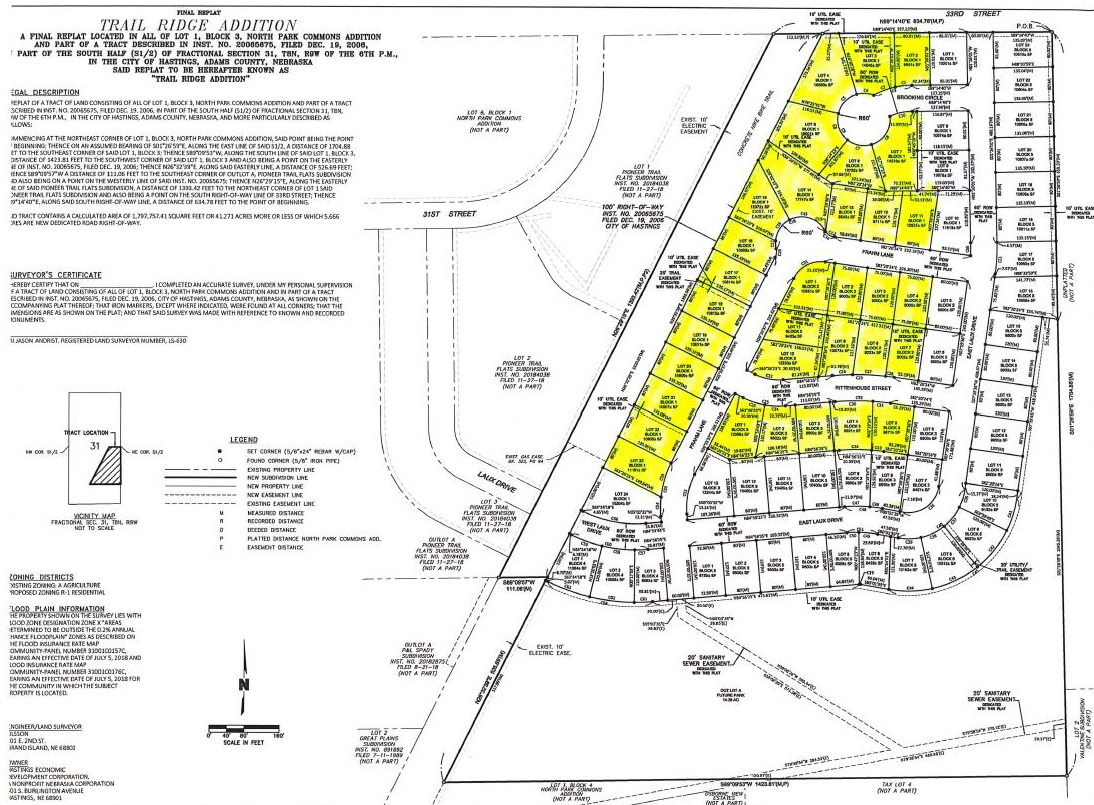
Map of Existing Land Use and Proposed Redevelopment Site



Trail Ridge Existing Land Use



Proposed Redevelopment Site



The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase in value will come from the construction of up to 33 single family homes as permitted in the R-1 Residential Zoning District. The tax increment will be captured beginning in the tax year 2023. Provided, however, if there is no increase in valuation for the 2023 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years after the Notice to Divide Taxes has been filed.

Project costs for the preparation of the site and the installation of water, sewer, paving and other public improvements are estimated to be \$2,000,000. The developer intends to sell 33 lots to local builders who will construct 33 single family homes for workforce housing. When site improvements and the 33 homes are completed the total project costs are anticipated to be \$9,920,000. The anticipated project valuation when completed is \$7,920,000 and the developer projects an incremental valuation increase of approximately \$7,878,321.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the Resolution providing for the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan, said taxes shall be divided as follows:

- a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and
- b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

- 1. The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on September 11, 2017. Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act.**

2. Conformation to the General Plan for the Municipality as a whole.

Hastings adopted a Comprehensive Plan on February 24, 2009. This redevelopment plan amendment and project are consistent with the Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. This plan merely provides funding for the developer to construct housing for residential uses on this property as defined by the current and effective zoning regulations. The Hastings Planning Commission held a public hearing at their meeting on February 15, 2022 and approved Plan Modification No. 2022-1 to Redevelopment Plan #14 confirming that this project is consistent with the Comprehensive Development Plan for the City of Hastings.

3. The Redevelopment Plan must be sufficiently complete to address the following items:

a. Land Acquisition:

The Redevelopment Plan for Area #14 provides for real property acquisition and this plan amendment does not prohibit such acquisition. HEDC is the current owner of the property on which the Project will be constructed.

b. Demolition and Removal of Structures:

The project to be implemented with this plan does not provide for the demolition and removal of any structures on this property.

c. Future Land Use Plan

See the attached map from the 2009 Hastings Comprehensive Development Plan. All of the area around the site in private ownership is planned for residential development and ancillary uses; this includes housing and commercial development. This property is owned by the Hastings Economic Development Corporation. The attached map also is an accurate site plan of the area after redevelopment.



d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes

This area was previously zoned agriculture and has been changed to R-1 Single Family Residential in anticipation of this project. The property will be graded and new streets will be constructed in conjunction with the plat filed with the City of Hastings. No changes are anticipated in building codes or ordinances, nor are any other planning changes contemplated.

e. Site Coverage and intensity of Use

The developer is proposing to cause the construction of 33 single family homes and plans to meet the applicable regulations regarding site coverage and intensity of use.

f. Additional Public Facilities or Utilities

Sewer, water and paving will be installed by the developer to support this development. Sufficient electric utilities and gas lines will also be installed by the developer for the proposed construction of these single-family homes. The individual builders will be responsible for installing any sidewalks required for the project. No other utilities would be impacted by the development.

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This property has previously been utilized for farm ground and agriculture related uses and no relocation is contemplated or necessary.

5. No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area.

6. Section 18-2114 of the Act requires that the Authority consider:

1. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The land is owned by the developer (HEDC) who intends to provide the land for the project at no cost in order to buy down the cost of each home to meet the community's housing needs. The development costs for infrastructure are estimated to be \$2,000,000 which will be partially paid for by TIF revenue and the sale of lots estimated at \$5,000 per lot. The City will create sewer, water and paving districts and assess the infrastructure costs to the property owner/developer. TIF revenue created by the development of 33 single family homes will be used to pay for a portion of the water, sewer and paving assessments.

Financing for the construction of the single-family homes will be secured by the builders and is anticipated to be in the form of conventional construction loans. Based on current projections, the Developer is seeking \$2,000,000 in TIF to make the Project economically viable and the Developer believes the project is not feasible without the assistance of TIF.

The total TIF eligible expenses for this project are \$2,013,301. The property is owned by HEDC and the developer and or local builders will provide and secure all necessary financing for the construction of homes.

2. Statement of proposed method of financing the redevelopment project.

The developer will provide the land at \$5,000 per lot and the individual builders will provide all necessary financing for the construction of the homes. Funding for the 33 single family homes will come from

builder equity and conventional construction loans. The Authority will assist the project by providing up to \$2,000,000 from the proceeds of tax increment financing in direct aid to the project. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 2023 provided, however, if there is no increase in valuation for the 2023 tax year, TIF Revenues will be available beginning twelve months after the year in which an increase in value is available for capture.

3. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Hastings Comprehensive Development Plan by providing the quality housing that will help meet the needs of the Hastings workforce.

8. Time Frame for Development

Development of this project is anticipated to be completed between March of 2022 and October of 2025. Excess valuation should be available for this project for 15 years beginning with the 2023 tax year, provided, however, if there is no increase in valuation for the 2023 tax year, the excess valuation will be available beginning in the year when an increase in value is available for capture.

9. Justification of Project

Extension of utilities, substantial site grading and installation of streets are necessary to facilitate redevelopment of this site. The redevelopment of this property will result in increased housing opportunities and increased sales tax and is another step in the creation of housing opportunities for the Hastings community. The Hastings Economic Development Corporation and the Hastings City Council have made it clear with previous decisions that they support development that will increase residential opportunities.

10. Cost Benefit Analysis

Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, Neb. Rev. Stat. (2012), the City

of Hastings has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses.

Approximately \$2,000,000 in public funds from tax increment financing will be provided by the Hastings Community Redevelopment Authority. The land for this project is being provided by HEDC at very little cost in order to further buy down the cost of each individual home and make the cost of purchasing a home more affordable for the Hastings workforce. This investment by the Authority and HEDC will leverage \$9,920,000 in private sector financing; a private investment of \$4.96 for every public/TIF dollar of investment.

USE OF FUNDS		SOURCE OF FUNDS	
Acquisition & Grading	\$420,000	Sale of Lots	\$165,000
Engineering	\$120,000	Bank Financing & Owner Equity	\$7,755,000
Water Sewer & Paving	\$1,260,000	TIF	\$2,000,000
Public Park Improvements	\$200,000		
Housing Construction Costs	\$7,920,000		
TOTALS	\$9,920,000		\$9,920,000

Tax Revenue. The property to be redeveloped is anticipated to have a January 1, 2022, valuation of approximately \$41,679. Based on the 2021 levy of 0.01753088 this would result in real property taxes of approximately \$730.67 which will be paid out to all the existing taxing entities. It is anticipated that the assessed value will increase by \$7,878,321 upon full completion, as a result of the construction of 33 homes. This development will result in an additional estimated tax increase of over \$138,114 annually. This tax increment gained from the Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years from the Notice to Divide, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to be realized.

Estimated 2022 assessed value:	\$41,679
Estimated value after completion	\$7,920,000
Increment value	\$7,878,321
Annual TIF generated (estimated)	\$138,114
TIF bond issue	\$2,000,000

Statement Identifying Financial Gap and Necessity for use of Tax Increment Financing for proposed Project:

A large financial gap exists on this project after conventional financing is utilized. A combination of the owner provided land and TIF are needed to make the project feasible. The developer and the individual builders are contributing land and owner equity/bank financing of \$9,920,000 and TIF funding along with owner financing is intended to fill the remaining gap, making this project feasible. The project is asking for \$2,000,000 in a TIF loan amortized over 15 years. Without the availability of TIF funding for the project the individual lot cost is \$60,606 and it would not be feasible for the developer to proceed with this redevelopment.

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The redevelopment project area currently has an estimated valuation of \$41,679.

The proposed redevelopment will create additional valuation of \$7,878,321. No tax shifts are anticipated from the project. The project creates new valuation from the construction of 33 single family residential homes.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. Fire and police protection are available and should not be negatively impacted by this development.

(c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on employers and employees of firms locating within the boundaries of the redevelopment area. The project will provide additional opportunities for workforce housing which should have a positive impact on local employers.

(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project will have a positive impact on local employers as many local companies have indicated that over 50% of their workforce lives outside the city and commutes daily from surrounding communities. The addition of workforce housing should be a benefit to local employees by providing local housing options.

(e) Impacts on student populations of school districts within the City or Village:

Over the time frame of the project this development will have a moderate impact on the Hastings area school systems. While the addition of 33 homes is likely to result in an increased attendance, this increase will be spread out over grades 1-12 and will not result in a significant increase in attendance. The units to be developed with this project are likely to draw families with school age children but it is anticipated that the three local school systems will be able to absorb any students from this additional development without adding to school facilities or staffing. HEDC and the Community Redevelopment Authority have reviewed this development with local school superintendents and school officials are in support of the project.

(f) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project is consistent with the goals of the City Council, HEDC and the Community Redevelopment Authority to create additional housing units. The project will create additional housing opportunities for the local workforce and hopefully decrease the number of employees that commute from nearby communities. This project is consistent with the goals of the City's Comprehensive Plan, and the Hastings Housing Study of 2016.

Time Frame for Development

Development of this project is anticipated to be completed between March of 2022 and December of 2025. The base tax year should be calculated on the value of the property as of January 1, 2022. Excess valuation should be available for this project for 15 years beginning in 2023 with taxes due in

2024. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years on an amount not to exceed \$2,000,000 which is the projected amount of increment based upon the anticipated value of the project and current tax rate. Excess valuation should be available for this project for 15 years beginning with the 2023 tax year, provided, however, if there is no increase in valuation for the 2023 tax year, the excess valuation will be available beginning in the year when an increase in value is available for capture.

Based on the estimates of the expenses of the infrastructure costs the developer will spend at least \$2,000,000 on TIF eligible activities. The CRA will reserve the right to issue additional debt in the form of a second bond issuance for construction of a public park and other public improvements to benefit the Hastings Economic Development Corporation Trail Ridge Addition 2.0 Redevelopment Project upon verification that there is sufficient valuation to support such debt.

RESOLUTION 2022-05

WHEREAS, the Area #14 Redevelopment Plan prepared by the Community Redevelopment Authority of the City of Hastings, Nebraska has previously been approved by the Mayor and City Council of the City of Hastings; and

WHEREAS, the Community Redevelopment Authority of the City of Hastings, Nebraska has prepared Redevelopment Plan Modification No. 2022-1 for Redevelopment Area #14, for a specific redevelopment project of Hastings Economic Development Corporation Trail Ridge Addition 2.0 Redevelopment Project south of North 33rd Street, on property legally described as Lots 2 thru 7, Block 1 and Lots 11 thru 23, Block 1 Trail Ridge Addition, Lots 1 thru 4, Block 2 and Lots 7 thru 11, Block 2 Trail Ridge Addition, Lots 1 thru 5, Block 3 Trail Ridge Addition all in the City of Hastings, Adams County, Nebraska according to the recorded plats thereof; and

WHEREAS, the Community Redevelopment Authority forwarded said Plan Modification to the Hastings City Planning Commission for its review and recommendations as to the consistency with the Redevelopment Plan and development objectives for Redevelopment Area #14 and also its conformity with the Comprehensive Development Plan of the City of Hastings; and

WHEREAS, the Hastings City Planning Commission conducted a review of the Plan Modification No. 2022-1 and held a public hearing on February 15, 2022 to solicit testimony from the community regarding said plan modification and at the conclusion thereof determined it was consistent with the general plan and development objectives for Redevelopment Area #14, and also consistent with the goals, policies, and objectives of the Comprehensive Development Plan of the City, and took action to recommend approval of the Plan Modification to the Community Development Authority of the City of Hastings; and

WHEREAS, the Community Redevelopment Authority of the City of Hastings considered the recommendations on the Plan Modification by the Hastings Planning Commission and, on February 16, 2022 approved, forwarding the Plan Modification to the Mayor and City Council for consideration.

NOW THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, hereby adopt the following resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, that the Redevelopment Plan Modification No 2022-1 for the for Redevelopment Area #14, for the redevelopment project of Hastings Economic Development Corporation Trail Ridge Addition 2.0 Redevelopment Project located in Redevelopment Area #14 as provided herein, be and the same is hereby approved, and a copy of said Redevelopment Plan Modification is attached hereto, marked as “Exhibit A”, and incorporated herein by this reference.

PASSED AND APPROVED this 14th day of March, 2022.

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)

Approved as to form: _____
Clint Schukei, City Attorney



Permit #: 22008

Permit Date: 01/24/22

Permit Type:

GROUP:

Permit Type: Plan Modification

Title: Trail Ridge Plan Mod

Site Address: Lots 2 thru 7, Block 1 and Lots 11 thru 23, Block 1 Trail Ridge Addition, Lots 1 thru 4, and Lots 7 thru 11, Block 2 Trail Ridge Addition, Lots 1 thru 5, Block 3 Trail Ridge Addition all in the City of Hastings, Adams County, Nebraska according to the recorded plats thereof.

Parcel Number:

Owner Name: HEDC (Michael Krings)

Owner Address: 301 S. Burlington Ave

City State Zip: Hastings, NE 68901

Owner Phone: 402-469-3203

Owner Email: mkrings@hastingsedc.com

Applicant Name: Randal Chick

Applicant Address: 301 SOUTH BURLINGTON

City, State, Zip: HASTINGS

Phone Number: 402-461-8415

Applicant Email: bidcra@gmail.com

Proposed Use: Single Family Housing

Description: To modify existing Redevelopment Plan

Number of 1**Cases:****Project Cost: 0****Square Feet: 368594****Within City
Limits:** Yes**Current
Zoning:** R-1, Urban Single Family Residential**Current Zoning
Explained:****Proposed
Zoning:** R-1, Urban Single Family Residential**Conditions:****Conditions****Defined:****1st PN &****Agenda Send** 02/02/2022**By (11:30):****1st PN &****Agenda Due** 02/04/2022**Date:****1st PN &****Agenda Sent:** 01/31/2022**2nd PN &****Agenda Send** 02/02/2022**By (11:30):****2nd PN &****Agenda Due** 02/11/2022**Date:****2nd PN &****Agenda Sent:** 01/31/2022**Sign / Website****Posting - Post** 02/04/2022**By:****Sign / Website****Posting -** 02/04/2022**Posted:****APO Letter -****Send By:** 02/04/2022**APO Letter -****Sent:** 02/04/2022**PC Approval -****Date Approved:** 02/15/2022**PC Outcome****Letter - Due:** 02/16/2022**PC Outcome -****Completed:** 02/22/2022**CRA Approval****- Meeting Date:** 02/16/2022

CRA Approval 02/16/2022**- Approved:****CC Packet -****Goal Load 03/04/2022****Date:****CC Packet - 03/08/2022****Due Date:****CC Out/Admin 03/14/2022****Due Date:****CC Packet -****Completed:****Stage:** Ready for CC Staff Report**CC Out/Admin****- Completed:****ENG Meeting:****ENG Email:****Plat Track****Review Email:****Communication****Preferences:****Status:** Open**Assigned To:** Brian Hurskainen**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010000136			HASTINGS ECONOMIC DEVELOPMENT CORPORATION		

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
02/17/2022	2. City Council Meeting		03/14/2022		Brian Hurskainen	Open
02/17/2022	1. Planning Commission Meeting		02/15/2022	02/15/2022		Closed

Fees

Fee	Description	Notes	Amount
Redevelopment Plan Amendment			\$400.00
Total			\$400.00

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
01/25/2022	Michael F Krings	327052			\$400.00
Outstanding Balance					\$0.00

Uploaded Files

Date	File Name
01/24/2022	10581477-HEDC - Trail Ridge Addition 2.0 Plan Mod.docx

Department: Development Services
Staff Contact: Brian Hurskainen
Council Meeting Date: 3/14/2022

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on the request of Greg and Julie Ellenwood for a Conditional Use Permit for a Storage Facility for property generally located north of West 2nd Street and west of North Marian Road, Hastings, Nebraska.

Resolution No. 2022-06 approving the request of Greg and Julie Ellenwood for a Conditional Use Permit for a Storage Facility for property generally located north of West 2nd Street and west of North Marian Road, Hastings, Nebraska.

Names of People/Business affected by this action:

The applicant, the people of Hastings, and the City.

Why Council action is required:

Neb. Rev. Stat. 19-929 requires a conditional use permit to be approved by the City Council unless the City Council has, through a zoning ordinance or special ordinance, generally authorized the Planning Commission to exercise such power and has approved the standards and procedures adopted by the Planning Commission for equitably and judiciously granting such conditional uses or special exceptions.

Type of action requested:

Resolution

Suggested motion:

Approve Resolution 2022-06, a Conditional Use Permit (CUP) for a Storage Facility for property generally located north of West 2nd Street and west of North Marian Road, Hastings, Nebraska. Subject to the following conditions:

- 1) The applicants' Self Service Storage Site Plan with inclusive dimensions of buildings, parking locations, access and easement location notes are hereby approved and applicant agrees to comply to all inclusive details.
- 2) Applicant must provide a detailed landscape plan following provisions listed in Section 34-305 of the Hastings City Code at the time of building permit application.
- 3) There shall be compliance with any other applicable City, County, State or Federal regulations that shall apply.

4) This resolution shall be filed with the Registrar of Deeds so as to provide notice to any person examining the real estate records of the existence of this CUP. The recording costs incurred to comply with this section shall be paid by the applicant for the CUP.

Deadlines associated with action:

Not applicable

Department head comments:

Surrounding zoning is as follows:

North – R-1, Urban Single Family Residential and A, Agricultural (Undeveloped)

South – I-1, Light Industrial (Undeveloped)

East – R-1, Urban Single Family Residential, Middle School

West – I-1, Light Industrial (Undeveloped)

1-The use does not have a permanent negative impact that is substantially greater than the impact anticipated from development permitted in the base zone district.

-Pedestrian and vehicular traffic circulation and safety.

This use is for the storage of larger vehicles like recreational vehicles, boats and trailers; with such a use, pedestrian traffic should be at a minimum. The site is designed to be very spread out to make it easy for larger vehicles to traverse the site. The entrance is 30' wide and the aisles range from 75' to 80' wide.

-Reasonable and economic extension of public utilities and facilities

As this is within City limits and already serviced by the City, there is no extension of service required. Utilities have reviewed and approved this site plan.

-No noise, fumes and/or environmental pollution are anticipated.

The self-service storage facility standards for conditional use found in Section 34-404 (9) do not allow for outdoor storage. However, outdoor storage for campers and RVs (recreation vehicles) is not specifically addressed in the Table of Uses and Districts. There are similar uses found in Section 34-404 (5) for storage of vehicles in an impound yard and 34-404 (6) for off-street parking spaces and structures. These sections do include some applicable standards, though there are many standards that are not applicable. As allowable under 34-104, the Director of Development Services has made a determination that these are comparable uses and provided standards towards this proposed supplementary use that are similar enough after consideration of the intensity and scale of the use relative to this site and that this site accommodates heavier, more industrial uses. Adding to this decision is the fact that there are no residential properties in the vicinity that this use would have an adverse impact on. The following are additional standards that were placed on this development as required by this hybrid of requirements:

1. The exterior storage of any items or objects will not be permitted to be stored in and around the premises with the exception of specifically approved autos, boats and campers in the defined area.
2. Items such as gasoline, fuel, paint, containers with any flammable liquid or items which can readily cause fire or flame will not be allowed to be stored on the premises or within the storage

building.

3. No maintenance, dismantling, construction, reconstruction or repair of any vehicles, boats, RV's or appliances will be allowed within the storage units, or the exterior of the building grounds or in any part of this facility.

4. Landscaping shall be provided in the areas outside the fences between the fence and the property line per Section 34-305 of the Hastings City Code.

5. The storage facility shall be enclosed by a six-foot high, sight-proof fence whenever the site abuts residentially zoned or developed property. Said fence, when abutting any residential district, shall be solid or semi-solid and constructed to prevent the passage of debris or light, and constructed of either brick, stone, masonry units, wood or similar materials. Chain-link fence may be used so long as it has slats installed to prevent the passage of light through the unit. The side and rear of a building located upon the site may serve as fencing.

6. All exterior lighting shall be of cut-off type to prevent off-site glare.

7. Buildings shall be separated a minimum of 30 feet from one another within self-service storage facilities.

8. Commercial activity: It shall be unlawful for any owner, operator or lessee of any self-service storage facility or portion thereof to offer for sale, or to sell any item of personal property or to conduct any type of commercial activity of any kind whatsoever, other than leasing of the storage units, or to permit same to occur upon any area designated as a self-service storage facility.

Violation of this section shall be subject to the provisions of Section 34-804 of the Hastings City Code. Any violation may be cause for revocation of the conditional use permit by the City Council.

9. Building setbacks shall be the same as in the C-3 District.

10. The site shall abut and have direct access to a city street.

2-The maintenance of logical and efficient development patterns and land use mixtures.

The addition of these storage uses to this area is logical due to its use in compatibility with the allowable use of storage in the I-1 District. This use is less intensive than some uses that are permitted within the district, such as general manufacturing. This is important with both the Hastings Middle School and the Head Start Child and Family Development to the east. Storage typically does not add a significant amount of traffic to areas, which is important for this area with morning and afternoon pickup of children.

3-The conditions imposed are necessary to ensure the maintenance of property values and the safety, health, comfort, and repose of the residents.

The use of storage units should not evoke safety concerns and property values should remain the same. Providing these units will provide a service that is lacking in this area, particularly for parking of recreational vehicles. Adjacent property notice letters were sent out to all properties within 300 feet of this location and there has been no response.

4-That the use, subject to conditions, maintains compliance with the Comprehensive Plan and the purpose and intent of the zoning regulations.

The Future Land Use Plan for this property is suburban residential. Staff feels as though this designation is incorrect for this area and should be changed during the major update to the Comprehensive Plan in the coming months. There is a large depression in the ground which tends to hold water after rain, to the west and north of this property. There are also train tracks less than 900' to the south of the subject property. Both of these things would make suburban residential

development difficult, evidenced by how the surrounding area has remained vacant.

Planning Commission recommend approval 7-0 at the regular meeting held on February 15, 2022.

City Administrator comments:

Recommend approval

ArcGIS Web Map

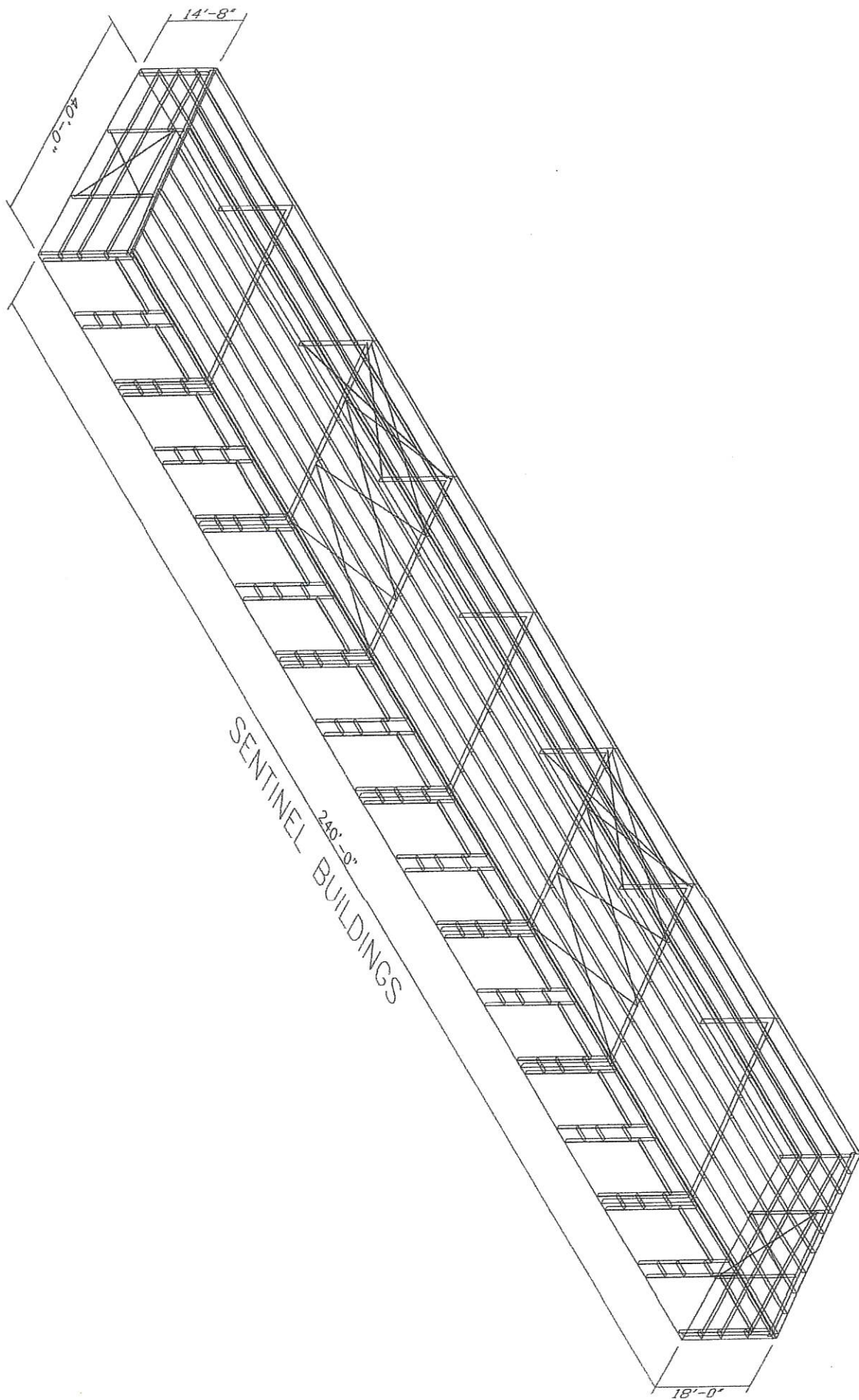


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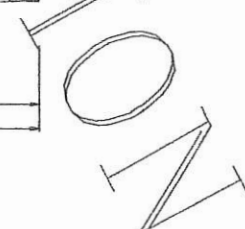
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40'-0" OUT-TO-OUT OF STEEL

SEVENTH

237 SOUTH 4TH STREET P.O. BOX 348 ALBION, NEBRASKA USA 68622

800-227-0700 SENTINELBUILDINGS.COM AGGROWTH.COM

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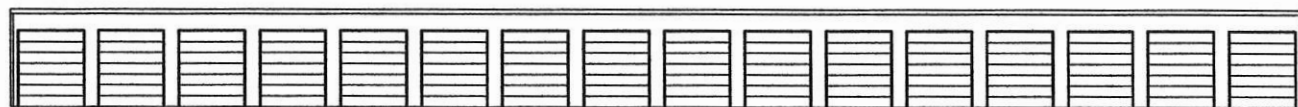
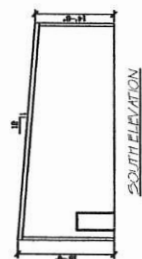
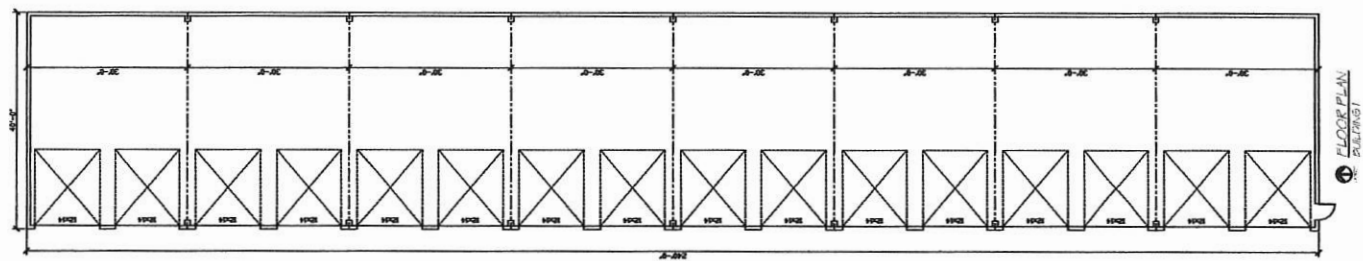
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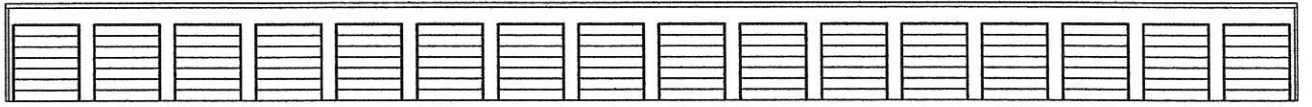
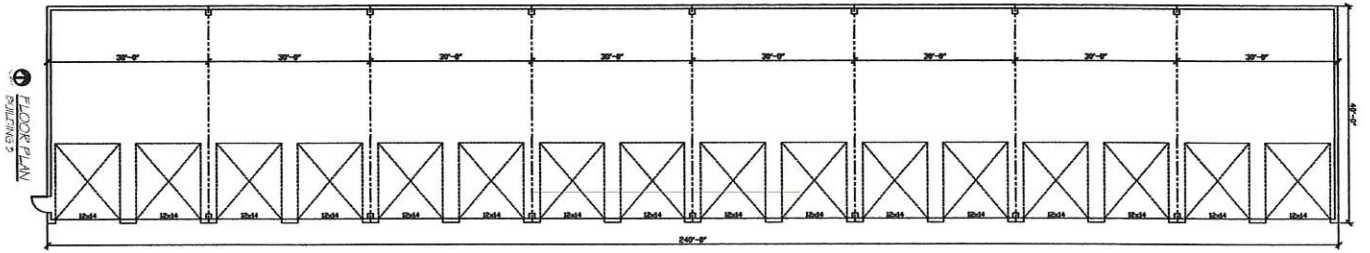
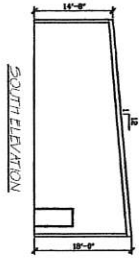
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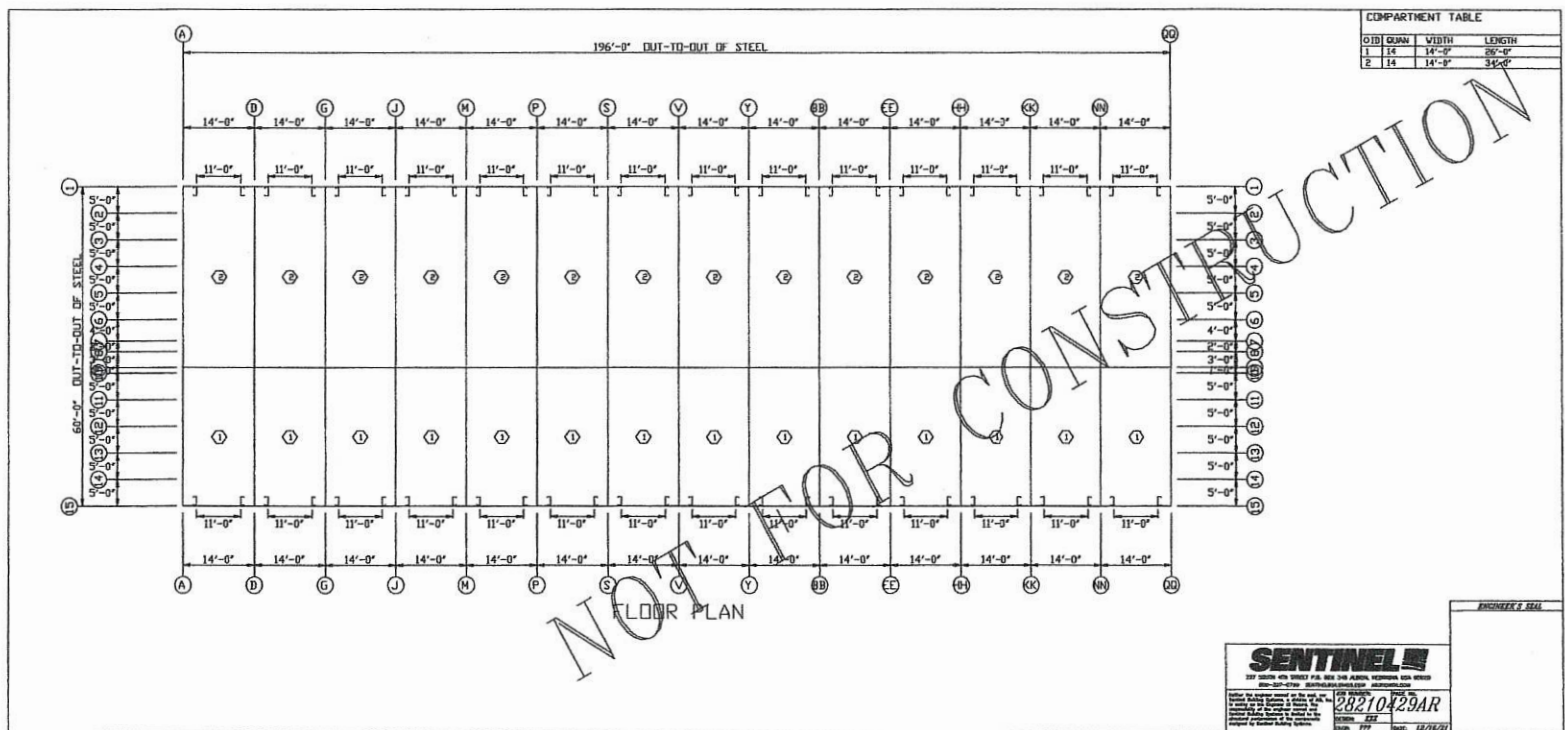
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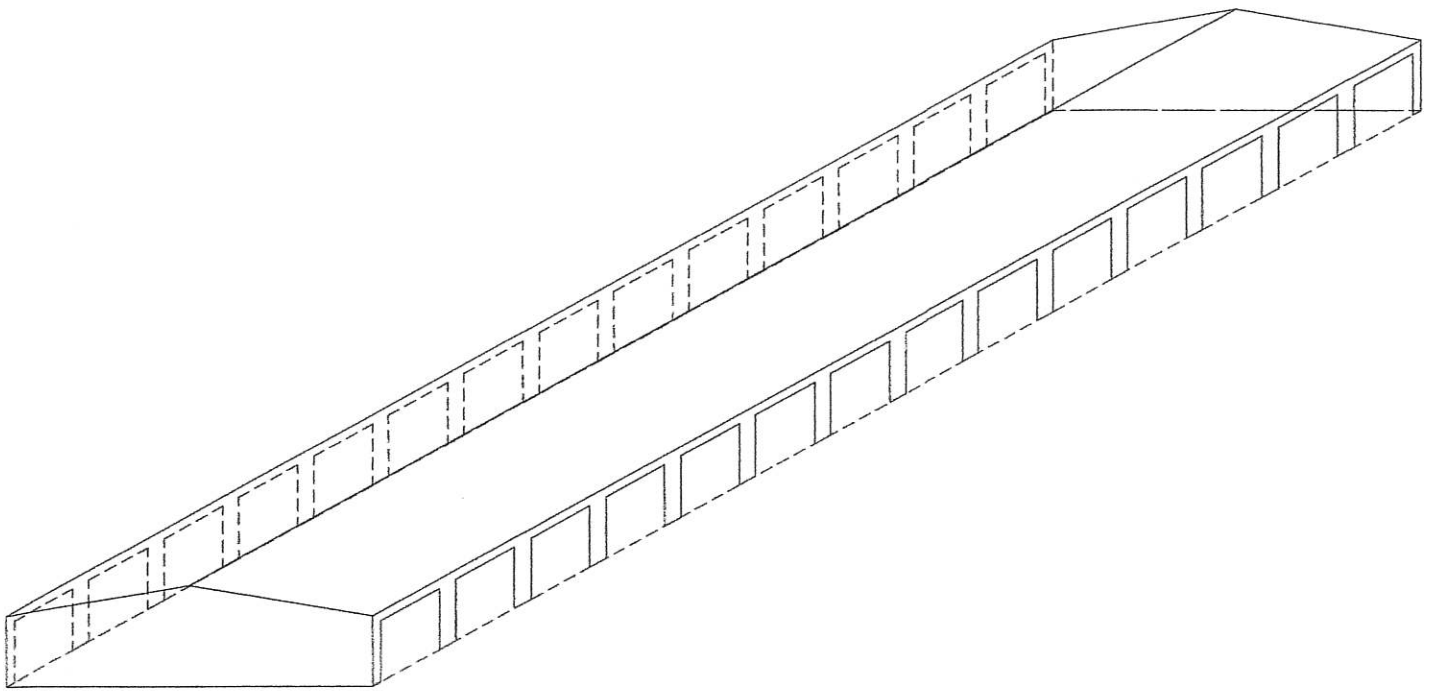
DATE: 12/15/21



WEST ELEVATION







28210429AR

Building

12/16/21

 **FLOOR PLAN**
BUILDING 2

Architectural drawing of a building facade showing a grid of windows and doors. The top section is a large window wall with 16 windows, each labeled "11'x20'". The bottom section is a row of 12 doors, each labeled "11'x20'". Dimensions are provided for the overall width (176'-0") and height (28'-0").

2nd Street-All REC Storage
Hastings, NE

The following narrative will outline our plans to construct a new RV/Boat/Vehicle storage facility on the West side of Hastings, NE. We have been contemplating and researching this project for a couple years and are excited to put our research and planning into a project in Hastings that we feel is a definite need and asset to the Hastings area. We have chose a local builder from Hastings to build our new facility that has the knowledge and experience to put together an attractive facility for us.

Greg and Julie Ellenwood, owners/applicants, have lived in Hastings since 1984 and claim our permanent address to currently be in Republican City, NE near Harlan County Reservoir. We raised our 3 children in Hastings and all graduated from Hastings High School. Our oldest son and his family live in Lincoln. Our daughter and her family live in York. Our middle son continues to live in Hastings and will be an intergral part of facility management.

Many hours of serious thought and consideration have gone into this project. We feel this project will be a great addition to Hastings and also provide a needed service to a large surrounding area. We feel we have an efficient site layout that provides security and multiple storage options to bring recreational vehicle storage to another level.

Building 1 and Building 3 will be 40'x240' buildings each providing 16 indoor parking stalls 40'x15'. Each bay will provide its own appropriately sized overhead door to accommodate nearly all shapes and sizes of recreational vehicles. Building 2 will be a 60'x196' building providing 28 smaller indoor parking stalls to provide for smaller items such as boats and classic or recreational automobiles. There will be exterior parking North of these 3 buildings and between building 2 and building 3. West of the areas outlined above will provide for future expansion, either additional building(s) or more exterior parking. Buildings 1 and 3 will have electricity for convenience outlets and interior lighting. The site will be illuminated with LED wall packs mounted to the buildings only, providing security lighting for the area without creating any additional light pollution beyond the site.

The entire site will be fenced to provide security for our tenants. There will be a gate at the South entrance that tenants will be provided with a unique code for access and will allow 24-hour private access. A proposed 6' galvanized chain link fence will be along the perimeters as noted, which falls in line with city code. All 3 buildings will have concrete aprons in front of the doors, with the remaining parking/driveway areas being crushed rock. The entrance off 2nd Street will be poured concrete 30' wide allowing plenty of space for traffic flow coming into and exiting the facility.

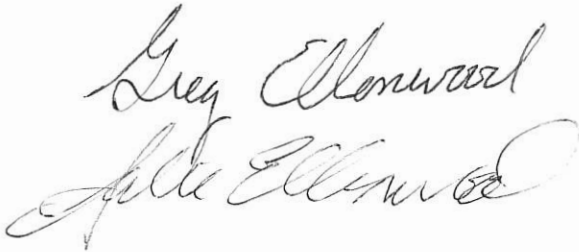
We chose the site on West 2nd Street for a number of reasons. We feel that it fits the area well and is located in an appropriate area of Hastings. This facility will bring very little additional traffic to West 2nd Street, as most tenants access their recreational vehicles in the off season very rarely. We can anticipate when the storage units are fully occupied, the traffic will still be quite minimal. 60 tenants for enclosed storage, and 23 plus that will utilized the outdoor parking areas. Minimal traffic throughout the year, with the majority of the activity occurring between the months of April thru September,. The majority of people are done with the recreational activities after Labor Day. The bulk of the traffic flow will not interfere with any traffic associated with the Middle School because school in not in session mid May thru mid August. We have modeled this facility after Undercover Storage in Holdrege. I have observed this Holdrege facility for the last 5 years, and drive by it twice a day, the traffic is very minimal.

Throughout the planning process of the project, we have consulted with our friends and local businesses in Hastings, and the feedback has all been positive and supportive. Gary Jerman w/LCL owner, Gary Anderson w/Guarantee Electric, Gregg Hughes, Chris Johnson, Happy Hooker Towing in Alma, Mike Fitch owner of Undercover Storage, Dykeman's Camper Sales, to name a few. Hwy 2 Storage in Grand Island and other facilities in York, Holdrege, Aurora, Republican City, Alma all have waiting lists. This is a much needed model in Hastings that has been successfully built in surrounding communities.

We have not yet established a name for this project. However, the only signage we have planned for will be mounted to the buildings as opposed to a free standing sign out front.

Thank you for your consideration and we look forward to providing this service to the citizens of Hastings!

Greg and Julie Ellenwood

Handwritten signatures of Greg and Julie Ellenwood. The signature for Greg is on top, and the signature for Julie is below it. Both are written in a cursive, flowing style.



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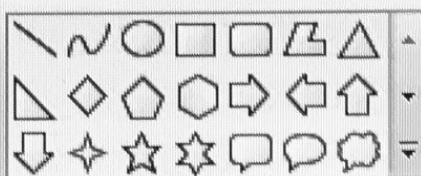
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Tools



Brushes



Shapes

Outline

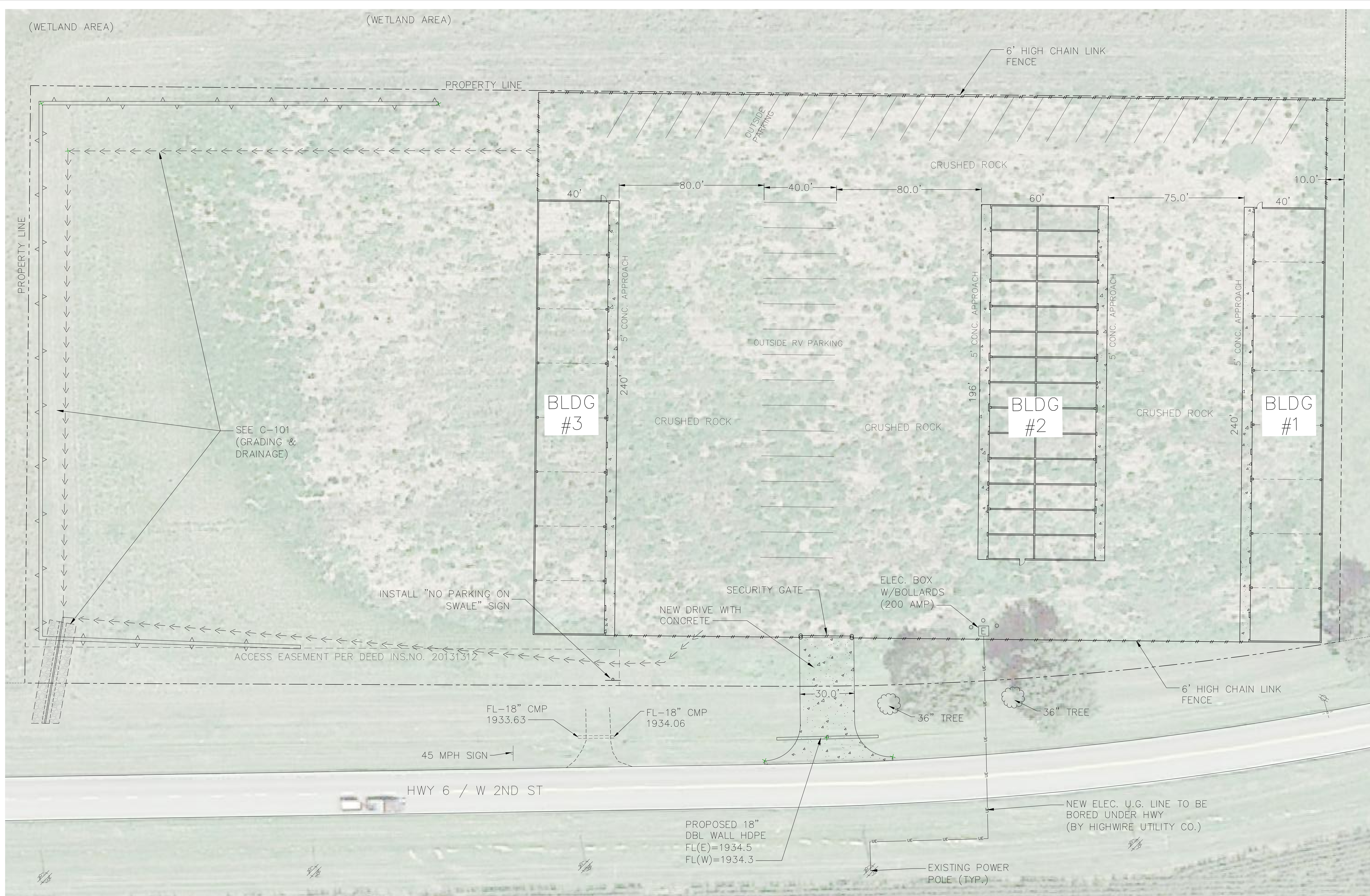
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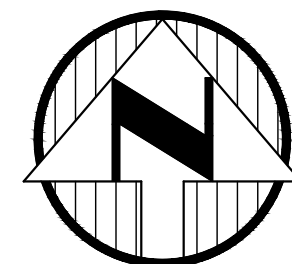


ALL REC
STORAGE



1

PLAN VIEW



NOTES:

1. SAFETY LIGHTING PROVIDED BY LED WALL PACKS ON BUILDINGS, DARK SKY DOWNLIGHTING TO PREVENT LIGHT POLLUTION.
2. FACILITY SIGNAGE TO BE INSTALLED ON BUILDING EXTERIOR ONLY.

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CONSULTANTS:



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OMAHA OFFICE:
22214 SOUTH 109TH ST.
LAVISTA, NE. 68128
OFFICE: (308)548-2264
STROBELENERGY.COM

PROJECT LOCATION:	HASTINGS, NE
-------------------	--------------

OWNER:

GREG & JULIE ELLENWOOD

REV	DATE	DESCRIPTION
A	1-13-22	IFR - ISSUED FOR REVIEW
B	1-14-22	IFR - ISSUED FOR REVIEW
C	1-20-22	IFR - ISSUED FOR REVIEW
D	1-24-22	IFR - ISSUED FOR REVIEW
E	2-7-22	IFA - ISSUED FOR APPROVAL
O	2-8-22	IFC - ISSUED FOR CONSTRUCTION

PROJECT NO: 21-1524

CAD DWG FILE:
HASTINGS SITE PLAN REV G.DWG

DATE: 1-13-22

DRAWN BY: TMB

CHECKED BY: DV

FIRM: STROBEL ENERGY GROUP

SITE PLAN

DRAWING NUMBER:

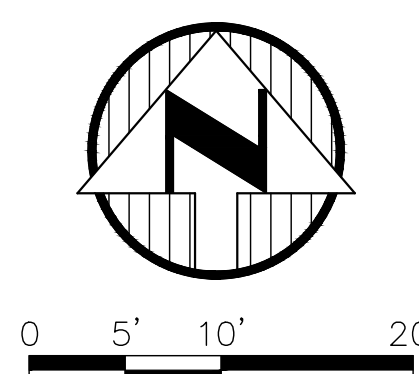
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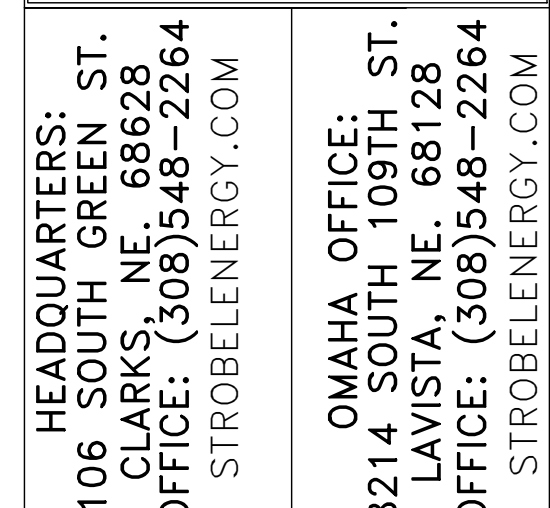


<u>Kind</u>	<u>PLS/acre</u>
Champ Big bluestem	1.2
Camper Little bluestem	0.6
Holt Indiangrass	1.0
Butte Sideoats grama	0.9
Pathfinder Switchgrass	0.25
Barton Western wheatgrass	1.5
Canada wildrye	0.7
Virginia wildrye	0.8
Purple prairieclover	0.3
Showy partridgepea	0.3
Upright coneflower	0.09
Yellow blossom sweetclover	<u>0.15</u>
Total PLS lb. per acre	7.79
Total Pure Live Seeds per sq. ft.	30.4

2 SEED MIXES



CONSULTANTS:



PROJECT LOCATION:	HASTINGS, NE
-------------------	--------------

OWNER:

REV	DATE	DESCRIPTION
A	2-7-22	IFA - ISSUED FOR APPROVAL
O	2-8-22	IFC - ISSUED FOR CONSTRUCTION

PROJECT NO: 21-1524

CAD DWG FILE:
HASTINGS SITE PLAN REV. C.DWG

DATE: 2-7-22

DRAWN BY: TMB

CHECKED BY: DV

FIRM: STROBEL ENERGY GROUP

NOTES AND
DETAILS

DRAWING NUMBER:

C-102

SHEET	REV
	0

Storm Water Pollution Prevention Plan (Con't.)

3. STABILIZATION REGIMENTS

As areas reach their final grade, additional silt fences, silt basins, intercepting ditches, sod flumes, letdowns, bridge end drains, and earth dikes shall be installed as specified in the plans and/or as required by the project engineer. This will include using silt fence as ditch checks and to protect intakes.

Except as precluded by snow cover, stabilization measures shall be initiated on all disturbed areas as soon as practical but in no case where construction activity will not occur for a period of 21 or more calendar days later than the 14th day after no construction activity has occurred on such area. Where the initiation of stabilization measures by the 14th day after no construction activity occurs is precluded by snow cover, then stabilization measures shall be initiated as soon as practicable thereafter.

- Stabilization of disturbed areas may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, and other appropriate stabilizing measures shall be used outside the seeding time period.
- This work shall be done in accordance with Nebraska Department of Environment and Energy Specifications and City of Hastings, NE Specification.

This work shall be done in accordance with Nebraska Department of Environment and Energy Specifications and City of Hastings, NE Specification.

As the work progresses, additional erosion control items may be required as determined by the engineer after field investigation. These may be items such as leeward structures, soil stabilization mats, and other appropriate measures to be installed by the contractor/subcontractor as directed by the engineer. The contractor/subcontractor shall complete the construction with the establishment of permanent perennial vegetation of all disturbed areas.

4. APPROVED STATE OR LOCAL PLANS

During the course of this construction, it is possible that situations will arise where unknown material will be encountered. When such situations are encountered, they will be handled according to all federal, state, and local regulations in effect at the time.

5. MAINTENANCE

The contractor/subcontractor shall be required to maintain all temporary erosion control measures in proper working order, including cleaning, repairing, or replacing them throughout the construction period. Cleaning or replacement of silt control devices shall begin when the features have lost 50% of their capacity.

6. INSPECTIONS

The contractor shall hire qualified personnel to inspect and document each inspection of disturbed areas of the construction site that have not been stabilized with a perennial, vegetative cover of sufficient density to preclude erosion at least once every seven calendar days. Unless erosion is evident or other conditions warrant them, regular inspections are not required on areas that have been stabilized with a perennial, vegetative cover of sufficient density to preclude erosion. The contractor/subcontractor shall immediately begin corrective action on all deficiencies found. The findings of this inspection shall be recorded in the project diary. This PPP may be revised based on the findings of the inspection. The contractor shall implement all revisions. All corrective actions shall be completed within 7 calendar days of the inspection.

7. TOPSOIL

- Topsoil shall be preserved at all construction sites unless land use precludes the practice. The requirement to preserve topsoil is as follows and the type of topsoil at the site after soil disturbing activities have been completed and final stabilization achieved shall be similar to that which exists or existed in the general area of the site:

Areas where 4.0 inches or more of topsoil existed prior to the commencement of soil disturbing activities: The depth of topsoil after soil disturbing activities have been completed and final stabilization achieved shall equal to, or greater than, 4.0 inches, including soil contained in sod, on all areas of the site where the surface of the ground disturbed is exposed and not covered by concrete, asphalt, gravel or other such material.

Areas where less than 4.0 inches of topsoil exist prior to the commencement of soil disturbing activities: The minimum depth of topsoil after soil disturbing activities have been completed and final stabilization achieved shall be equal to, or greater than, the depth of topsoil that existed prior to the commencement of soil disturbing activities.

8. NON-STORM DISCHARGES

This includes subsurface drains (i.e. longitudinal and standard subdrains), slope drains and bridge end drains. To provide a non-erosive velocity of the discharge from these features may be controlled by the use of patio blocks, Class A stone or erosion stone.

9. SEQUENCE OF MAJOR CONSTRUCTION ACTIVITIES

Additional erosion control measures to be added as necessary throughout the construction process.

1. Install perimeter erosion control measures. (Silt fence and stabilized construction entrance installed at this time.)
2. Perform initial site grading and driveway installation. (Rock check dam installed, and silt fence added as necessary.)
3. Install rock site road.
4. Install building foundations.
5. Building erection.

10. STORM WATER CONTROL AFTER CONSTRUCTION

Once construction on the site has been completed the site will be seeded for permanent growth. Once 70% of the site is covered with vegetative growth the temporary erosion controls can then be removed. This would include the silt fence, stabilized construction entrance, rock check dam, and any other controls that were used. The new vegetation will then work to naturally slow down runoff and filter out sediment. The rip rap aprons around our pipes will also remain in place to prevent erosion around our pipe exits.

DESCRIPTION
R - ISSUED FOR REVIEW
A - ISSUED FOR APPROVAL
C - ISSUED FOR CONSTRUCTION

PROJECT NO: 21-1524

CAD DWG FILE:
HASTINGS SWPPP.DWG

DATE: 1-13-22

DRAWN BY: TME

CHECKED BY: DV

FIRM: STROBEL ENERGY GROUP

SHEET TITLE 30x42

SWPPP NOTES

DRAWING NUMBER:

C-103

SHEET	REV
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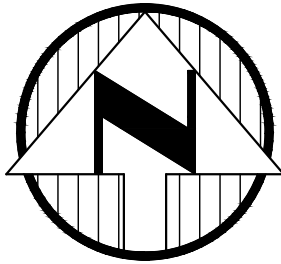
FILE NAME G:\21\21-1524 Steve's Projects\Storage Units Hastings NE\21 DD_ENG_AutoCAD\Site\Hastings SWPPP.dwg



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PLAN VIEW

0 10' 20' 40'



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CONSULTANTS:



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OMAHA OFFICE: 8214 SOUTH 109TH ST. LAVISTA, NE 68128 OFFICE: (308)548-2264 STROBELENERGY.COM

PROJECT LOCATION: HASTINGS, NE

OWNER: GREG & JULIE ELLENWOOD

REV	DATE	DESCRIPTION
A	1-20-22	IFR - ISSUED FOR REVIEW
B	1-24-22	IFR - ISSUED FOR REVIEW
C	2-7-22	IFR - ISSUED FOR APPROVAL
O	2-8-22	IFR - ISSUED FOR CONSTRUCTION

PROJECT NO: 21-1524

CAD DWG FILE: HASTINGS SWPPP.DWG

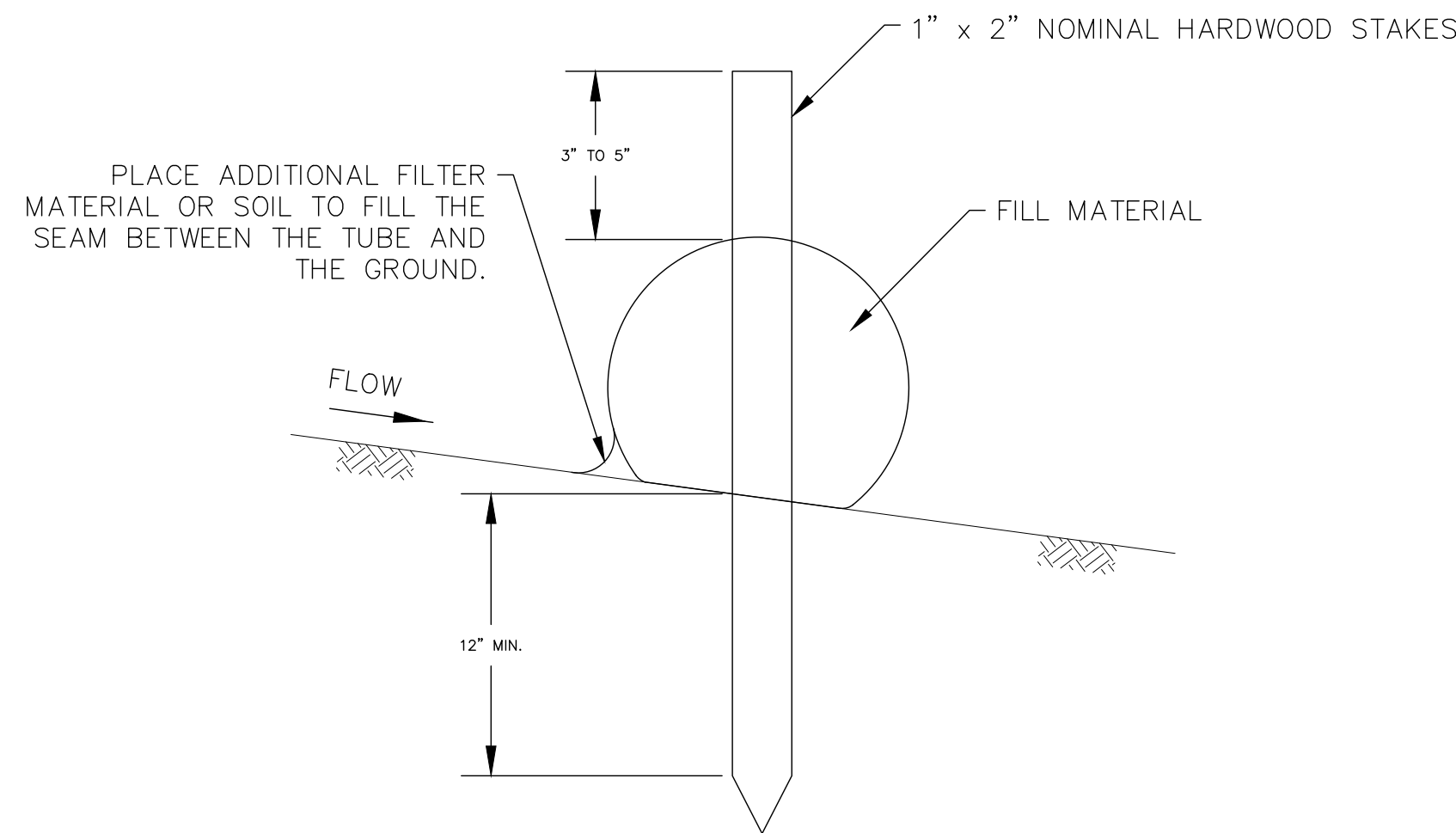
DATE: 1-13-22
DRAWN BY: TMB
CHECKED BY: DV
FIRM: STROBEL ENERGY GROUP
SHEET TITLE 30x42

EROSION & SEDIMENT CONTROL PLAN

DRAWING NUMBER: C-104

SHEET	REV
	0

FILE NAME G:\21\121-1524 Steve's Projects\Storage Units\Hastings NE\21 DD_ENG_AutoCAD\Site\Hastings SWPPP.dwg

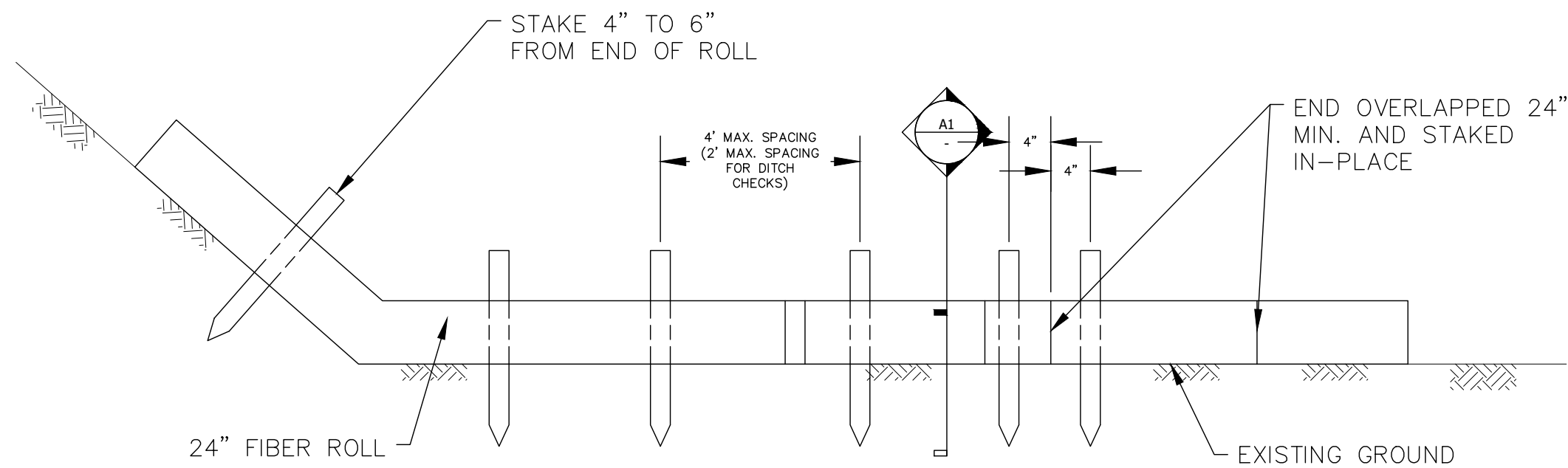


A1 24" FILTER SOCK STAKING DETAIL

Scale: NTS

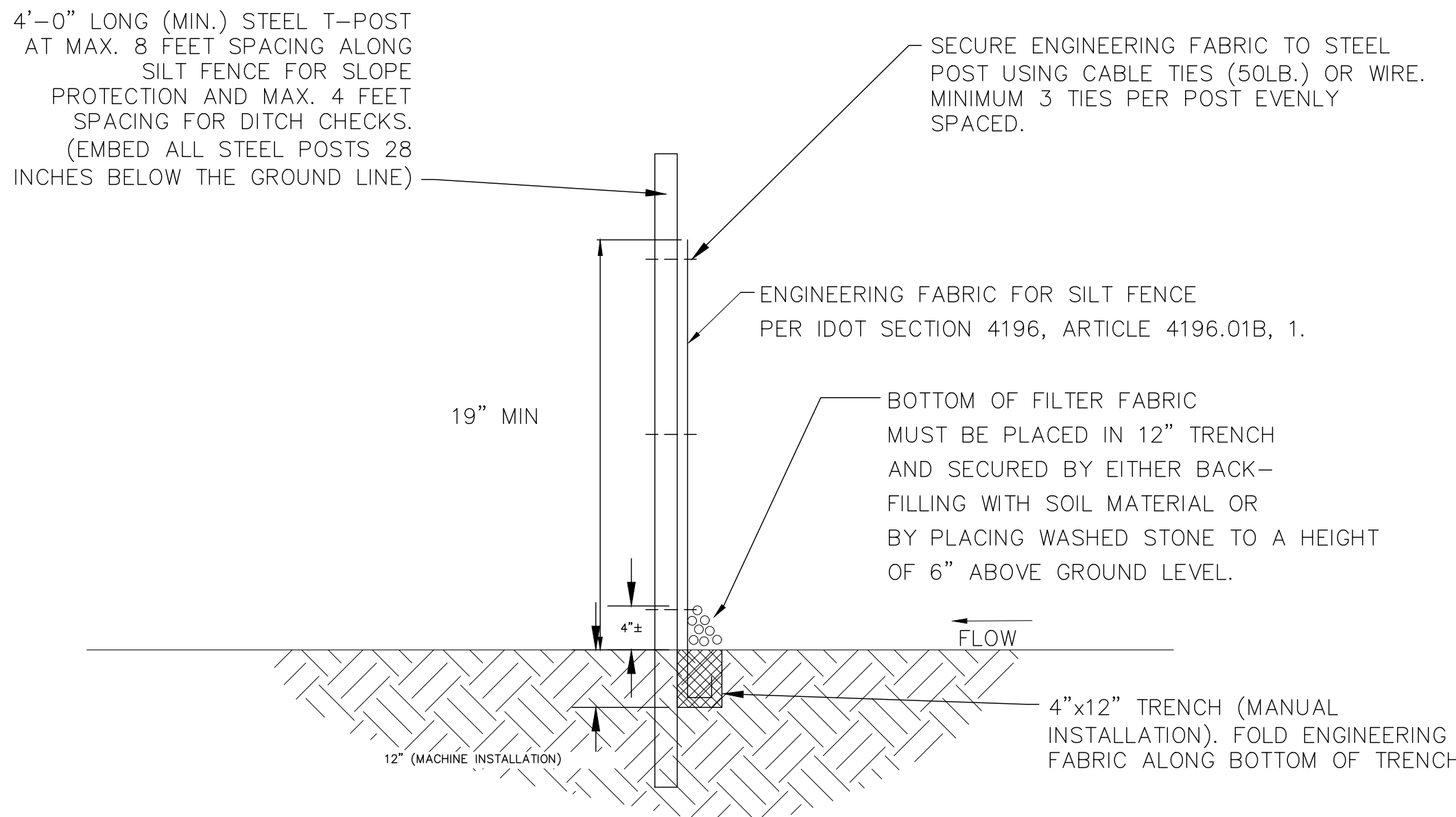
NOTES:

1. FILTER SOCKS ARE PREFABRICATED TUBE-SHAPED EROSION CONTROL DEVICES PNEUMATIC FILLED WITH MATERIAL DERIVED FROM WOOD, BARK, OR OTHER, NON-TOXIC VEGETATIVE FEED STOCKS THAT IS SCREENED TO REMOVE SOME OF THE FINES. PARTICLE SIZES SHALL BE: 2" SIEVE-100% PASSING, 1" SIEVE-90 TO 100% PASSING, 3/8" SIEVE-0 TO 30% PASSING. SOCKS SHALL BE WRAPPED WITH A CONTINUOUS, TUBULAR, KNITTED, MESH NETTING WITH 1/8 INCH OPENINGS, CONSTRUCTED OF 5 MIL THICKNESS, PHOTODEGRADABLE HDPE.
2. THE FILTER SOCKS SHALL BE HELD IN-PLACE WITH HARDWOOD STAKES EVERY 4 FEET ALONG THE LENGTH OF FILTER SOCK FOR SLOPE PROTECTION AND EVERY 2 FEET FOR DITCH CHECKS.
3. WHEN AT LEAST ONE-HALF THE DISTANCE BETWEEN THE TOP OF THE FILTER SOCK AND THE GROUND SURFACE IS FULL OF SEDIMENT, REMOVAL AND DISPOSAL OF SEDIMENT IS NECESSARY.



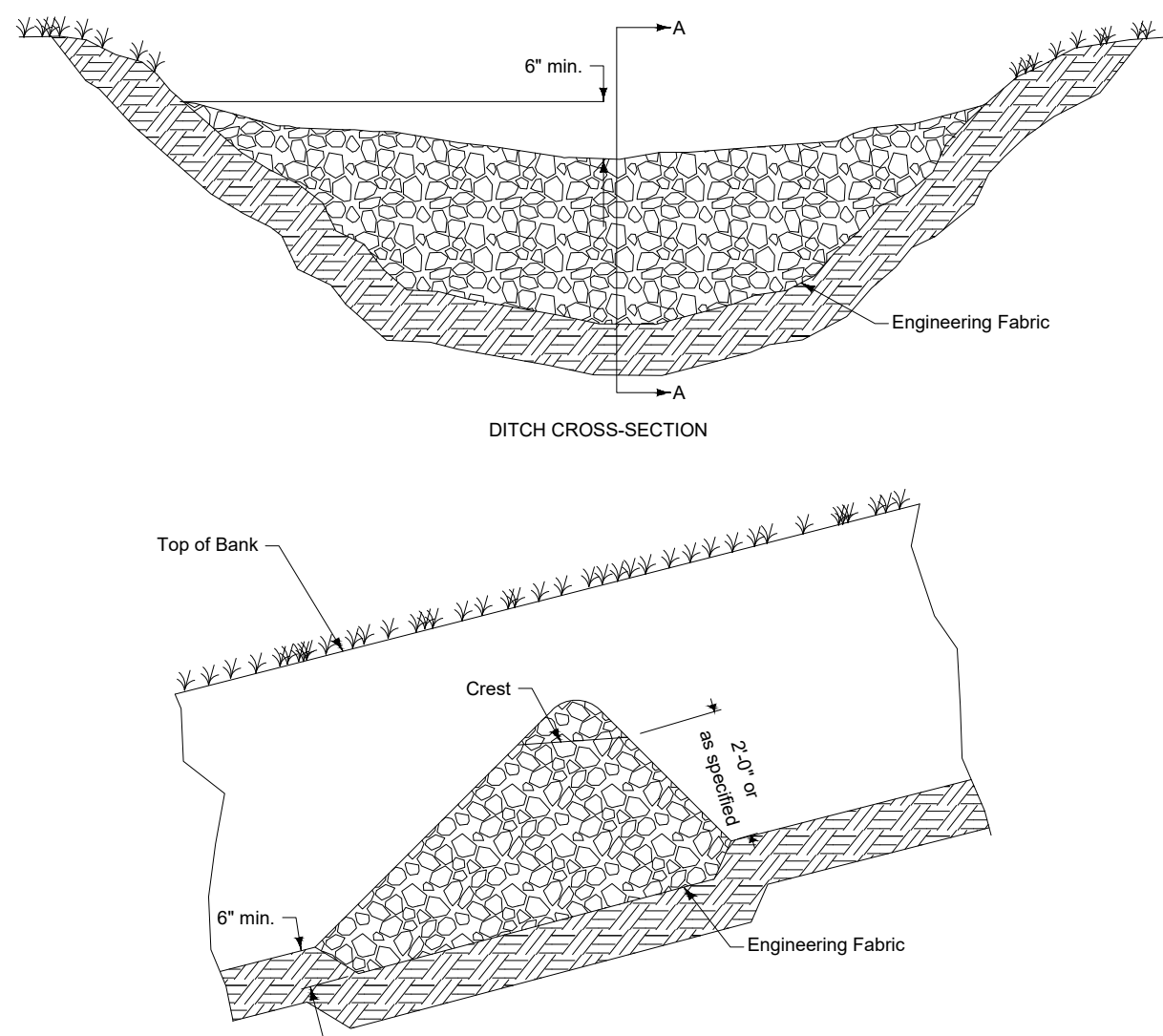
B2 24" FILTER SOCK

Scale: NTS



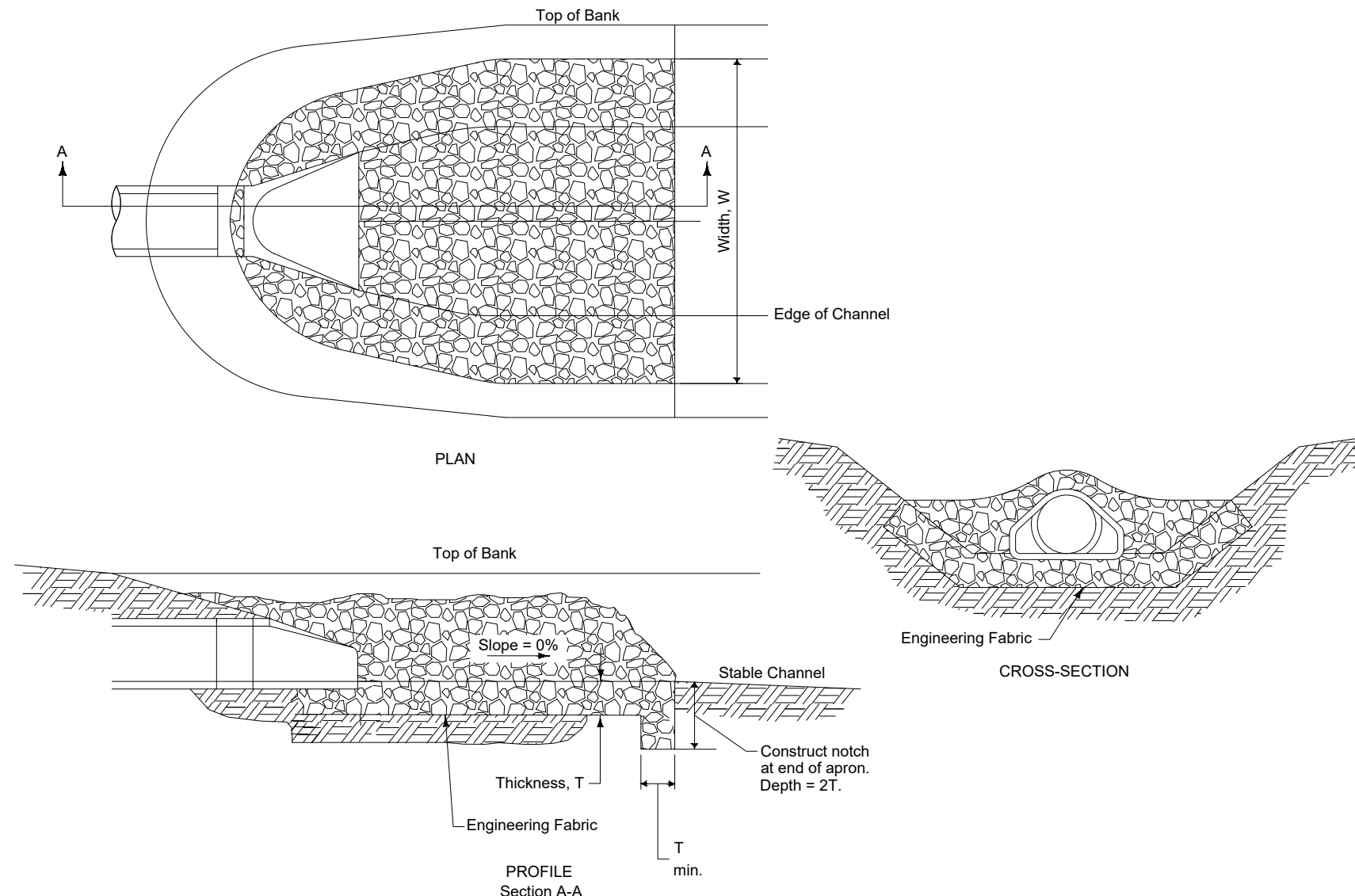
A2 TEMPORARY SILT FENCE

Scale: NTS



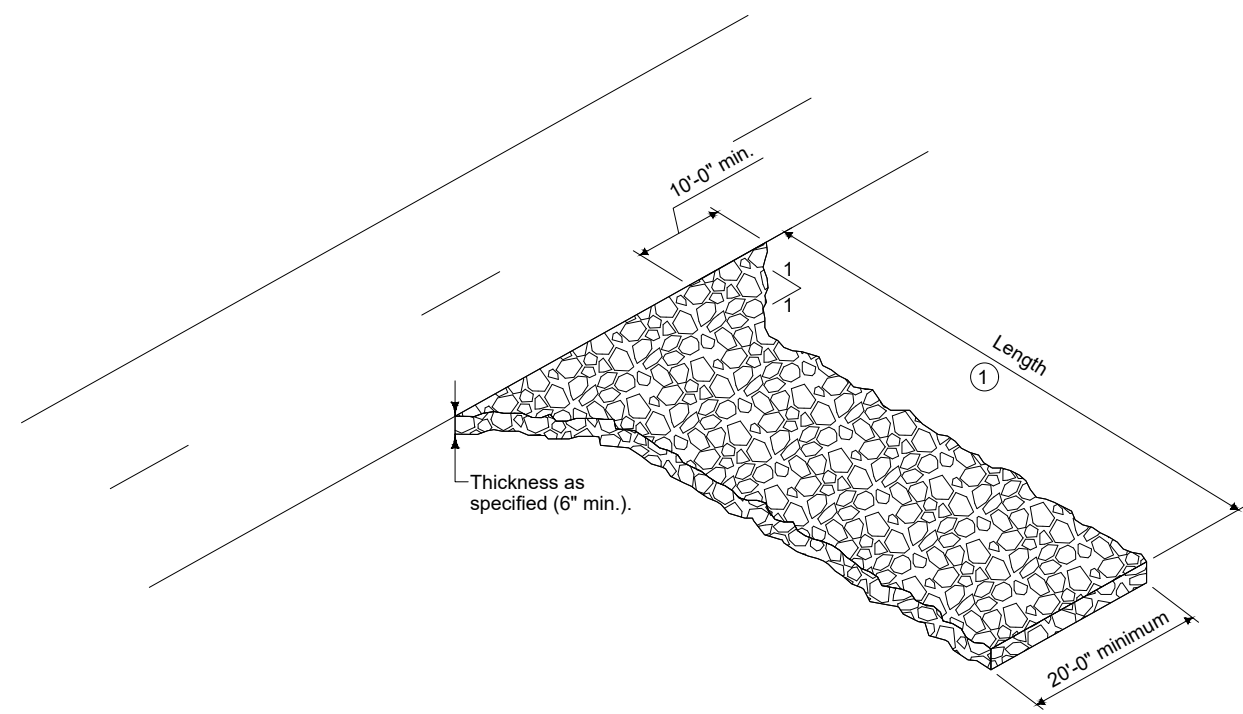
A2 ROCK CHECK DAM

Scale: NTS



A1 RIP RAP APRON

Scale: NTS



B2 STABILIZED CONSTRUCTION ENTRANCE

Scale: NTS

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CONSULTANTS:



HEADQUARTERS: 108 SOUTH CREEK ST. CLARK, NE OFFICE: (308)548-2264 STROBELENERGY.COM
OMAHA OFFICE: 8214 SOUTH 109TH ST. LAVISTA, NE. 68128 OFFICE: (308)548-2264 STROBELENERGY.COM

PROJECT LOCATION: HASTINGS, NE

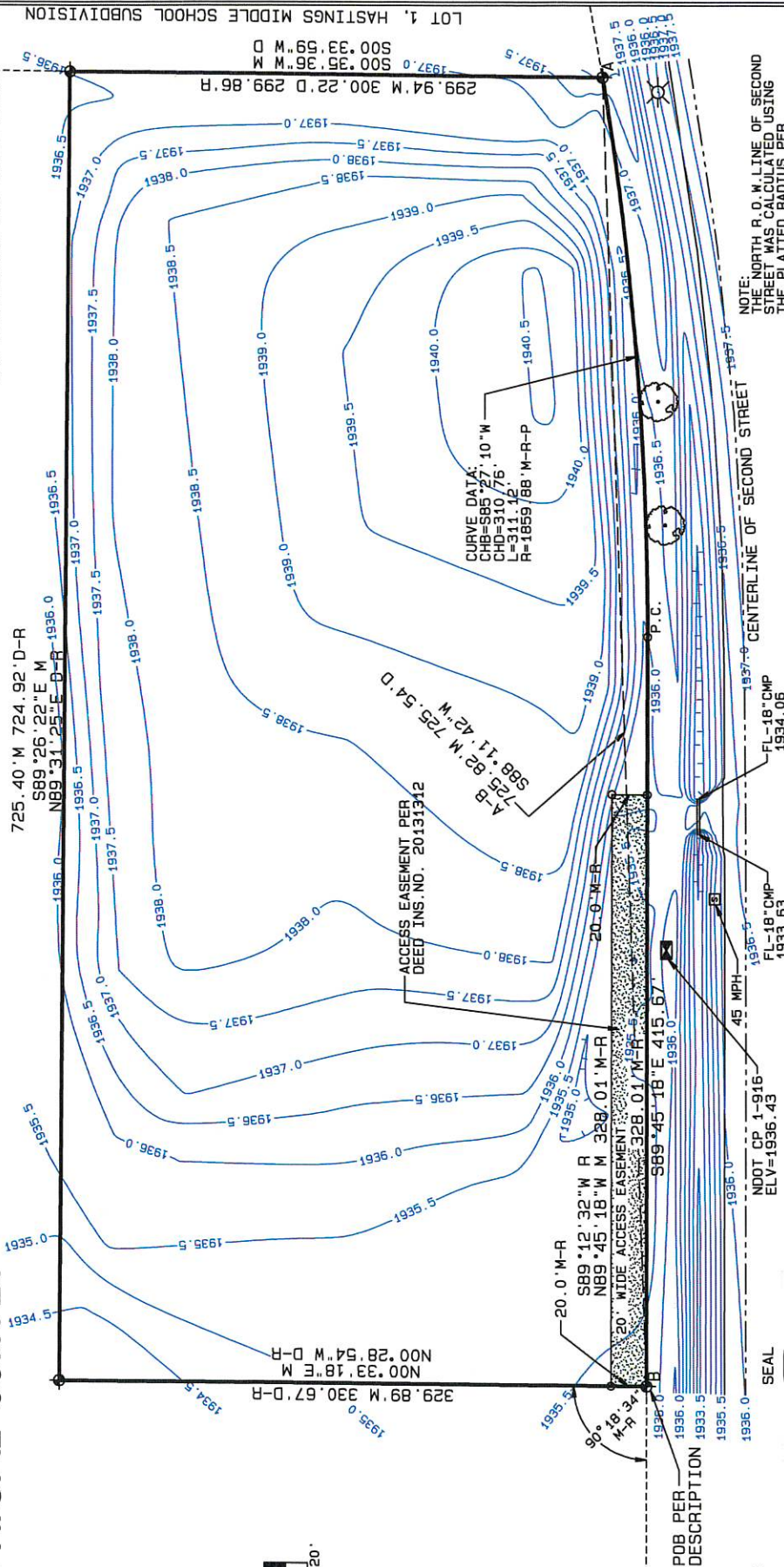
OWNER: GREG & JULIE ELLENWOOD

REV	DATE	DESCRIPTION
A	1-24-22	IFR - ISSUED FOR REVIEW
B	2-7-22	IFA - ISSUED FOR APPROVAL
O	2-8-22	IFC - ISSUED FOR CONSTRUCTION

PROJECT NO: 21-1524
CAD DWG FILE: HASTINGS SWPPP.DWG
DATE: 1-13-22
DRAWN BY: TMB
CHECKED BY: DV
FIRM: STROBEL ENERGY GROUP
SHEET TITLE 30x42

SWPPP DETAILS	
DRAWING NUMBER: C-105	
SHEET	REV
	0

NOTE:
ALL ELEVATIONS ARE NAVD 1988



NOTE:
THE NORTH R.O.W. LINE OF SECOND
STREET WAS CALCULATED USING
THE PLATTED RADIUS PER
HASTINGS MIDDLE SCHOOL SUBDIVISION
PLAT AND THE RECORD ANGLE OF THE
SURVEY DONE BY LS-520 ON 03/03/2011

Description in Exhibit "A" of Deed Instrument No. 20190197
A Tract consisting of 5.36 acres, more or less, legally described as follows:

A tract of land in the Southeast Quarter of Section Ten, Township Seven North, Range Ten West of the 6th P.M., Adams County, NE, and more particularly described as follows: Commencing at the south one-quarter corner of said Section 10 at the northeast corner of said Section 10, a distance of 194.46 feet to a point on the north right-of-way line of Second Street, thence N89°12'32"E and on the north right-of-way line of said Second Street, a distance of 1003.91 feet to the Point of Beginning; thence N00°28'54"W, a distance of 330.67 feet to a point; thence N84°31'25"E, a distance of 724.92 feet to a point on the west line of Lot 1, Hastings Middle School Subdivision to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof; thence S00°33'59"W along the west boundary of said Lot 1 Hastings Middle School Subdivision a distance of 300.22 feet to the intersection of the north right-of-way line of Second Street and the southwest corner of said Lot 1 Hastings Middle School Subdivision; thence the north line of Second Street and the north right-of-way line of Second Street 725.54 feet, more or less, to the Point of Beginning, in the City of Hastings, Adams County, Nebraska.



JOSHUA E. GRUMMERT | LS-783
GRUMMERT PROFESSIONAL SERVICES, LLC

PO BOX 37, KENESAW, NE 68956
PHONE 402-879-5701 EMAIL jmgrummet@yahoo.com
WEBSITE www.grummettsurveying.com

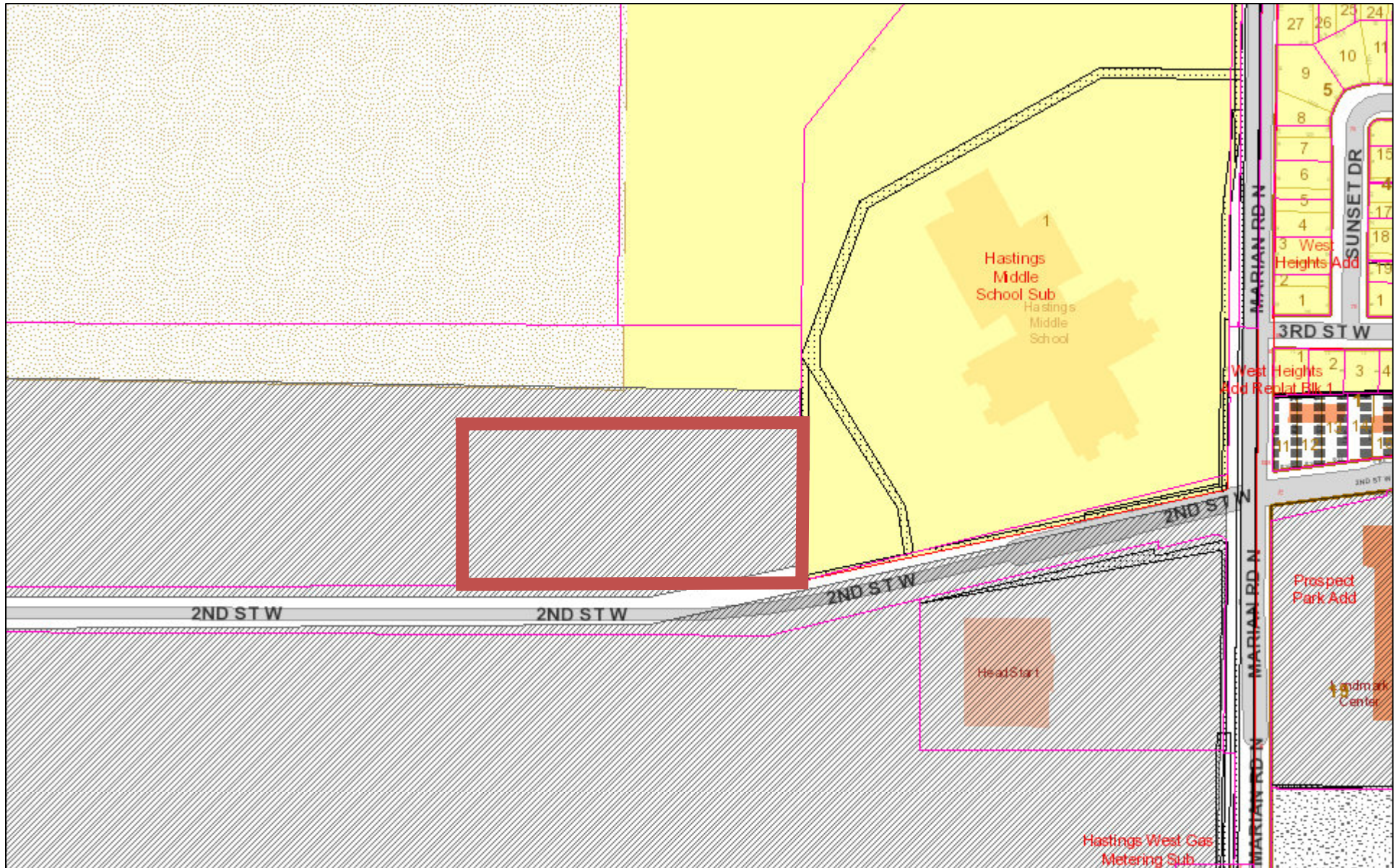
I HEREBY CERTIFY THAT THIS TOPOGRAPHICAL SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA. COMPLETED ON JANUARY 19TH, 2022.

Joshua E. Grummert
JOSHUA E. GRUMMERT | LS-783

GRUMMERT PROFESSIONAL
PO BOX 37, KENESAW, NE 68602

PHONE 402-879-5701 EMAIL
WEBSITE www.grummersuniv

ArcGIS Web Map



2/9/2022, 2:02:31 PM

- | | | | | | | | |
|---------|---------------|-----|-----|-----|------|------|--------|
| Limits | Subdivisions | AG | C-3 | I-1 | R-1A | R-3G | BLOCKS |
| OneMile | Easements | C-0 | CMP | I-2 | R-1S | R-5 | |
| TwoMile | Zoning | C-1 | CZ | MU | R-2 | TA | |
| Parcels | A | C-2 | FS | R-1 | R-3 | LOTS | |

1:4,514
0 0.035 0.07 0.14 mi





Permit #: 22009

Permit Date: 01/25/22

Permit Type:

GROUP: Planning

Permit Type: Conditional Use

Title: RV Storage CUP

Site Address: Parcel# 010018822

Parcel Number:

Owner Name: Greg and Julie Ellenwood

Owner Address: 209 McPherson Avenue

City State Zip: Republican City, NE 68971

Owner Phone:

Owner Email: greg_ellenwood@yahoo.com

Applicant Name: Greg and Julie Ellenwood

Applicant Address: 209 McPherson Avenue

City, State, Zip: Republican City, NE 68971

Phone Number: 402-469-1550

Applicant Email: greg_ellenwood@yahoo.com

Proposed Use: storage facility

Description: to build facility on this parcel

Number of Cases: 1

Project Cost: 0

Square Feet: 6

Within City Limits: Yes

Current Zoning: I-1, Light Industrial

Current Zoning Explained:**Proposed Zoning:** I-1, Light Industrial**Conditions:****Conditions Defined:****1st PN & Agenda Send By (11:30):** 02/02/2022**1st PN & Agenda Due Date:** 02/04/2022**1st PN & Agenda Sent:** 01/31/2022**2nd PN & Agenda Send By (11:30):****2nd PN & Agenda Due Date:****2nd PN & Agenda Sent:****Sign / Website Posting - Post By:** 02/04/2022**Sign / Website Posting - Posted:** 02/03/2022**APO Letter - Send By:** 02/04/2022**APO Letter - Sent:** 02/04/2022**PC Approval - Date Approved:** 02/15/2022**PC Outcome Letter - Due:** 02/16/2022**PC Outcome - Completed:** 03/07/2022**CRA Approval - Meeting Date:****CRA Approval - Approved:****CC Packet - Goal Load Date:** 03/04/2022**CC Packet - Due Date:** 03/08/2022**CC Out/Admin Due Date:****CC Packet - Completed:****Stage:** Ready for CC Staff Report**CC Out/Admin - Completed:****ENG Meeting:****ENG Email:****Plat Track Review Email:****Communication Preferences:****Status:** Open**Assigned To:** Brian Hurskainen**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010018822			SEDA MICHAEL A & ROBERTA K		

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
01/28/2022	2. City Council Meeting		03/14/2022		Brian Hurskainen	Open
01/28/2022	1. Planning Commission Meeting		02/15/2022	02/15/2022	Brian Hurskainen	Closed

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
------	-------------	-------------	-------------	---------------

01/27/2022	Planning/Zoning	Talk about and show landscaping for empty space to west per Section 9E https://library.municode.com/ne/hastings/codes/code_of_ordinances?nodeId=CH34ZOOR_ARTIVSTCOUS_S34-402GESTALCOUS and landscaping code https://library.municode.com/ne/hastings/codes/code_of_ordinances?nodeId=CH34ZOOR_ARTIIISUDIRE_S34-305LAOPSPDE	Brian Hurskainen	Revision Requested
01/31/2022	Building	No comments. I'll let Tara comment on drainage.	Lee Vrooman	Approved

Fees

Fee	Description	Notes	Amount
Conditional Use Permit or Amendments			\$450.00
Document Filing Fee	Enter number of pages.		\$16.00
Total			\$466.00

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
01/25/2022	Julie Ellenwood		M 5513	Clara McCully	\$466.00
Outstanding Balance					\$0.00

Notes

Date	Note	Created By:
02/03/2022	sent comments to owners	Brian Hurskainen

Uploaded Files

Date	File Name
01/25/2022	49fa097353f0f8964e87ff41388634bd_parcel_010018822_cup.pdf

Return to: City of Hastings Development Services, 220 N. Hastings Ave., Hastings, NE 68901

RESOLUTION NO. 2022-06

WHEREAS, the City of Hastings Municipal Code establishes regulations, requirements, and specific conditions for approving and issuing Conditional Use Permits (CUP) for development projects that require conditional approval by resolution approved by the Mayor and City Council; and

WHEREAS, On January 25, 2022, Greg and Julie Ellenwood filed an application seeking a Conditional Use Permit to allow a storage facility on property generally located north of West 2nd Street and west of North Marian Road in Hastings, Nebraska, which property is legally described as follows:

A tract of land South East 1/4 North of Second Street beginning South West Corner Southeast 1/4 North 784.96' East on North line 2nd Street 1003.91' to place of beginning along West 2nd Street West of North Marian Road in the City of Hastings, Adams County, Nebraska.

and

WHEREAS, the Planning Commission held a public hearing on February 15, 2022 as required by law. Following said hearing, the Planning Commission, by way of a vote of 7 to 0, recommended approval of granting a CUP to allow for the property to be used as a storage facility; and

WHEREAS, the City Council conducted a public hearing on March 14, 2022 as required by law to consider the CUP application; and

NOW, THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, hereby approve granting a CUP and further do hereby adopt the following resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, that it does hereby approve the granting of a Conditional Use Permit to Greg and Julie Ellenwood to use the following described property for a storage facility:

A tract of land South East 1/4 North of Second Street beginning South West Corner Southeast 1/4 North 784.96' East on North line 2nd Street 1003.91' to place of beginning along West 2nd Street West of North Marian Road in the City of Hastings, Adams County, Nebraska.

subject to the following conditions:

- 1) The applicants' Self Service Storage Site Plan with inclusive dimensions of buildings, parking locations, access and easement location notes are hereby approved and applicant agrees to comply to all inclusive details.
- 2) Applicant must provide a detailed landscape plan following provisions listed in Section 34-305 of the Hastings City Code at the time of building permit application.
- 3) There shall be compliance with any other applicable City, County, State or Federal regulations that shall apply.
- 4) This resolution shall be filed with the Registrar of Deeds so as to provide notice to any person examining the real estate records of the existence of this CUP. The recording costs incurred to comply with this section shall be paid by the applicant for the CUP

PASSED AND APPROVED this 14th day of March, 2022.

Corey Stutte, Mayor

ATTEST;

Kimberly S. Jacobitz, City Clerk

[S E A L]

Approved as to form: _____
Clint Schukei, City Attorney

STATE OF NEBRASKA)
) ss
COUNTY OF ADAMS)

The foregoing instrument was acknowledged before me this _____ day of March, 2022 by Corey Stutte, Mayor and Kimberly S. Jacobitz, City Clerk of the City of Hastings.

Notary Public Signature

Notary Public Printed

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on the request of Mr. Brian Jorde, legal representation for Prairie Thunder Hastings LLC, West Fork, Inc. and Gremco Inc., to change the zoning from "A, Agriculture" to "C-3, Commercial Business" for property generally located to the north of Walmart and 42nd Street W and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County and City of Hastings Nebraska and to amend the Official Zoning District Map.

Disapprove Ordinance No. 4699 amending the Zoning District Map to change zoning from "A, Agriculture" to "C-3, Commercial Business" for property generally located to the north of Walmart and 42nd Street W and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County and City of Hastings Nebraska.

Names of People/Business affected by this action:

The applicant, and the citizens of the City of Hastings and Adams County.

Why Council action is required:

Neb. Rev. Stat. 16-404 requires that ordinances be passed by the City Council on three readings, unless three-fourth of the City Council members vote to suspend this requirement.

Type of action requested:

Ordinance

Suggested motion:

Motion to approve Ordinance No. 4699 on First Reading.

Deadlines associated with action:

There is a concurrent item on our agenda to process a Conditional Use Permit for the Racetrack portion of the use for this development.

Department head comments:

Surrounding zoning is as follows:

North – A, Agriculture, RP-3, Multiple Family Planned Residential & R-1, Urban Single-Family Residential districts

South – C-3, Commercial Business District

East – A, Agriculture; C-3, Commercial Business; and R-3, Multiple Family districts

West – A, Agriculture District

It is important for all to understand the rezone is a totally separate action that is necessary only to place the Casino in this area as the use of the Casino is slated as an *Indoor Entertainment and Recreation Business* that is not allowed in the A, Agriculture District (its current zoning). A rezone is normally an option to consider when the comprehensive plan and corresponding Future Land Use (FLU) map indicate it to be compatible or when there is clearly surrounding growth and changes that would justify the FLU map is not as accurate as it once was when the comprehensive plan was originally undertaken. When staff sees an area they consider to be tagged inaccurately in the future, they will bring it before the Planning Commission and City Council as a proposed FLU change to justify this corresponding rezone as seen in the past year on several occasions. The staff do not view the FLU as inaccurately forecasting this area. Rather, the FLU does not currently address the difference between commercial that is retail, and commercial that is non-retail. However, our current zoning does break this out and this differentiation is of vital importance in this particular area.

The even mix of both Suburban Residential & Commercial/Retail slated for the entire 150+ acres of undeveloped area between Walmart and Lochland, as shown in the FLU, indicates to Staff that the most appropriate district zone for this area is C-O, *Commercial Office Non-Retail District*. This is because the intent of that particular zone district is to “include urban and suburban residential and professional office uses that are appropriate in areas undergoing a transition” and specifically states, “the regulations and restrictions are intended to protect, preserve and enhance the residential uses while permitting uses characterized principally by consultative services or executive, administrative or clerical activities”. Staff believes if this area were to be zoned to truly consider the potential impacts of both Lochland residents and the southern commercial presence, that C-O, *Commercial Non-Retail* is the most appropriate district for which we should rezone this entire area. The C-O zoning district would consider both residential and commercial FLU types projected for this area.

If you approve this rezone to C-3, *Commercial Business District* you should be aware that this means other future uses for outdoor sales of many types (like a car lot), perhaps some light manufacturing uses, or even other indoor and outdoor entertainment and recreational businesses or uses (like go-carts or motor-cross racetracks) will be either permitted or allowed with a conditional use permit. Once a racetrack is in place, and should this development venture not succeed, there would be a racetrack to be reused. If this area were to be rezoned to a C-O, *Commercial Non-Retail* zoning district, many of these uses are retail and would not be permitted in this area. This is why this area at most should only be considered for a C-O, *Commercial Non-Retail* zoning district rezone. However, that is not what our applicant has proposed—it is not what they proposed because only the C-3, *Commercial Business Zone District* will permit them to have the Casino.

There was obviously some intentional consideration on the part of those who created the FLU to cease Commercial/Retail as they moved north towards Lochland. We know this because when we review the FLU and compare the western side of the Tom Osborne Expressway to the eastern side, only the eastern side continues to incorporate Commercial/Retail as it moves north, whereas the western side ceases Commercial/Retail future zoning as it approaches Lochland. The question Planning Commission and City Council will need to determine is to what point this cessation in future Commercial/Retail use should be cut off or transitioned as you move closer to Lochland.

The existing zoning surrounding this property is a mixture of agricultural, commercial and residential.

The residential properties in Lochland to the north of this area are zoned *R-1, Urban Single Family Residential*; these are larger single-family residential homes where property values average \$344,024. These are not townhomes, apartments or duplexes. This type of residential development is not uncommon to see in an area such as this located on the outskirts of town, as this area is technically still in transition from what was farmland to what has become commercial and residential through time. Though we do have Walmart, and many commercial businesses to the south of this area, it is important to remember those were permitted uses in the C-3, *Commercial Business District*. Walmart, and the other retail businesses and restaurants did not need to consider and prepare plans for mitigating potential hazards and nuisances like horse manure, intense light glare, dust and smell. Also key, the area to the west of Walmart and much of the strip of commercial south of 42nd Street was FLU slated mixed-use community and not *R-1, Urban Single Family Residential*. Meaning the residential R-1 zoning had a mixed-use transition built into the FLU. The area moving north does not have this built into it.

Another important factor that must be considered is the amount of area that is optimal for placing the development in or what is referred to as the lay-of-the-land or topography. Some uses are more conducive to a topographically challenging area than others. In looking at the area being proposed, one can see that the topography shown on the Contours Map drastically increases in variances the further south and southeast, indicating larger grade differences. If one also overlays the Resource Map that shows the Floodplain over the top of the FLU Map for this area, it becomes apparent the area to the south is less conducive for development than the rest of this area as shown in the attached Latest Rezone Area in the FLU Map. In fact, if you take a look at the Site Plan, you will notice this entire area does not have an actual structure placed in it, but rather they are proposing open and impervious space in these areas as one would expect. Roughly 25% of the area found in the Commercial/Retail area of the FLU is in a Floodplain and is best used as open space, a detention area or left undeveloped. When one looks at this entire area (150 acres) currently undeveloped, the area more adaptable to development is predominantly FLU-slated for Suburban Residential. Something to also understand and consider is that if a residential use were to be placed here, there would also not need to be a consideration for the required buffer found in Table 305-8 of our Zoning Code. This means you can utilize more of this total area for buildout as a residential use than you could as a Commercial/Retail use.

As a result of the floodplain and the residential presence to the north, we will end up with a development that has to be unnaturally squeezed into a center point of 150+ acres. The area slated to the north of this race track, still slated for future suburban residential, will be less likely to develop as that use if this rezone and the race track CUP are approved. Staff finds it questionable, based upon the abundant public feedback that we have received, as to whether or not anyone would want to live this close to a Racino. So, even though the immediate percentage of area for Suburban Residential in their project area has been greatly diluted, the fact still remains that the part of the area where their race track will sit and the area to the north of this are future slated for Suburban Residential.

Additionally, we must not forget this area is the primary gateway to our city. Though it is not unusual for Casinos to desire a gateway location, that type of use may fit for larger cities like Omaha and Lincoln; it simply is not what this community would want to express as the identity and first impression of Hastings. We see this in the Comprehensive Plan on page 1-5 where it discusses Small Town Character. This use should not be permitted in our gateway and is contrary to Comprehensive Plan. Staff knows Small Town Charm is still important to our community because when we held key stakeholder and public focus group meetings to discuss our Transportation and Parking Plan, one of the primary strengths that was identified as part of this plan was our city's unique character, often described as "Small Town Charm" and appeal. This is what is said to be the most important thing to our residents. The difference between Grand Island, Kearney and Hastings is when you drive into town and down Burlington Avenue, you still see many older yet well-maintained, charming residential properties along this corridor. Though this particular area doesn't exude that "Small Town Charm", it is not currently in complete contrast to that vision. This "Small Town Charm" definitely has been a strength for Hastings that these other communities do not have and the more we stray from that vision the more we gravitate away from that strength. This is not to say Hastings can never grow, but it is to say architecturally and visually, we want to ensure developments in that gateway area are not visually disparate to the look and feel of the "Small Town Charm". Staff contends a "Racino" at our gateway does not consider this long-standing strength and is a complete disregard to this known community engagement feedback.

Staff has evaluated the submission provided by the applicants and does not feel based on the area for which it is proposed, the future outlook slated in our FLU, the challenges presented by the existing floodplain in the southeast corner, and the proximity it will have to existing residential uses located in Lochland, that their proposal to rezone to C-3, *Commercial Business Zone District* is the best-suited zone district for this area now or into the future should this development fail.

Planning Commission reviewed this rezone request at the February 15, 2022 regular meeting and voted 4-3 to recommend disapproval.

City Administrator comments:

As I disclosed to the Mayor and Council previously, I live at 5200 Skyeloch, which is one block east of the intersection of Baltimore and Madden Road. My home is at the very west end of the Lochland area. I do not believe my property value would be affected by this application, nor do I have an issue with the proposed use of the property. I state this to preface my recommendation because it is based on my many years of planning and zoning experience having worked or consulted in over 65 cities and villages in Nebraska. This would, in my opinion, be a poor land use decision for the future of Hastings. The Comprehensive Plan and Future Land Use Map are outdated. The City is currently reviewing 4 bids to do a much needed update to the City's Comprehensive Plan along with our zoning and subdivision regulations. The development of the City to the north since 2009 makes this updating necessary. This application is a classic case of economic development versus land use. Land use is a highly emotional topic with most people and this application is no exception. The Planning Commission has recommended denial of the application by a 4-3 vote; however, the Council can accept, reject, or modify the Planning Commission's recommendation, and the Council is certainly not bound by my recommendation

either. It is my understanding that the City has received objections from the requisite number of property owners to require the Council to approve this zoning change by a super majority vote of 3/4 of all Council members.



Permit #: 21071

Permit Date: 11/28/21

Permit Type:

GROUP: Planning

Permit Type: Zoning Change (Rezone)

Title: Casino & Horse Racetrack Rezone

Site Address: 4555 W OSBORNE DR

Parcel Number:

Owner Name: West Fork Inc.

Owner

Address:

City State Zip:

Owner Phone:

Owner Email:

Applicant Brian Jorde, legal counsel for Robert A. Wallace for West Fork, Inc. & Gremco, Inc., and

Name: Brian Becker Prairie Thunder Hastings, LLC

Applicant
Address: 1501 S. Burlington

City, State, Zip: Hastings, NE 68901

Phone Number: 402-493-4100

Applicant
Email: bjorde@dominalaw.com

Proposed Use: Racetrack and Commercial/Retail Indoor Entertainment

Description: Rezone to C-3 for Commercial/Retail and CUP for Racetrack

Number of
Cases: 1

Project Cost: 0

Square Feet: 135

**Within City
Limits:** No

**Current
Zoning:** A, Agriculture

Current Zoning

Explained:

**Proposed
Zoning:** C-3, General Business

Conditions: Yes

Conditions

Defined:

1st PN &

Agenda Send 02/02/2022

By (11:30):

1st PN &

Agenda Due 02/04/2022

Date:

1st PN &

Agenda Sent: 01/31/2022

2nd PN &

Agenda Send

By (11:30):

2nd PN &

Agenda Due

Date:

2nd PN &

Agenda Sent:

Sign / Website

Posting - Post 02/03/2022

By:

Sign / Website

Posting -

Posted:

APO Letter -

Send By: 02/04/2022

APO Letter -

Sent:

PC Approval -

Date Approved: 02/15/2022

PC Outcome

Letter - Due: 03/07/2022

PC Outcome -

Completed: 03/07/2022

CRA Approval

- Meeting Date:

CRA Approval

- Approved:

CC Packet - 03/11/2022

Goal Load

Date:

CC Packet - 03/08/2022
Due Date:

CC Out/Admin 03/14/2022
Due Date:

CC Packet -
Completed:

Stage: In Relook Review

CC Out/Admin
- Completed:

ENG Meeting: Scheduled

ENG Email: LParnell-Rowe@cityofhastings.org, BHurskainen@cityofhastings.org, AStory@hastingspolice.org, lvrooman@hastingsutilities.com, AReinhardt@hastingsutilities.com, dmiller@adamscounty.org, dbergmann@cityofhings.org, jnewlun@cityofhastings.org, jhasenstab@cityofhastings.org, kleonhardt@hastingsutilities.com, KJohnson@hastingsutilities.com, tvorderstrasse@hastingsfire.org, mstange@hastingsutilities.com, RAspen@hastingsutilities.com, skostner@cityofhastings.org, TOgren@hastingsutilities.com, twaite@hastingsutilities.com

Plat Track

Review Email:

Communication

Preferences:

Status: Open

Assigned To: Lisa Parnell-Rowe

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010000579			WEST FORK INC		--

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
11/30/2021	2. City Council Meeting		03/14/2022		Lisa Parnell-Rowe	Open
11/30/2021	1. Planning Commission Meeting		02/15/2022		Lisa Parnell-Rowe	Open
02/02/2022	3. Review	Review of Revision 5_1.31.22 is being done within cooresponding CUP permit 21072 and is due 2/7/22.	02/07/2022	02/07/2022		Closed

Fees

Fee	Description	Notes	Amount
Rezoning Application	(Amendment to the Zoning Map)		\$550.00
Total			\$550.00

PRAIRIE THUNDER HASTINGS, LLC

1401 S. Burlington
Hastings, NE 68901

City of Hastings Planning Commission
Attn: Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Commissioners:

Prairie Thunder Hastings, LLC, ("PTH") along with West Fork, Inc., and Gremco, Inc., respectfully request you approve our Rezoning and Conditional Use Permit Applications for construction and operation of a 5/8-mile horse racetrack and Casino within 108-acres of land abutting the Tom Osborne Expressway (HWY 281) and West 42nd Street as shown below:



PROJECT SUMMARY

On November 3, 2020, Nebraska and Adams County overwhelmingly voted to approve gaming in Nebraska. The voters did so by passing three initiatives, 429, 430, and 431. Together, Initiatives 429, 430, and 431 allow, authorize, regulate, and tax gambling at licensed racetracks. The new laws ensure that horse racing and gaming are economically linked so that there is a consistent source of revenue generated from the Casino to build and sustain Nebraska horse breeding and racing.

58.35% of Adams County voters voted for 429; 58.14% for 430; and 61.52% for 431. Notably, Hastings Precinct 3-C, where Lochland is located, voted over 63% for all three.



In order to operate a Casino you must hold a Gaming Operator License and the prerequisite to apply for a Gaming Operator License is you must hold a valid Nebraska Race License. There are currently only 6 Race Licenses in the State: Omaha, Lincoln, Columbus, South Sioux City, Grand Island, and thankfully for the benefit of all Adams County residents, Hastings. These are the only current locations in Nebraska that can apply for and be granted a Gaming Operator license to operate a Casino. No Racetrack means no Casino and no Casino means no new jobs and no new millions of dollars annual in tax revenue. This puts Adams County and the City of Hastings in the driver seat to secure for its voters and residents a one-time only opportunity because Hastings is one of the only 6 of 93 counties where there is an active Race License.

Your approval of our re-zoning and CUP Applications are the prerequisite to bring tens of millions of dollars in new tax revenue to Adams County and Hastings that will never be possible again unless this project moves forward now.

For approximately 20 years Hastings Exposition and Racing, Inc., “HER”, a Nebraska non-profit entity, has kept the Adams County Race License alive by complying with all State regulations and Nebraska Racing (and Gaming) Commission rules year after year. Had HER not preserved its Race License and kept it alive for the past two decades, Adams County and Hastings would not have this once-ever opportunity today.

As described herein, we request approval to harness this incredible opportunity for the benefit of Hastings and Adams County and construct a horse racetrack and Casino within the 108-Acre Project Area as described in detail in the pages that follow. PTH, Global Gaming, and HER will work together to make this exciting opportunity a reality.

ECONOMIC BENEFITS

Between 2000 and 2020, Hastings population has increased by 1,088 residents. During this same time, Grand Island grew by 10,191 persons, a growth rate of 23.7%. We believe Hastings deserves economic growth and population growth and that starts with approval of PTH’s applications. PTH estimates new job creation from 120 to 150 employees with total annual salaries projected from \$3.7 million to \$4.5+ million plus benefits. This represents a significant number of new jobs and new economic growth.

Growing tourism in Hastings and bringing in new dollars from those living outside of Hastings is an additional bonus. Hotel, Restaurant and Retail revenue will increase for surrounding business from the tourists visiting the facility. We estimate 650,000+ in annual visitors to the proposed facility. Imagine the multiplier effect of these person staying, eating, and spending in Hastings.

Not only will this development contribute meaningfully to revitalization of the horse industry and greatly increase tourism to Hastings, we project new tax revenue generated by the Casino of \$1,162,500 to Adams County, \$1,162,500 to the City of Hastings, and an additional \$6,900,000 for property tax relief - each on an annual and recurring basis.

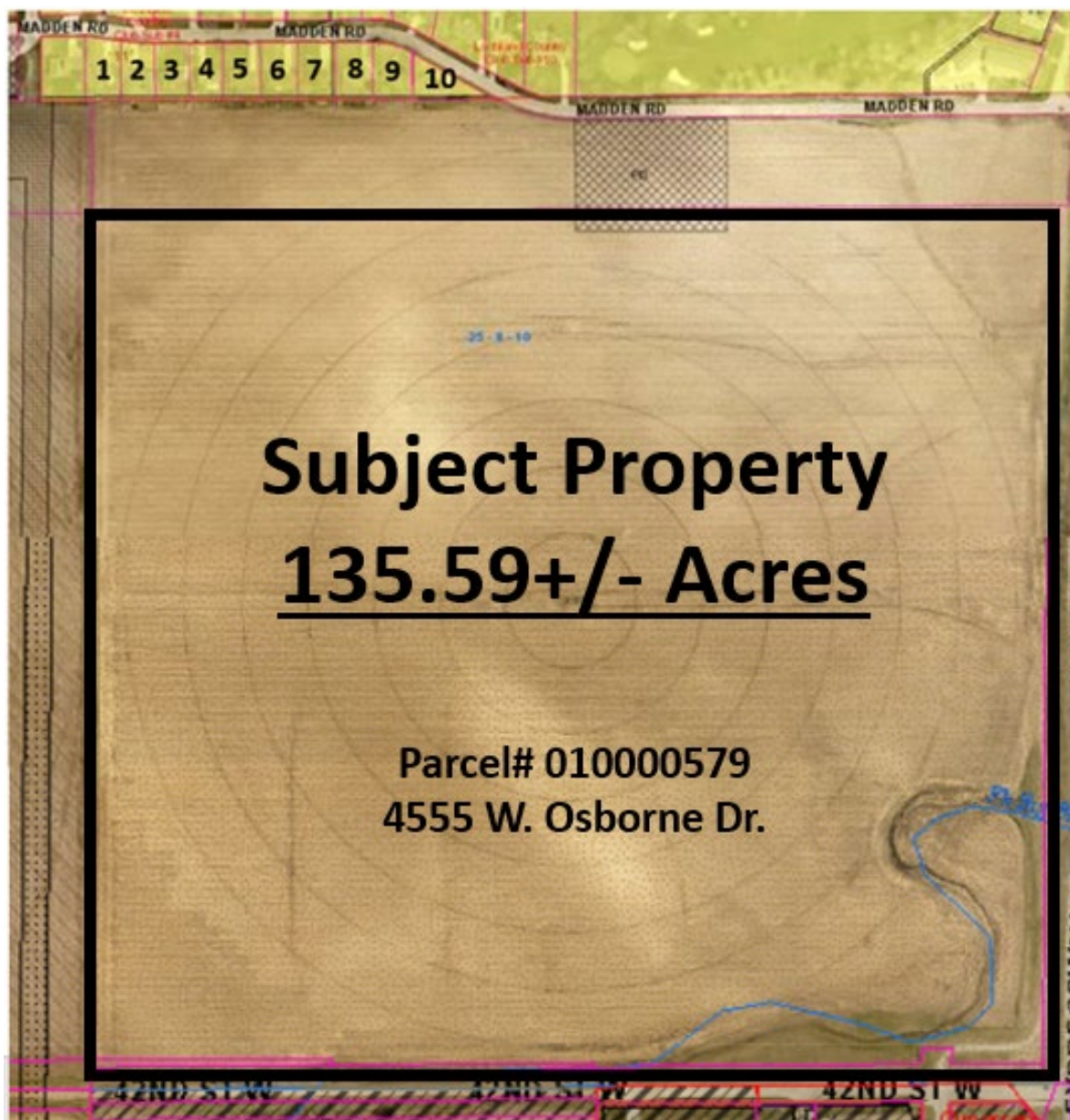
And not to be forgotten, this development which will cost approximately \$40,000,000.00 to develop and once completed will bring significant new property tax revenue to the City/County on an annual basis close to \$200,000 per year.

Isn’t it time to take action to help the incredible property tax burden felt by property owners in Adams County and in communities like Hastings?

RACETRACK & CASINO SUBJECT PROPERTY

The Subject Property, is the ideal location for the proposed racetrack and casino for the following reasons: highway frontage and access, existing four-way traffic light with turn lanes at the intersection of the highway and 42nd St., plenty of space within the approximately 135.59 acres in total (“Subject Property”) to have significant buffers from the 10 residences to the

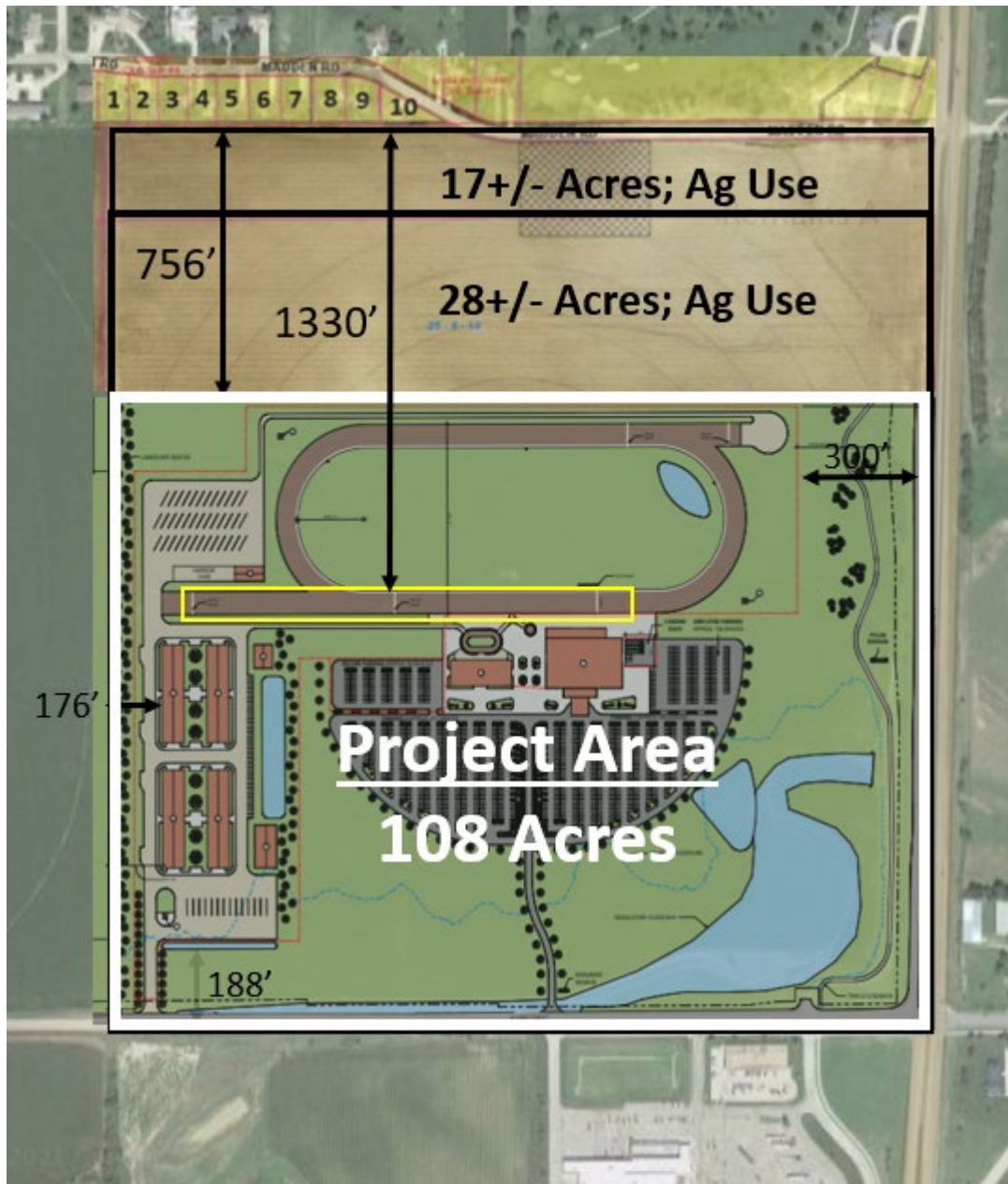
north and on all other sides of the development, utilities are present on site, the ground is the appropriate size to accommodate a racetrack and lays fairly flat, the property naturally drains to the southeast, and proximity to hotels and food options for our visitors – to name a few.



The current zoning of the Subject Property is “A” (Agricultural District) with a small portion in the north, designated PD, as shown above. The PD is currently zoned for R-3 which would accommodate multiple family housing. The entire Subject Property, which includes the Project Area, is under contract between Prairie Thunder Hastings, LLC (“PTH”) and the current property owners, West Fork, Inc. and Gremco, Inc., which are entities controlled by the same persons.

“PROJECT AREA” – 108 ACRES

While the overall Subject Property, Parcel #010000579, is 135.59+/- acres, our “Project Area”, the area within which our re-zoning Application area and conditional use permit CUP Application area can be found, is only the southern 108 Acres of the Subject Property as shown below in the white box:

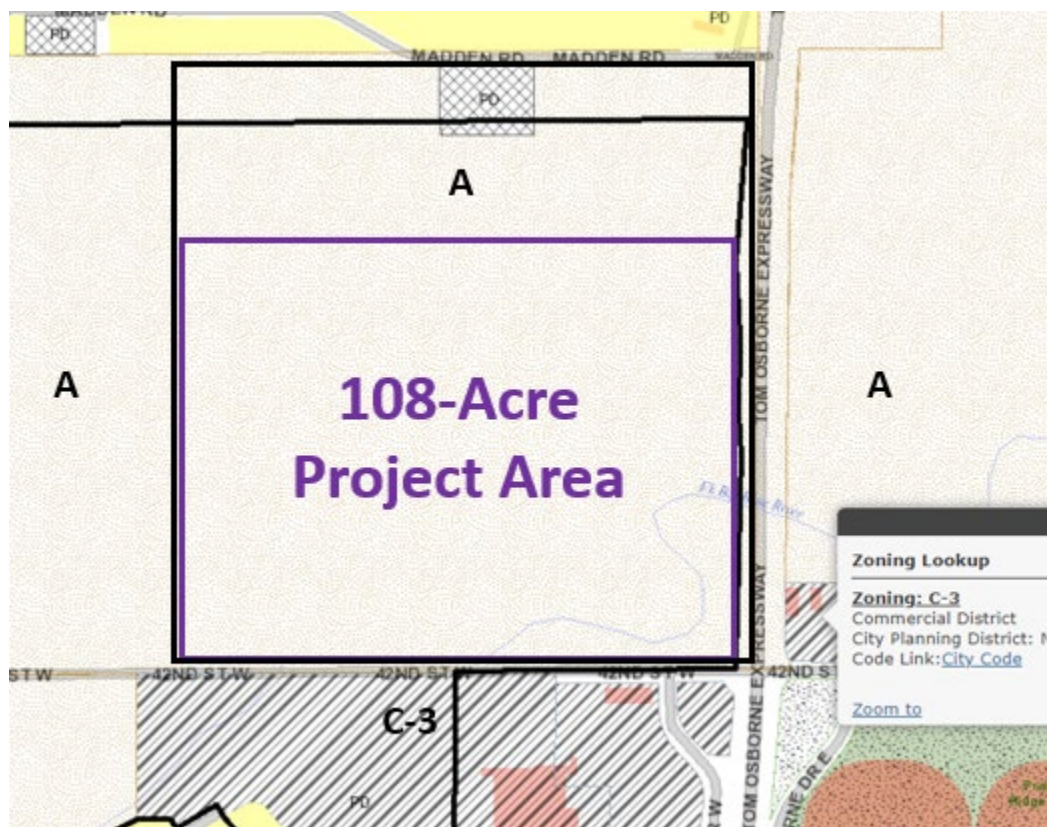


The Project Area, therefore, does not affect the currently PD zoned area in the northern portion of the Subject Property and we intend all land north of the Project Area to Madden Rd, approximately 45 acres, to remain as is, Agricultural (A) and PD, and we will continue to farm

that area as it has been for decades with no change to the Lochland neighborhood. Note also that there will not be access to the Project Area from Madden Road.

SURROUNDING PROPERTIES – CURRENT ZONING

For reference, the property west of the Subject Property is zoned A (Agricultural), to the north is R-1 (Urban single family residential), to the south is C-3 (Commercial Business District), and east across Hwy 281 has both A and C-3 according to the Hastings Zoning designations:

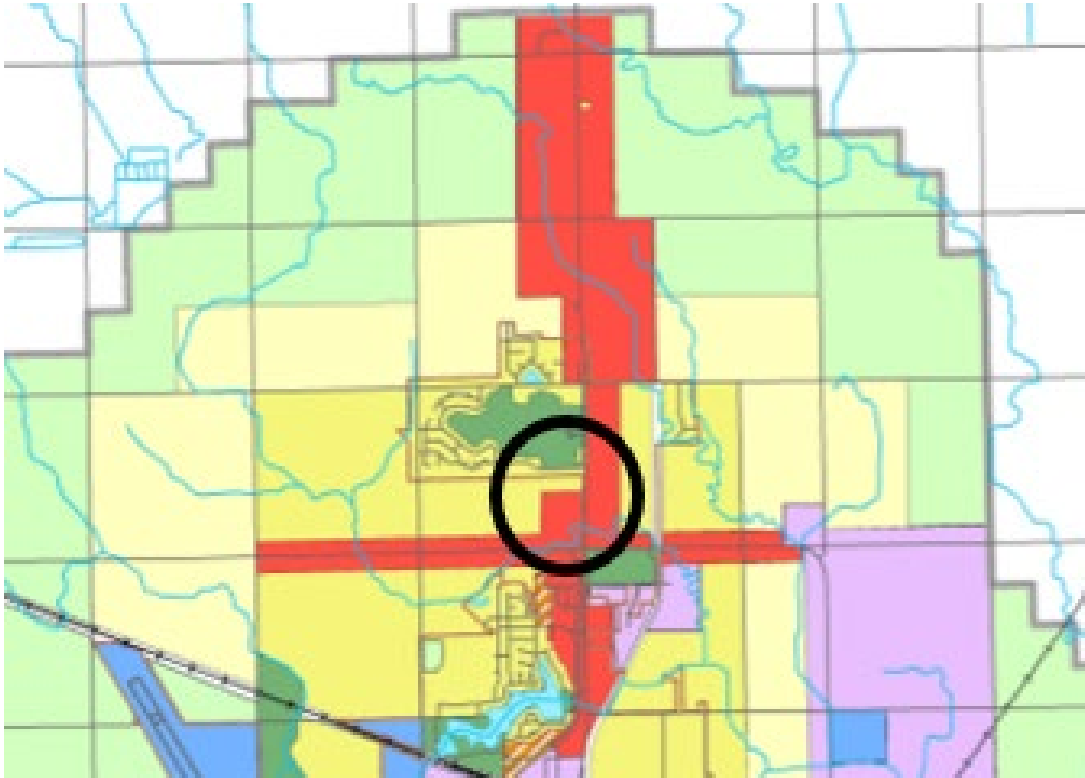


Given the existing zoning of C-3 to the east and south, this site is ideal for our plans as the area we seek to rezone to C-3 is only the southeast portion of the Project Area – thus the area nearest to the already existing C-3 zoning and uses.

HASTINGS FUTURE LAND USE

Our development plans work well with and compliments the Hastings comprehensive plan and future land use designations and the already existing C-3 zoning on adjacent land.

The Hastings Comprehensive Plan and Future Land Use (FLU) map below designates that our Project Area is divided between Suburban Residential on the west and north (yellow) and Commercial/Retail on the east and south (red). This fits perfectly with our development plans.

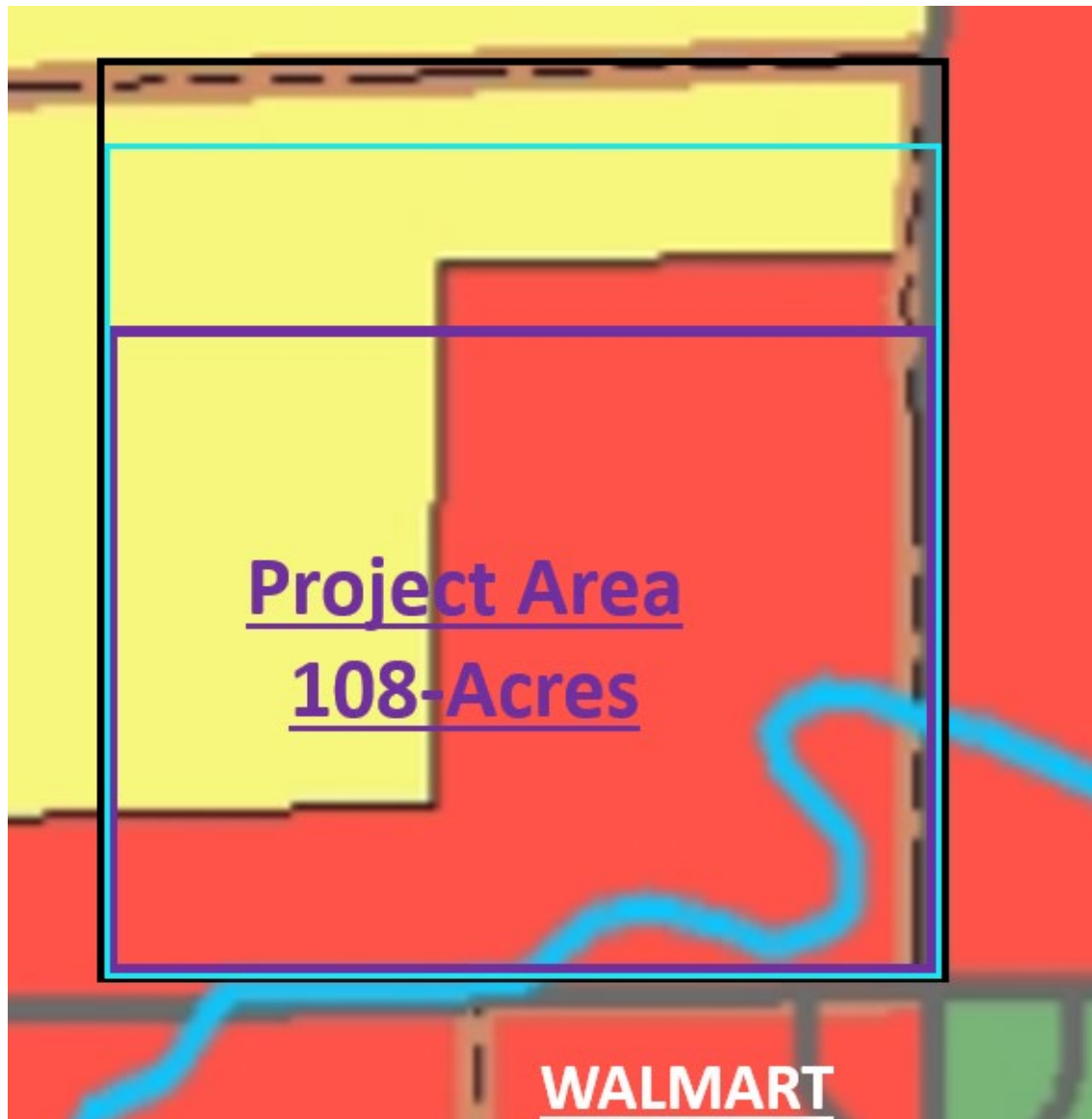


As you are aware, immediately to the south of our site on both sides of HWY 281 are commercial and retail businesses including a large Walmart. Given that Hastings currently has over 900 residential lots for sale and there is significant future capacity for residential lots in the immediate area around our site, most notably west, south, and southwest, we believe that leaving 45 acres out of 153 acres on our Subject Property for potential future residential is more than sufficient if the City were to argue that our site should only be residential. Our proposed use for Commercial/Retail and outdoor/indoor entertainment works perfectly in this area.

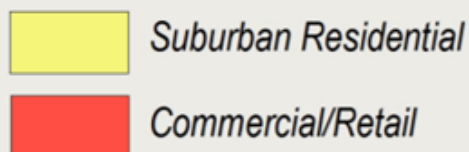
As you can see in the images that follow below, the area where the Casino would be located falls completely within the area the City and Planning and Zoning has already slated for Commercial/Retail use (Red area) with the remainder of the site staying Agricultural for now but identified as Suburban Residential (Yellow area) in the future.

This particular site is the ideal candidate for a mix of residential and commercial/retail. You will note that there are only 2 residences in Lochland that front HWY 281 and that is because highway frontage is not ideal for residential. Also, given that our site as its low-lying area in the southeast corner and there that area is within the 100-year flood plain, our proposed layout is appropriate given you could not build homes in that area anyway.

Below is directly from the Hastings Future Land Use (FLU) Map:

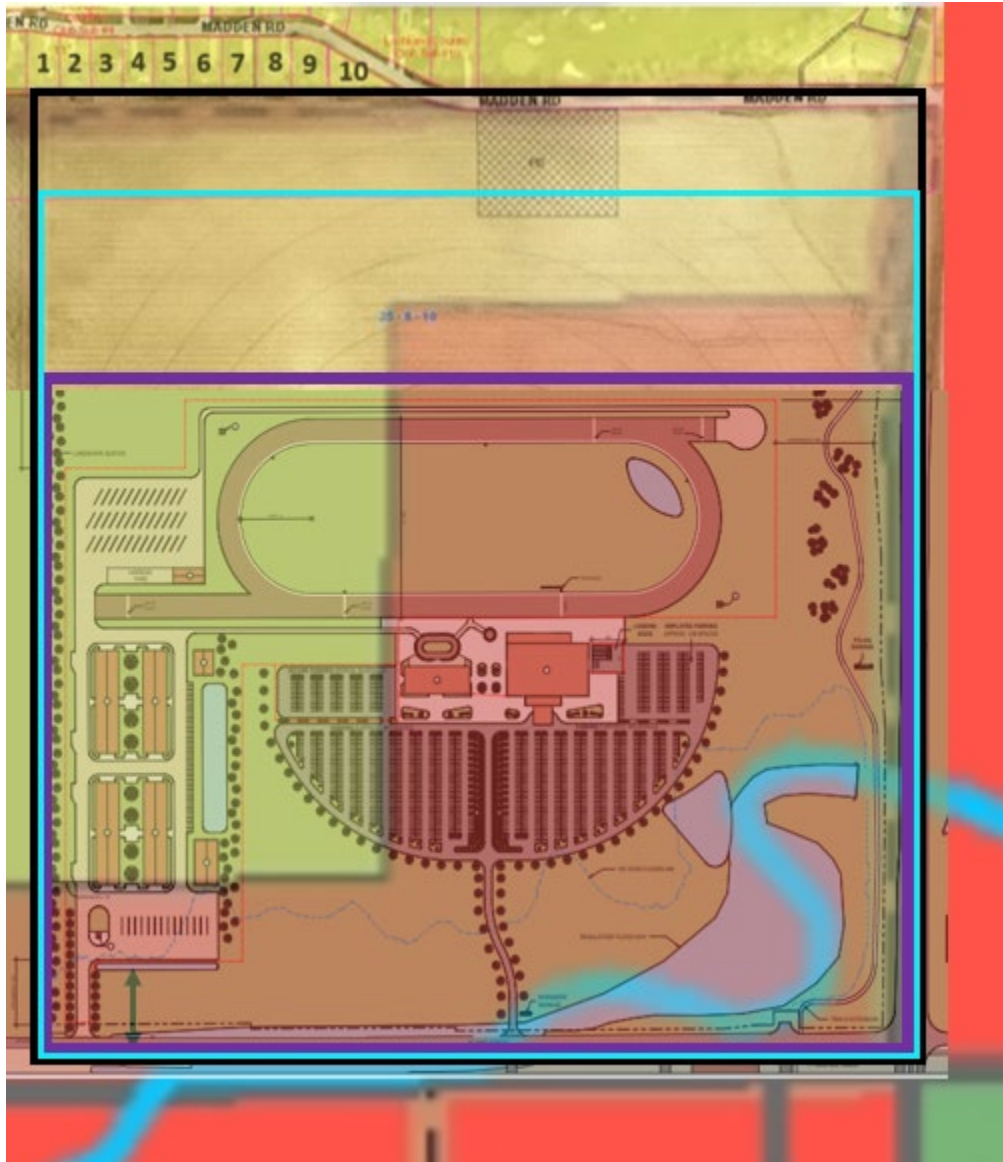


Land Use:



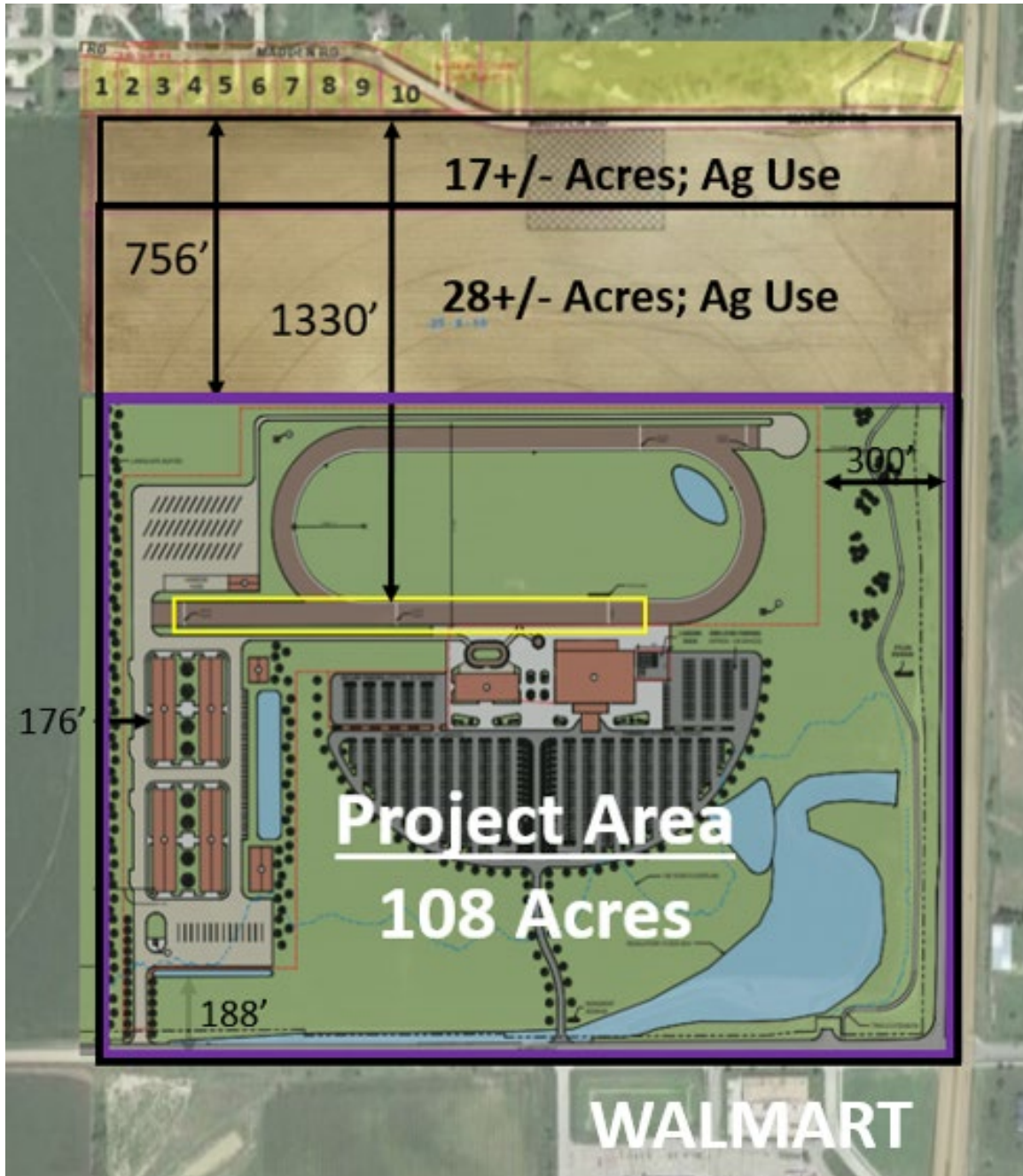
PROJECT AREA OVERLAYED ON FLU MAP

As you can see here, our proposed use of the 108-acre Project Area keeps the Casino, a commercial/retail indoor entertainment business, fully within the Red Area which is the Commercial Retail area of the FLU. Only a portion of the track and some auxiliary buildings are within the area identified as potential future suburban residential.



AREA FOR REZONING AND CUP (108+/- ACRE "PROJECT AREA")

Within the Subject Property and depicted in the purple box below, is the Project Area. For this 108-acre Project Area we request permission to develop a Casino, which according to Hastings Uses and Districts table, is a Commercial and Retail Use with subcategory designation of Indoor entertainment & Rec. business. Since an Indoor Entertainment & Recreation business is permitted within C-2 and C-3 (Commercial District), we request rezoning of only the portion of the 108-acre Project Area where the Casino and its parking is located to change from A to C-3, which is consistent with property to the east and south end of the Project Area.



We also request approval to construct a Horse Racetrack within the Project Area. Racetracks fall within the Outdoor Entertainment and Rec. Business subcategory of a C-3 District and are also allowed in A zoned areas as a conditional use. Therefore, we are requesting approval for a conditional use permit (CUP) for the Racetrack that will be connected to the Casino and located within the 108-acre Project Area shown below. Pursuant to Hastings District Regulations, a Racetrack is allowed within either the current A zoning or a rezone to a C-3 District via a conditional use permit (CUP).

REZONING & CUP REQUEST

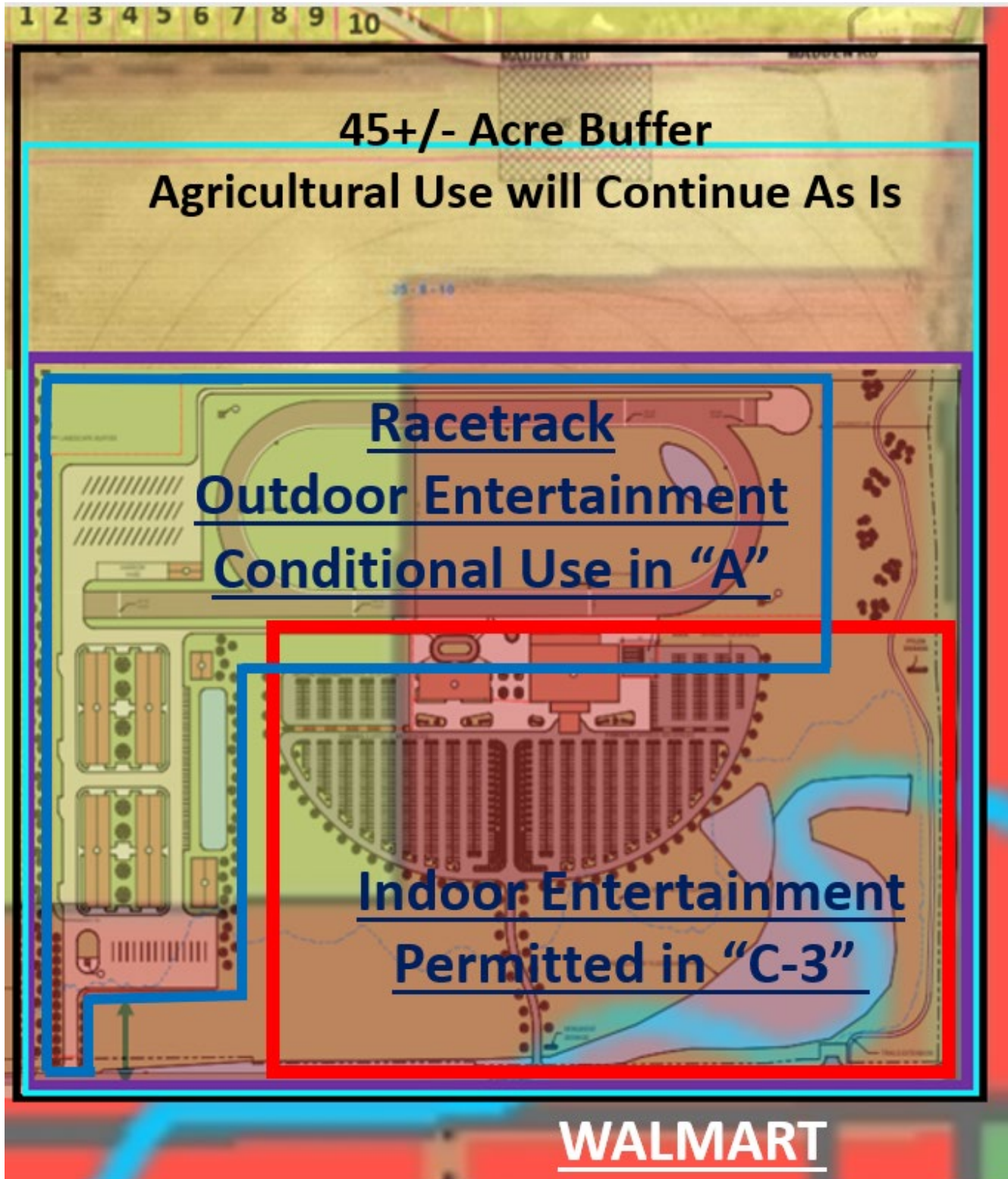
We filed two Applications which collectively request a Rezone for the Casino area from Agricultural (A) to Commercial (C-3) and also for approval of a Conditional Use Permit (CUP) for the Racetrack. Our initial Rezone Application requested a rezone of 108 acres but we have reduced that to approximately only the southeast 50 acres of the Project Area.

According to Hastings City Code Chapter 34, Article II, Section 34-200 - Uses and District Table - within Agricultural zoning an Outdoor entertainment & Rec. business, such as the proposed Racetrack, is Conditional and allowed subject to approval of a Condition Use Permit application. However, because we seek to develop the Casino, a commercial/retail development, we are simultaneously requesting rezoning of only the portion of the Project Area where the Casino and its auxiliary structures and features are located to change from A to C-3 and for the remainder of the Project Area which will remain A zoned, we request a CUP for the Racetrack.

TABLE 200-1: USES AND DISTRICTS														
	A	R-1	R-1A	R-1S	R-2	R-3	R-4	C-O	C-1	C-2	C-3	CMP	I-1	I-2
Commercial and Retail Uses														
Indoor entertainment & Rec. business										P	P	C	P	P
Outdoor entertainment & Rec. business	C										C	C	C	C

The approximately 45-acre portion of land to the north of our Project Area, which will also be owned by PTH, will remain Agricultural with the PD designation that already exists in that area. That area will continue to be farmed as it has for over a hundred years or so and the

bordering homeowners will experience no change at all. Therefore, no rezoning is requested related to any area of the property other than where the Casino is located as shown below:

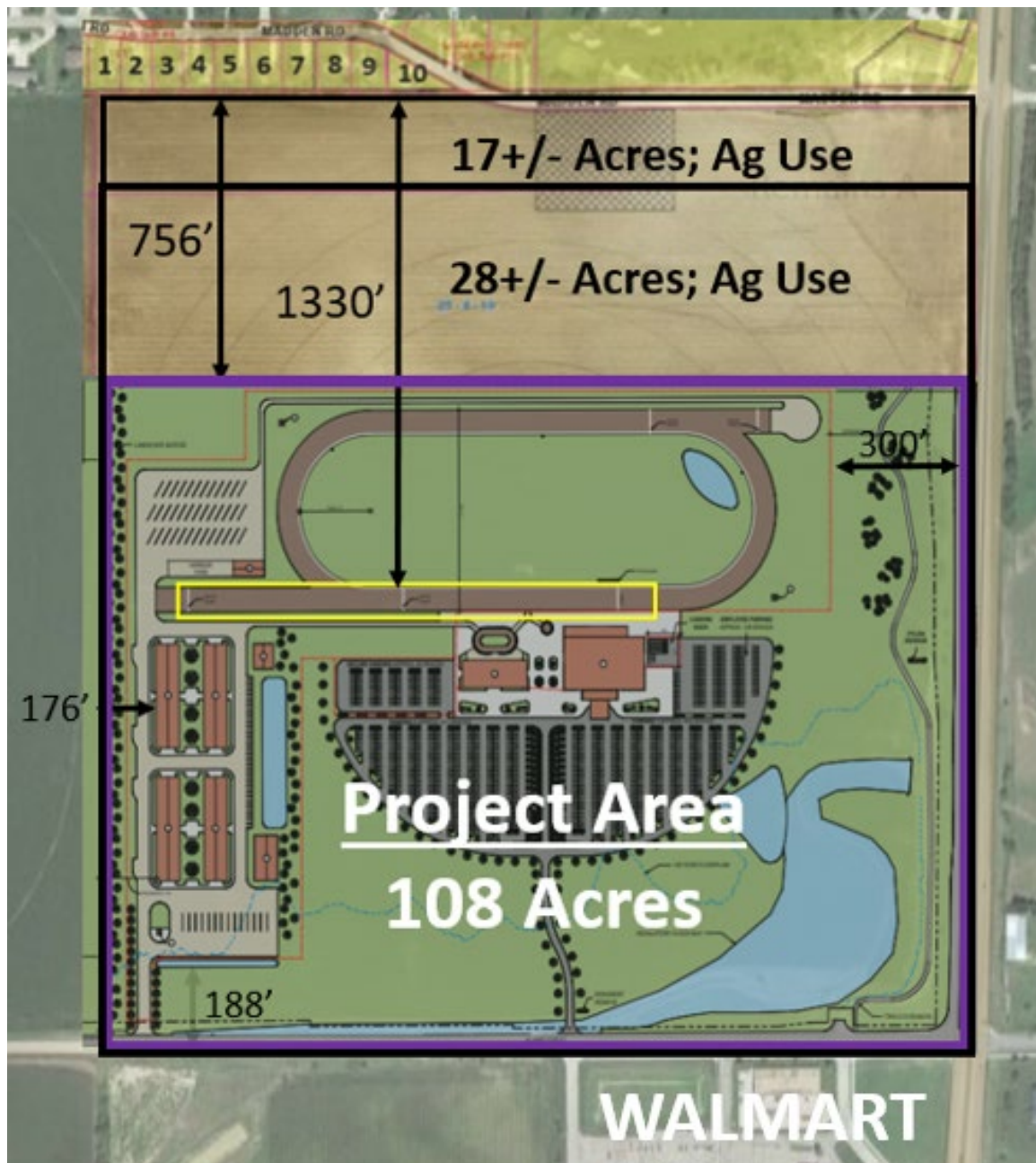


So, rather than rezoning the entire 108-acre project area as previously requested, based upon discussions with City Staff and listening to surrounding landowners we are reducing

the area of rezone from A to C-3 to that area shown in the RED outline above – this area is less than 50 Acres and will contain less than 2 Acres of building footprint.

According to City Code, the intent of the C-3 Commercial Business District is: “This district includes those areas which are heavily exposed to automobile traffic, and which have been developed with general commercial uses. The district is intended specifically for those areas surrounding major arterial intersections where personal services, convenience goods, and auto-related service facilities are desirable and appropriate land uses.” This description fits the existing uses and our proposed use.

SITE PLAN (108-ACRE PROJECT AREA)



The Project Area will have the following features as discussed in more detail below: 5/8 Mile Racetrack, a 40,000 square foot Casino, administrative offices, 4 one hundred stall horse barns, 1100+ parking spaces, landscaping buffer with trees and prairie grass, and is surrounded by and includes over 70 acres of open and green space.

PARKING CAPACITY

We project 1134 parking spaces as follows: 1059 standard, 24 are ADA designated; 90 secure parking spaces for race officials, stewards, Nebraska Racing and Gaming employees, and racetrack employees; 128 Casino employee parking spaces; 43 spaces for horsemen's vehicles; and approximately 51 spaces for horse trailers. We expect to average a total of 1,629 vehicles visiting in any given 24-hour period. On race days we anticipate 300-500 people at an average of 1.3 persons per vehicle for a total of 230 to 385 vehicles per race day. 1134 spaces as configured will provide sufficient parking on race days when Casino patrons are also on site.

PROJECT AREA - SETBACKS & BUFFER

The north side of the Project Area is set back from the Subject Property's northern boundary by over 756 feet. There is a minimum 300-foot setback from the Racetrack to the west boundary of the Subject Property. On the east there is a 176-foot setback from property line to the first horse barn and on the south, there is between a 188 to 450 feet setback.

BUFFER & LANDSCAPING

As shown on the previous image, only ten (10) existing residences share a property line with the Subject Property, however, no residence borders the Project Area. The distance between the southernmost point of the existing residences and the northernmost point of the Project Area is over 756 feet. There is additional distance from the location of each residence and the southern boundary of each of their properties adding more of a buffer.

This 45-Acre buffer area will remain agricultural, and we will continue to farm that land. Thus, no change to the nature or use of the property bordering the ten (10) residences. Further, the quarter horse races will be held on the southernmost portion of the track, shown in yellow rectangle below, which is over 1,330 feet south of the nearest existing residential property.



LIGHTING

We do not intend to have track lights or pole lights or stadium lights - the traditional kind of lights that would illuminate a racetrack like those found at high school sports fields. Because we will run day races in the May-June timeframe we will not need to have the lights that could lead to light pollution.

Lights related to signage on the Casino itself will be located on the front of the building which is that side facing south toward 42nd Street and will not be visible by the residences to the north in Lochland. A monument sign will be located near the entrance to the Casino/Racetrack near 42nd Street and on the west side of the project area. Any exterior lighting will comply with required shielding and full cutoff standards found in City Code Table 305-11.

NOISE

A typical quarter horse race lasts approximately 15 seconds. Our four-year plan following racetrack construction is to get up to a maximum of 12 race days per year. Each race day will likely have multiple races. Assume 8 races in one race day multiplied by 15 seconds equals 120 seconds or a total day's race time of 2-minutes. During this time, we expect race watchers to be cheering but beyond that we do not expect the much noise at all and likely less or similar to the noise a tractor makes planting the field in the spring or the noise a combine makes during harvest in the fall - both which the 10 bordering Lochland homes have been accustomed to for years.

HORSE BARN

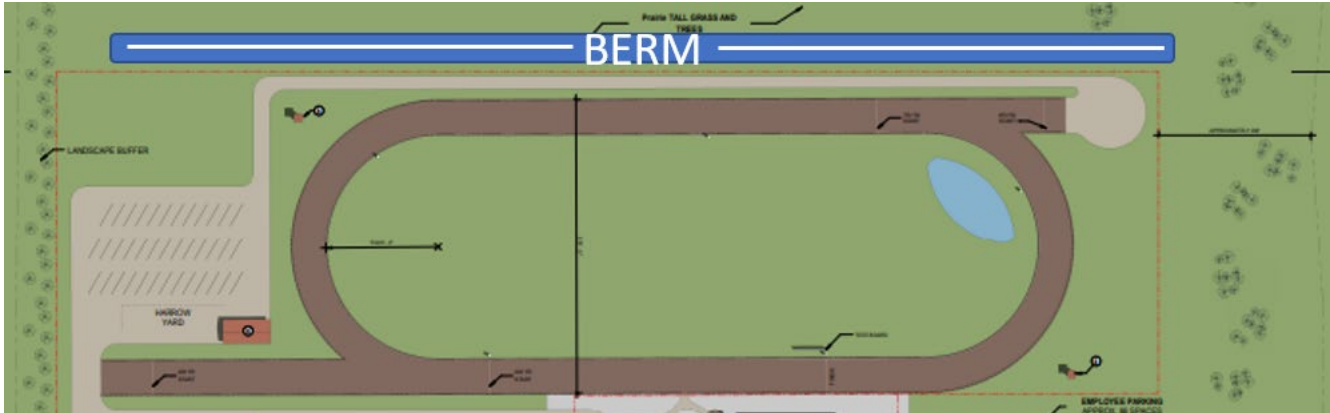
We have reduced the number of horse barns from 8 in our initial site plan to 4. Each of the 4 barns can hold up to 100 horses given each barn is a 100-stall barn. We have additional capacity for 40 testing and receiving stalls. It is important to note that horses do not live in these barns and horses will not be on site all year round. These barns will have horses a handful of days in our first year in operation and up to not more than about 30 days or so once we are up to a full race season approximately 5-6 years from now.

MANURE MANAGEMENT PLAN

Historically, after the re-zoning and CUP is approved, we would contact the state agency, NDEE for instance, and confirm with them that our manure plan in accordance with their expectations and all regulatory bodies. While we understand this concern, in our industry the safe and secure handling of this matter is commonplace and not difficult to achieve. We will work with one of our partners, [Populous](#), to develop a site-specific plan which will be modeled after the white paper on the subject found in **Attachment #8** at the end of this Narrative.

BERM

We are willing to, if necessary, construct a natural and landscaped berm running east to west parallel to the northern portion of the racetrack and plant trees along the top of the berm so that none of the existing 10 residences on Madden Road would be able to see the racetrack from their homes, generally as depicted below. If added as a condition of the Development Agreement, we will initiate detailed renderings of the berm and submit those to the City.



LIVESTOCK HUSBANDRY

Horse races are heavily regulated. Members of the Nebraska Racing and Gaming Commission are on-site each race day. Horses are drug tested and supervised at all times. Horse owners and trainers are responsible for their horses. We will have staff as well as security monitoring all activities related to horses when they are present on the premises.

STORAGE FACILITY

We will not have grounds equipment or similar stored outside. All such equipment will be stored year-round within our Storage Facility.

SECURITY

We will employ a 24/7 security force that will monitor and patrol inside and outside of the facility 365 days of the year. We have opportunities for off-duty and retired law enforcement to be a part of our team and continue to provide a great service to the City of Hastings and for the 650,000 people that will visit this site annually. This will be one of the most monitored and surveilled properties in all of Adams County.

RACETRACK OPERATION

Contrary to what people may think, there is very little racing that actually occurs given not having overlapping racing at times when other racetracks are holding their events and the relatively limited racing season. We have a four-year plan to get to a total of 12 race days annually. All of these races will occur within a three-month period, likely April to early June

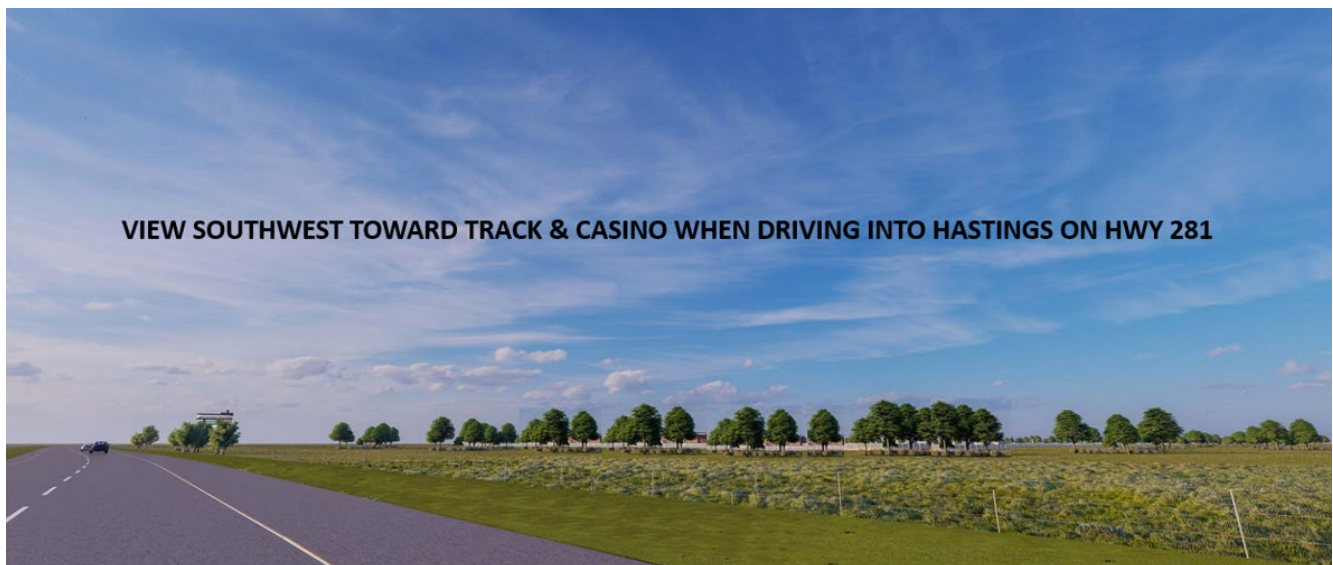
each year. In the first year following Racetrack construction completion, Hastings Exposition and Racing, Inc., (“HER”) the Nebraska Non-profit that holds the Race License, will comply with Nebraska law and run at least one race day likely in April or May, or the minimum required. In year two following construction completion we expect 3 race days in May, and in year three we expect 6-9 race days over four weekends in May to early June. We will work with the Nebraska Racing and Gaming Commission on the exact schedule and consider all other Hastings and Adams County events occurring during the same times to compliment and not compete with other scheduled events. The Nebraska Racing and Gaming Commission (“Commission”) approves the number of race days in Hastings and the race day schedule.

An additional important legal requirement is that in order to run any races at all at any licensed Nebraska racetrack, you must run at least one race with exclusively Nebraska bred and raised horses. To qualify, these quarter horses must be pre-registered with the Nebraska Quarter Racing Association. Therefore, to get up to multiple race days and to comply with this law, there must be a sufficient number of qualifying quarter horses available to run the Nebraska bred races. HER has a license to utilize Nebraska-bred and registered quarter horses so there are no issues related to not having horses to run.

HER already holds one of only six Nebraska Racing Licenses for 2022 and has already complied with all 2021 requirements per the Nebraska Racing and Gaming Commission regulations.

VISUAL FROM HWY 281

A comment was made that this area is the “gateway” to Hastings. When you drive into town on HWY 281 heading south and look west towards our site below is what you will see:



Additionally, we are willing to add even more evergreen trees and similar dense year-round foliage for site and sound buffers if needed.

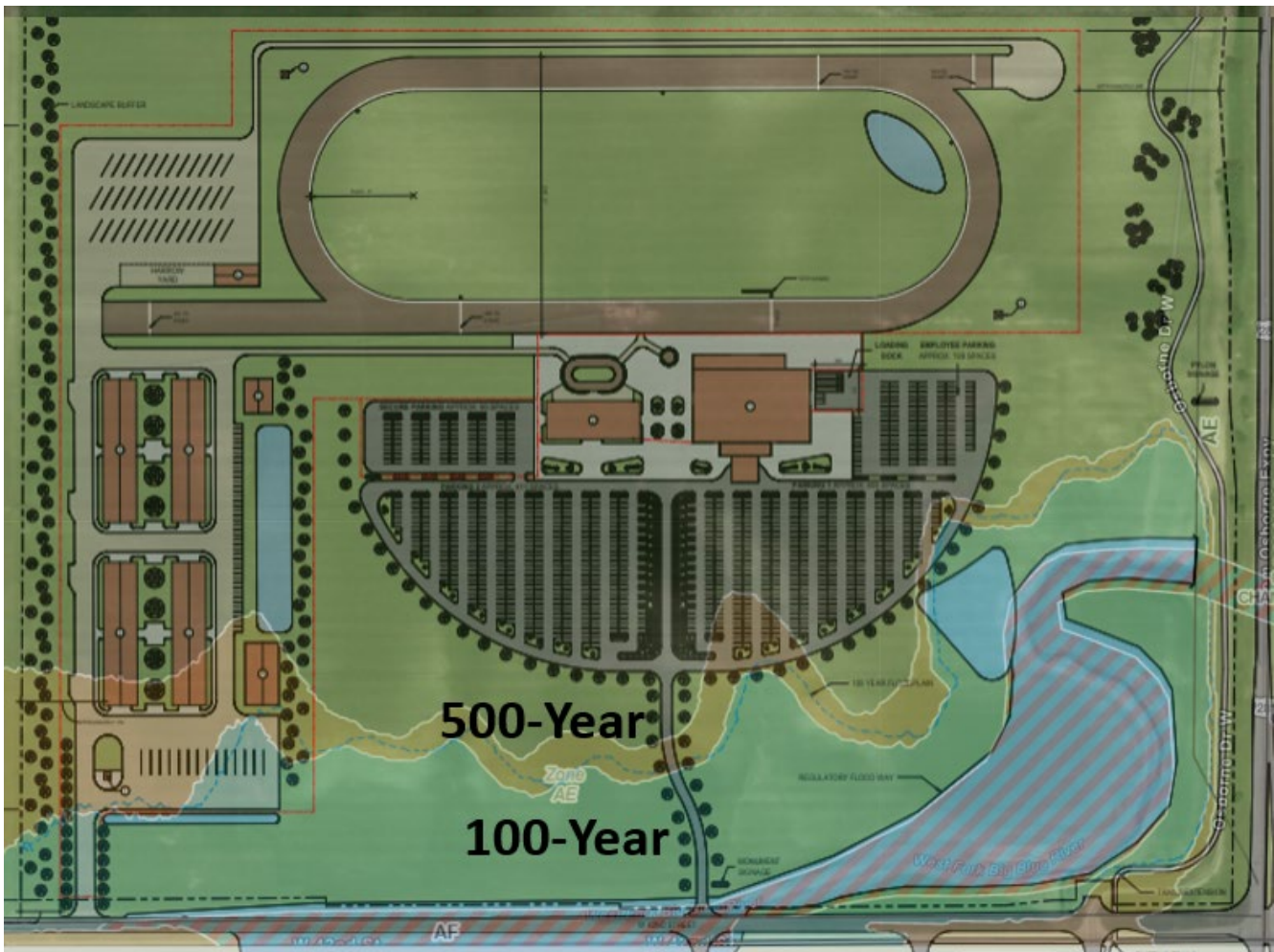
DRAINAGE/FLOODPLAIN

Floodplain designations are found in the southern portion of the Project Area and also found on the Walmart and residential properties to the south and west:

ZONE AH: Special Flood Hazard Areas subject to inundation by 100-Year shallow flooding (usually areas of ponding) where average depths are between one and three feet. ZONE AH has Effective Flood Zone X which areas that are subject to flooding by a 0.2% Annual Chance (500-Year) flood event.

ZONE AE: Enhanced areas subject to inundation by the 1% Annual Chance (100-Year) flood determined during a Flood Insurance Study by detailed methods.

Below is the Floodplain map with the Site Plan overlay showing how we have carefully laid out the site in consultation with Populus and Olsson Engineering so that no building structures are within the 100-year floodplain.



Unlike if this property was used exclusively for hundreds of houses, with our unique use and significant amount of green and open spaces and retention ponds and the natural slope of the property to the southeast we do not foresee any issues with the floodplain.

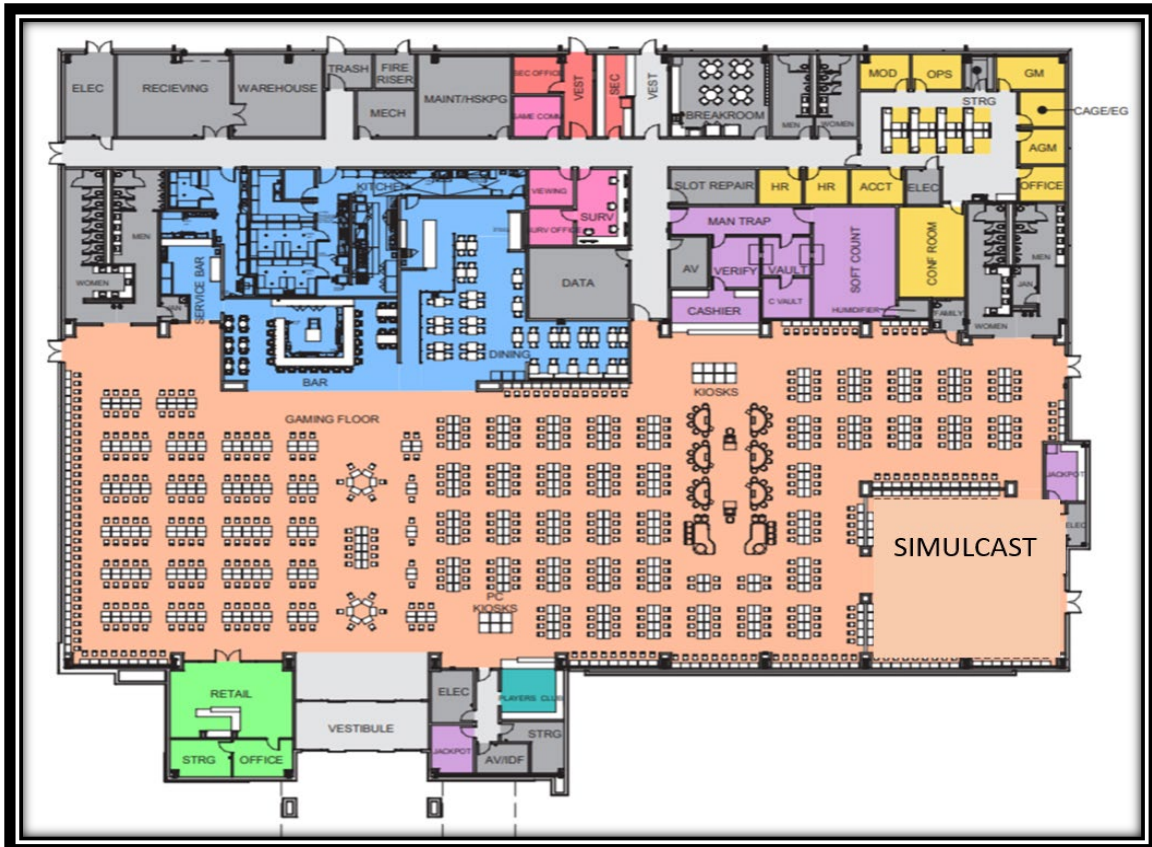
A Contour Map is **Attachment #2** to this Narrative incorporated here. You can see on the site plan we have avoided the 100-year flood plain and the property naturally slope north to south and west to east. We have added a retention pond in the Racetrack oval as well as one south-east of the parking area. We will continue to work with Olsson Engineering to provide any further detail required.

ANNEXATION

Should Hastings seek to annex any or all of the Project Area or the Subject Property, we are fully in support of this idea.

CASINO DEVELOPMENT

Casino Development will begin following grant of the Gaming Operator License or sooner if allowed by law. This phase consists of constructing an approximately 40,000 square foot gaming facility complete with approximately 500 to 650 electronic games, approximately 8 to 10 table games, simulcasting racing area, a sportsbook, restaurant and bar, among other amenities, with floor plan similar to:



CASINO & RACETRACK:

PTH's partners Global Gaming Solutions will invest approximately \$40,000,000.00 into the development of this project and we are not requesting tax increment financing (TIF). The Casino shown below will be approximately 40,000 square feet and a state-of-the-art facility that all in Hastings will be proud of.



HASTINGS EXPOSITION & RACING
AERIAL VIEW LOOKING SOUTHWEST

POPULOUS

OPEN SPACE

The Site Plan shows a considerable portion of the Project Area is greenspace, in fact over 70 acres of the Project Area is open or greenspace.

PEDESTRIANS/SIDEWALKS/TRAILS

We are not aware of any portion of the City Code that would require us to construct a trail or sidewalk on our property for the Lochland residents and others, but if the City would like to include this as a provision of the Development Agreement, we are happy to construct, at our expense, a walking path from Madden Road south to 42nd Street.

The updated Site Plan is here as **Attachment #9** and shows a conceptual Trail Extension running from 42nd Street north to Madden Rd.



HASTINGS EXPOSITION & RACING
AERIAL VIEW LOOKING NORTHWEST

POPULOUS



HASTINGS EXPOSITION & RACING
INFIELD VIEW LOOKING SOUTH

POPULOUS



HASTINGS EXPOSITION & RACING
FINISH LINE VIEW LOOKING SOUTHWEST

POPULOUS



HASTINGS EXPOSITION & RACING
FINISH LINE VIEW LOOKING WEST

POPULOUS

NO GRANDSTAND

As you can see in the previous rendering, we will not have a grandstand that you may associate with older racetracks. There is not any stadium or outdoor seating. The industry has been moving away from grandstands for some time and instead we will have both outdoor and indoor viewing areas. Visitors including families will be able to move freely in our outdoor and indoor space. Eliminating the traditional grandstand also reduces noise from race watchers. Rather than being elevated and in close proximity seated next to each other here the race watchers are on ground level and spread out across the outdoor patio.

TRAFFIC STUDY

Following this rezoning and CUP approval we will conduct a traffic study and share that data with the City and any other necessary agencies and happy to add that as a requirement in the Development Agreement and if that study suggests changes to our existing ingress/egress or other design within our Site Plan we will work with the City to ensure any traffic concerns are alleviated.

Attachment #10 is a Technical Memorandum by Olsson Engineering as to the potential need for additional improvements to the intersections of HWY 281 and 42nd Street and the conclusion is this is not likely given the existing turn lanes and the build out of our project.

PROPERTY VALUES

We do not expect any negative impact to the 10 homes that are, at the closest, 800 feet to the northern portion of the Racetrack, nor do we expect any negative impact on any of the homes that are further away from our development. We have gone to great effort and expense to re-design this project following the helpful comments and feedback from the City and other officials from our initial proposed Site Plan and from public comments. We did this to further accommodate concerns raised and we now have a significant buffer and green space landscaping between the Racetrack and the homes to the north.

The existing 10 residences will continue to have the exact same bordering property as they have for years and what existed before these 10 homes were ever built - farmland. As described above there will not be a material change in noise generated from the property as the majority of annual activities will be securely indoor in the Casino. The parking is all to the south and following construction of our facility the 10 Lochland residences will no longer be able to see Walmart and its giant parking lot which should help them improve property values.

Beyond the 10-existing residences over 1330 feet north of the Casino, we have no data to suggest any depreciation in property values of any of the residence located at greater distances from the existing 10. We have included two opinion letters supporting our beliefs at **Attachment #6 and #7**.

OUR DEVELOPMENT PARTNER, CASINO & RACETRACK OPERATOR

To further ensure Hastings racing success, PTH has partnered with Global Gaming Solutions (“GGS”), their Nebraska entity, Global Gaming Nebraska, and its GGS affiliates. As a wholly owned subsidiary of the Chickasaw Nation, GGS Nebraska has access to the full resources of one of the most successful gaming businesses in the U.S. with over 24 gaming facilities, hotels, convenience stores, retail operations, and manufacturing. This diversity of experience gives GGS an unprecedented understanding of a variety of market sizes and the operational expertise to capitalize on the opportunities presented at PTH. The greatest benefit to leveraging GGS’s experience is the ability to be flexible, and to adapt to evolving market influences and goals of the PTH and HER operation.

Since 2010, GGS has operated Remington Park Racetrack and Casino located along Interstate 35 in Oklahoma City, Oklahoma. This experience uniquely positions GGS as an optimal partner for HER and the Hastings community. In a decade of ownership, GGS has improved Remington Park’s performance across a number of key indicators such as purses and field size. Purse size has experienced a 22.8% improvement. Wagering on Remington Park races has increased 120% and this increase in economic activity has positively impacted the surrounding community. The current market value of Remington Park has increased 150% since GGS acquired ownership.

GGS also operates Lone Star Park featuring two exciting racing seasons with over 700,000 visits annually. The impact of these projects can be measured in millions of dollars in direct economic impact, direct payroll and promotion of economic activity in the local communities. Since 2008, GGS has successfully leveraged their business and technological expertise to invest in gaming, racing and entertainment opportunities. GGS brings extensive expertise in development, management, marketing, and public relations.

GGS’s expertise confidently allows HER to state its races will be planned and ran with the utmost attention to detail and responsiveness to the needs of all involved who we welcome to Hastings from the Exercise Rider and Valet to the Stable Foreman and Jockey and everyone in between. In addition to those directly involved in our race days, we are excited for the economic expansion that will benefit the local economy with the increased activity and utilization of existing locally owned hotels, restaurants, and other local business.

As horsemen are the backbone of our industry, GGS takes their relationship with them seriously and each state’s breeding industry benefits from that relationship. From the early days in 2004 of lobbying Oklahoma voters to pass casino gaming legislation to working on our most recent Economic Impact Study in 2018 that showed the horse industry in the State of Oklahoma to garner \$3.8 Billion in total economic value to Oklahoma. Stallion and mare owners

depend on a robust racing environment in Nebraska and with a state that has a history of just that, GGS is excited for the opportunity to partner with PTH to see that through!

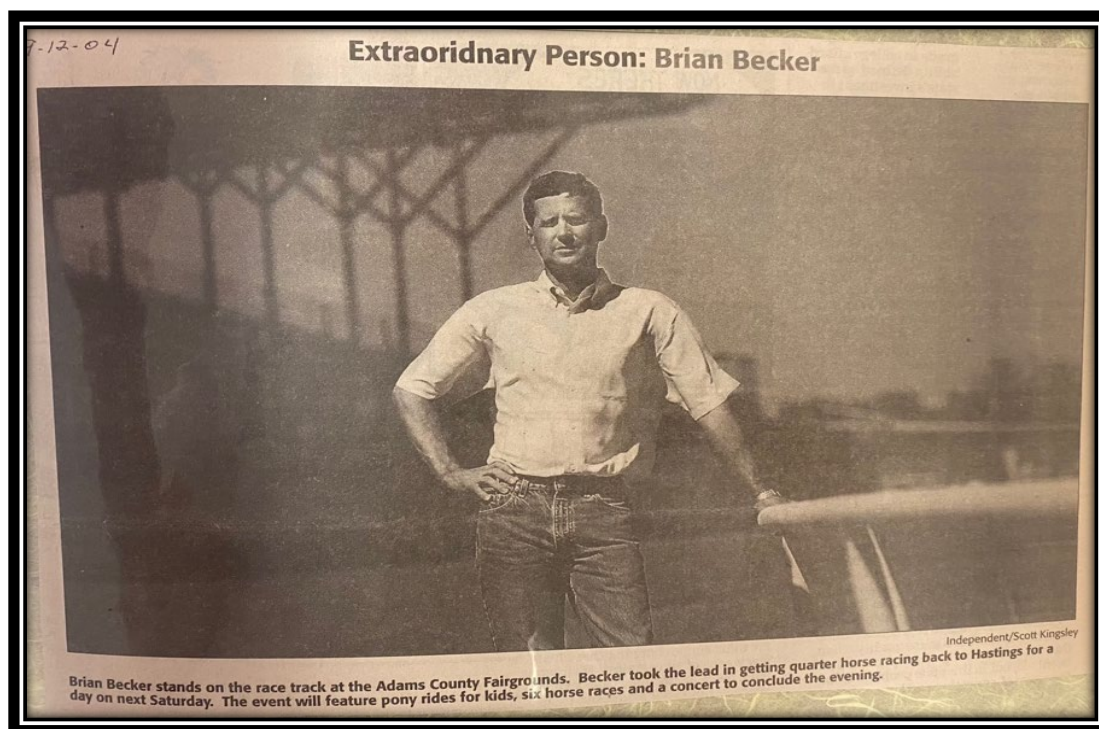
HASTINGS EXPOSITION AND RACING, INC., (“HER”)

Hastings Exposition and Racing, Inc., (“HER”) is a Nebraska Non-Profit corporation which holds the Race License as granted by the Nebraska Racing and Gaming Commission and is the entity which will oversee and conduct, with assistance from Global Gaming Nebraska, horse races for the few days those occur. HER’s Board of Directors are Breann Becker, Brian Becker, and Cynthia Smith.

- **Brian Becker**

Brian Becker has been active in horse racing for the past 40 years. In 2002, he established HER, also known as Fairplay Park, and in 2004 HER got approval for a Quarter Horse License. HER has held such a license for 17 consecutive years. Since 2004, and against all odds, Becker has continued to personally run and operate, along with his children, races in Hastings. Becker’s passion and commitment to Horse breeding and racing within Nebraska cannot be denied.

He has always had a love for both Thoroughbreds and Quarter Horses especially when his daughters began to rodeo. He has sat on the Nebraska Thoroughbred Breeders board for three terms prior to starting HER, and currently raises horses on his family farm. Brian has had a goal to give back to the horsemen since he began this journey, and that will always be his goal.



- **Cynthia Smith**

Cynthia brings over 15 years in both Quarter Horse and Thoroughbred racing regulation and racetrack operations from east to west coast. More recently, Smith was selected by the Iowa Racing and Gaming Commission and the Iowa Quarter Horse Racing Association to serve as a Steward at Prairie Meadows.

Cynthia has also been involved in the Association of Racing Commissioners International serving on the continuing education committee, numerous benevolent programs, including the Racetrack Chaplaincy of America and teaching English as a Second language.



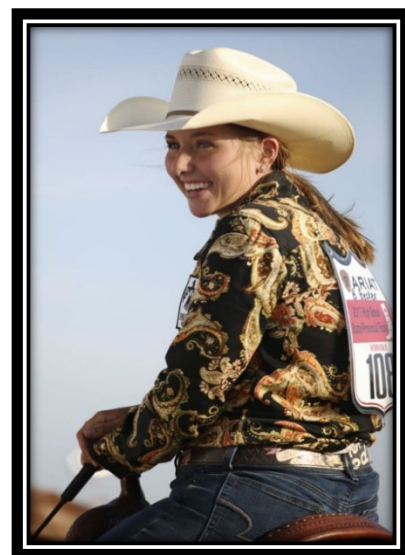
Cynthia attended the inaugural ARCI Race Investigators Certificate program at the University of Louisville Equine Industry Program. Her role as a racing official and steward give her an advantage in the unique relationship between racetrack management and commission regulation to ensure the integrity of our sport. In 2019, Smith was nominated for the Leadership Award from the Thoroughbred Industry Employee Awards presented by Godolphin. As Vice President of Racing, Smith is an asset to the strategic plans for Nebraska racing as she has worked with our partner Global Gaming Solutions, LLC, in the southern states and has a passion for our industry and future.

- **Breann Becker**

Breann Becker lives in Hastings and has grown up in the horse business her entire life and has spent 5 years as President of Hastings Exposition and Racing.

At the age of 7 she began to show in 4-H, at 9 went to over 80 rodeos per year for the Little Britches Rodeo Association, at 12 was competing in amateur rodeos across Nebraska, and by 18 had won over 100 buckles and 8 saddles. She has been very active in the American Quarter Horse Association. Breann went to the University of Nebraska at Kearney for Accounting.

Breann has worked at Lincoln Racecourse in each department as well as worked the teller line, bartended,

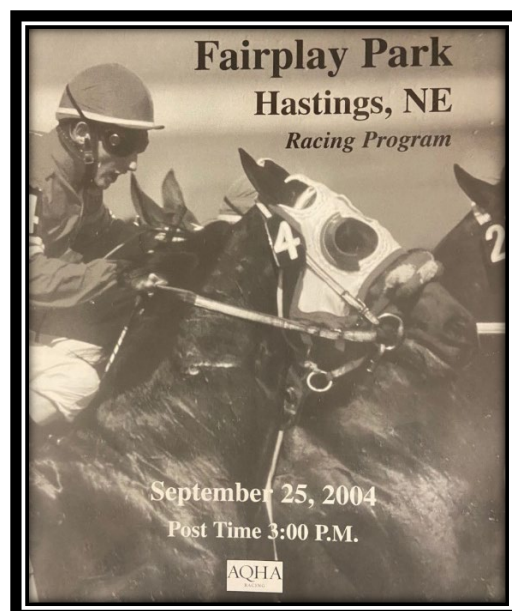


and cleaned kiosks at the end of each shift to learn all aspects of the racing business

The Nebraska Racing and Gaming Commission invited Breann to participate in every Commission meeting that created the preliminary rules and regulations for gaming expansion in Nebraska, as well as was active in helping with the live meet at Omaha.



She has grown up in the industry. This spring she went to the AQHA Heritage banquet where they introduced her and informed the horsemen about the possible growth of Quarter Horse racing in Nebraska. Both Breann and her sister Brooke have been at the legislature whenever anything horse racing related issues are being presented and will continue to be active in the growth of Quarter Horse racing in Nebraska.



DEVELOPMENT AGREEMENT

As the city of North Platte and Gering have both approved our plans similar to what is proposed here and as we have entered into Development Agreements with those communities, we commit to providing the following via a Hastings Development Agreement if required: Landscape Plan; Drainage Study; and a Traffic Study, along with any other required plans, permits, or approvals. Naturally, following our dialogue with the Planning and Zoning Commission at the February 15, 2022, meeting, and thereafter with the City Council, we can discuss other areas of the project and come to mutually agreeable solutions.

PROJECT SUMMARY

Economic Benefits:

- \$40,000,000 Development
- 120 to 150 New Jobs
- \$3.7M to \$4.5M Payroll + Benefits
- 650,000 Annual Visitors = Economic Multiplier Benefits
- Annual New Tax Revenue for Hastings \$1,162,500
- Annual New Tax Revenue for County \$1,162,500
- \$6,900,000 in New Annual Property Tax Relief
- \$500,000+ New Annual City Property Taxes

Overview:

- Development Consistent w/ Hasting Future Land Use – Commercial/Retail
- 45+ Acres of Agricultural Buffer between Racetrack & nearest residence
- 70+ Acres of Green and Open Space
- No Grandstand; No Stadium Lighting
- LED down lighting in parking areas and no light scatter
- Horses will NOT be present year round
- No equipment will be stored outside
- 24/7/365 Security – Internal Security Force – Property Surveilled 24/7/365

Racetrack and Casino:

- | | |
|--|--------------------------|
| • 5/8 th Mile Quarter Horse Racetrack | • 40,000 SF Casino |
| • Quarter Horse Races are 15+/- seconds | • 8-10 Table Games |
| • Year 1 – One Race Day | • 500+ Electronic Games |
| • Year 2 – Three Race Days | |
| • Year 3 – Three to Six Race Days | • Simulcast Horse Racing |
| • Year 4 – Six to Nine Race Days | • Sportsbook |
| • Year 5+ – up to Max. Twelve Race Days | • Restaurant & Bar |

CONCLUSION

Our focus is bringing jobs, economic development, and growth to Hastings now and for decades to come. We can get there together for the benefit of this community if our re-zoning and CUP Applications are granted. If you believe we can comply with City Code requirements, then please approve our Applications for Re-zoning and CUP and we will happily enter into a Development Agreement with the City that will spell out the additional conditions of development.

As we work to advance our proposals through proper local and state channels, we look forward to a healthy dialogue with community leaders, elected officials, as well as all interested citizens in Nebraska. Our partner Global Gaming Solutions is very familiar with both the benefits and the potential concerns related to the gaming industry. They have worked hard, not just in Oklahoma but in Texas and other states, to be good listeners and ultimately long-term partners with many communities. We all look forward to doing the same in Hastings.

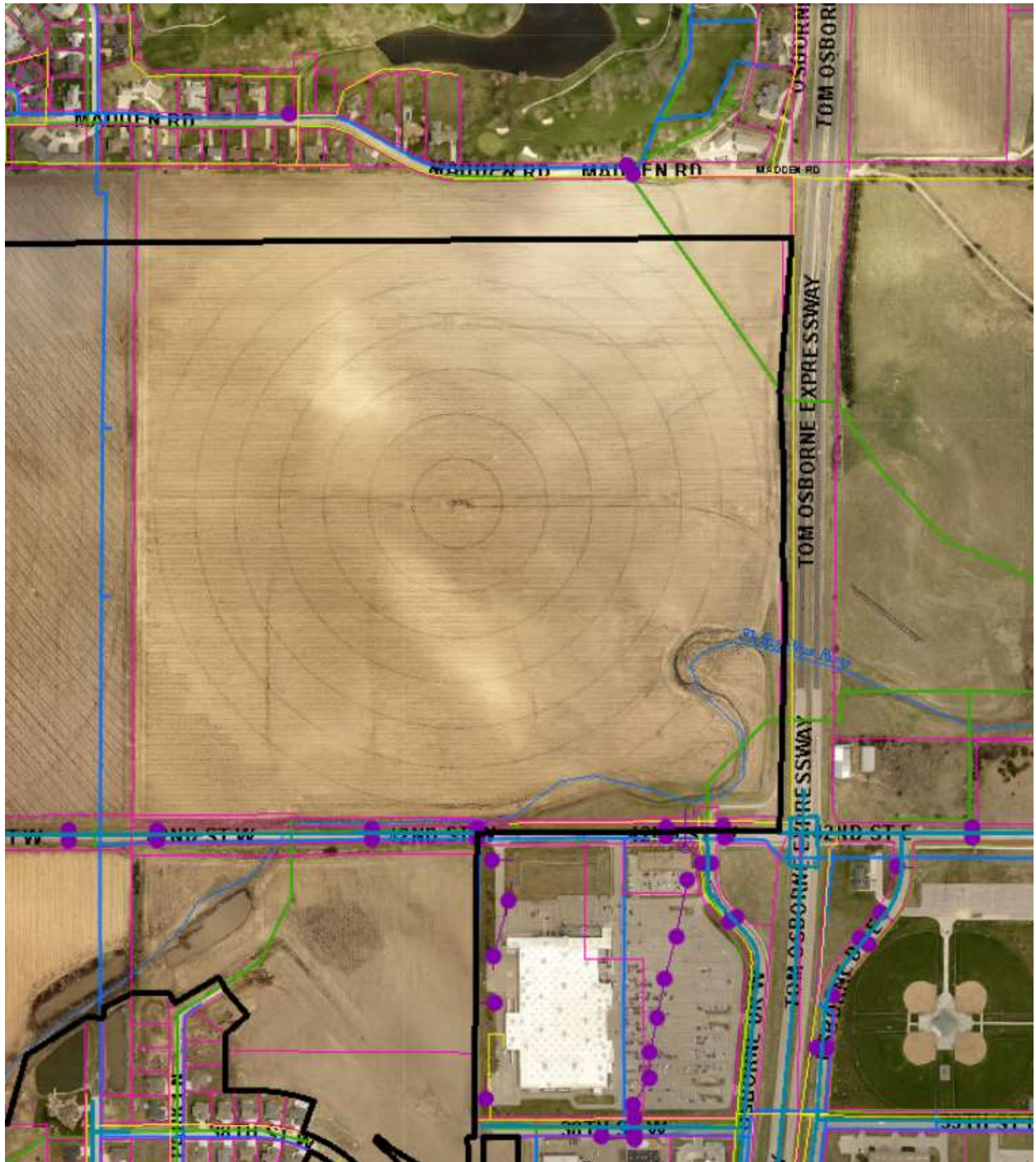
As soon as this project is developed it will start to generate millions of new tax dollars for the City of Hastings and Adams County. We respectfully request you approve our Re-zoning and CUP Applications and attach any other areas of concern as conditions to a Development Agreement so that we can move forward now and so the facility is one step closer to generating the over \$10 million dollars in new tax revenue for the county and city every year and bringing over 120 new jobs to Hastings.

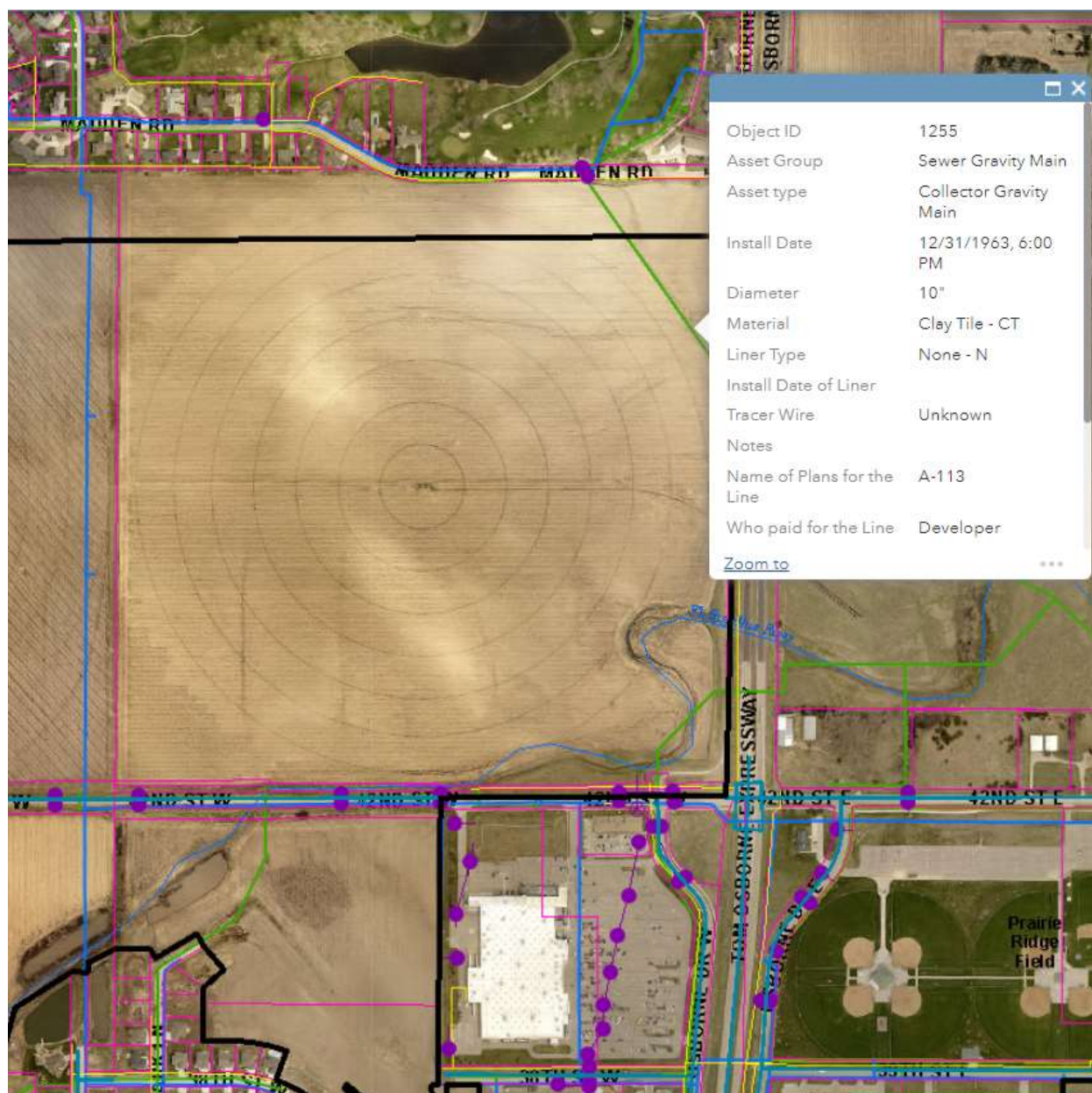
We welcome any questions, feedback, and suggestions the Commission has our partners in making this operation a success for all.

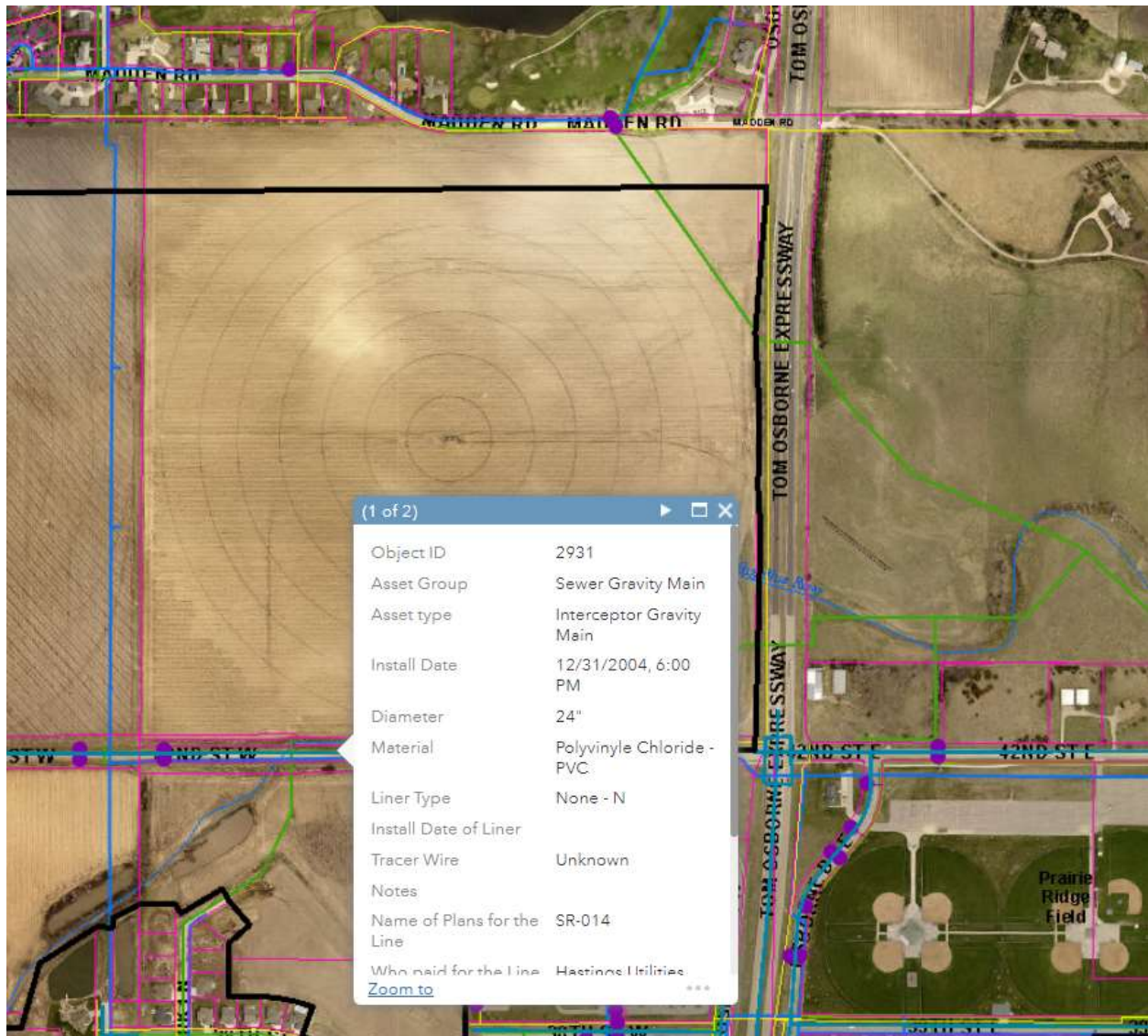
Respectfully submitted,

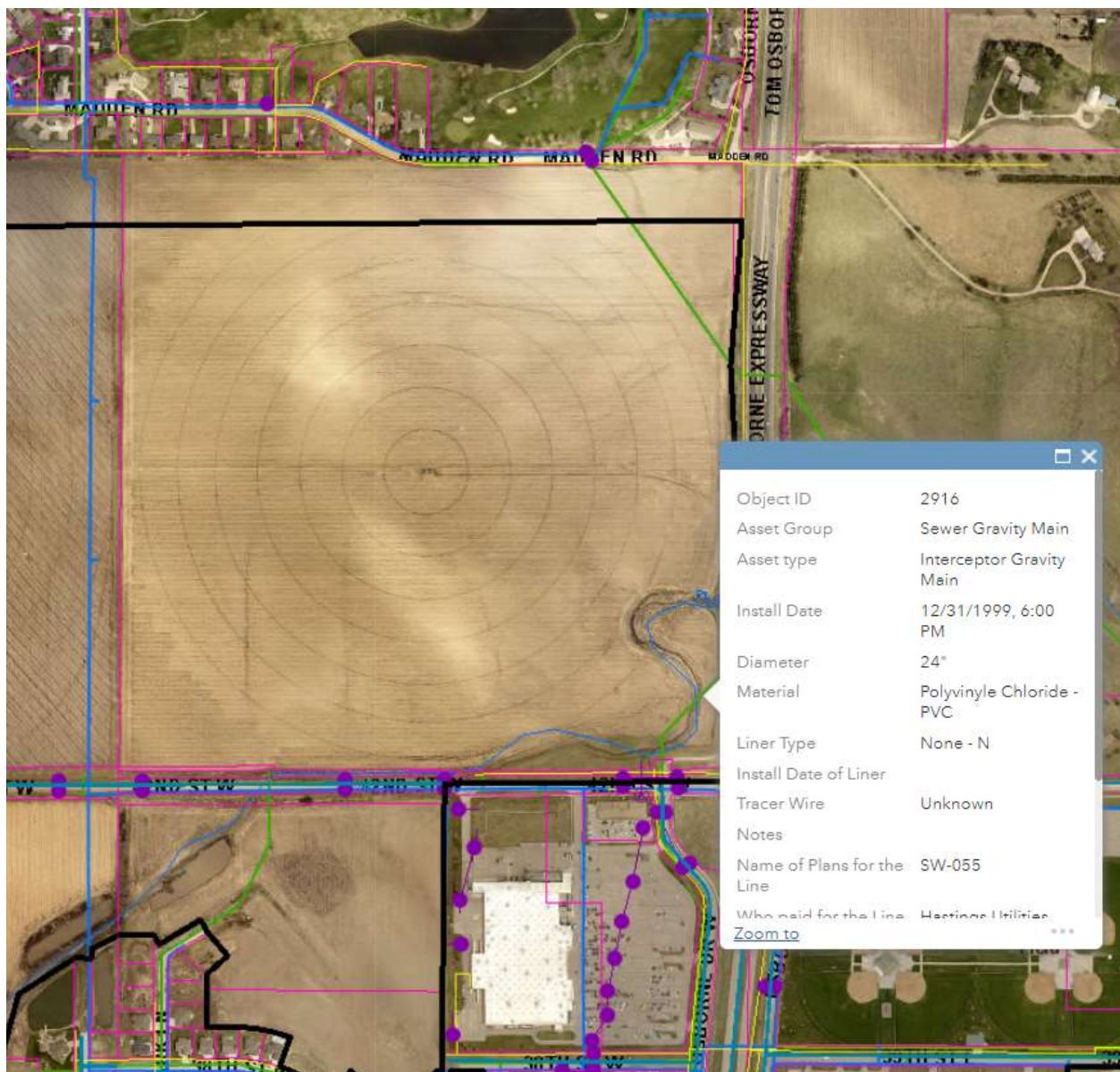
Prairie Thunder Hastings, LLC / Hastings Exposition & Racing, Inc.
West Fork, Inc. / Gremco, Inc.

ATTACHMENT #1 - CURRENT UTILITY MAPS

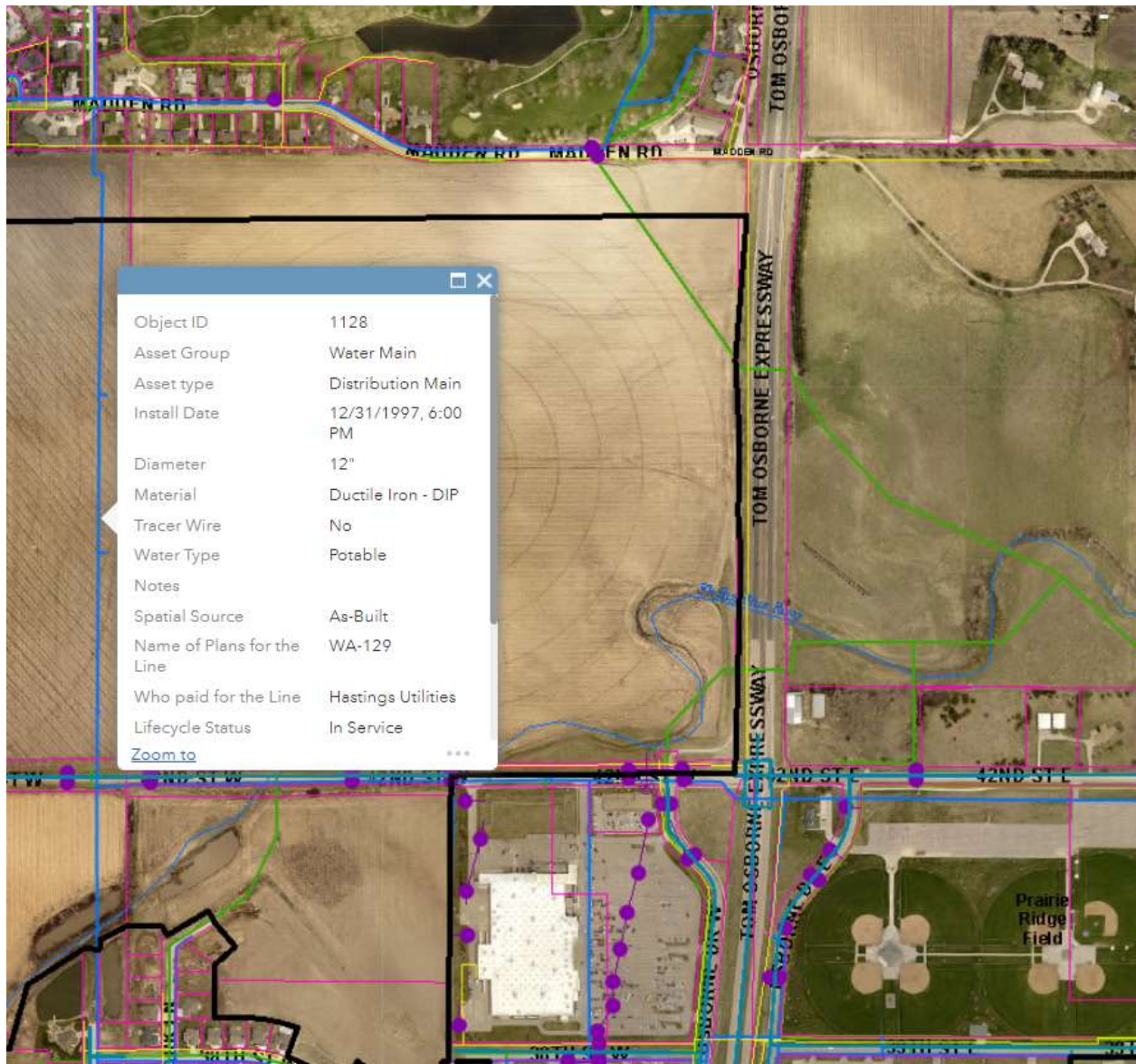




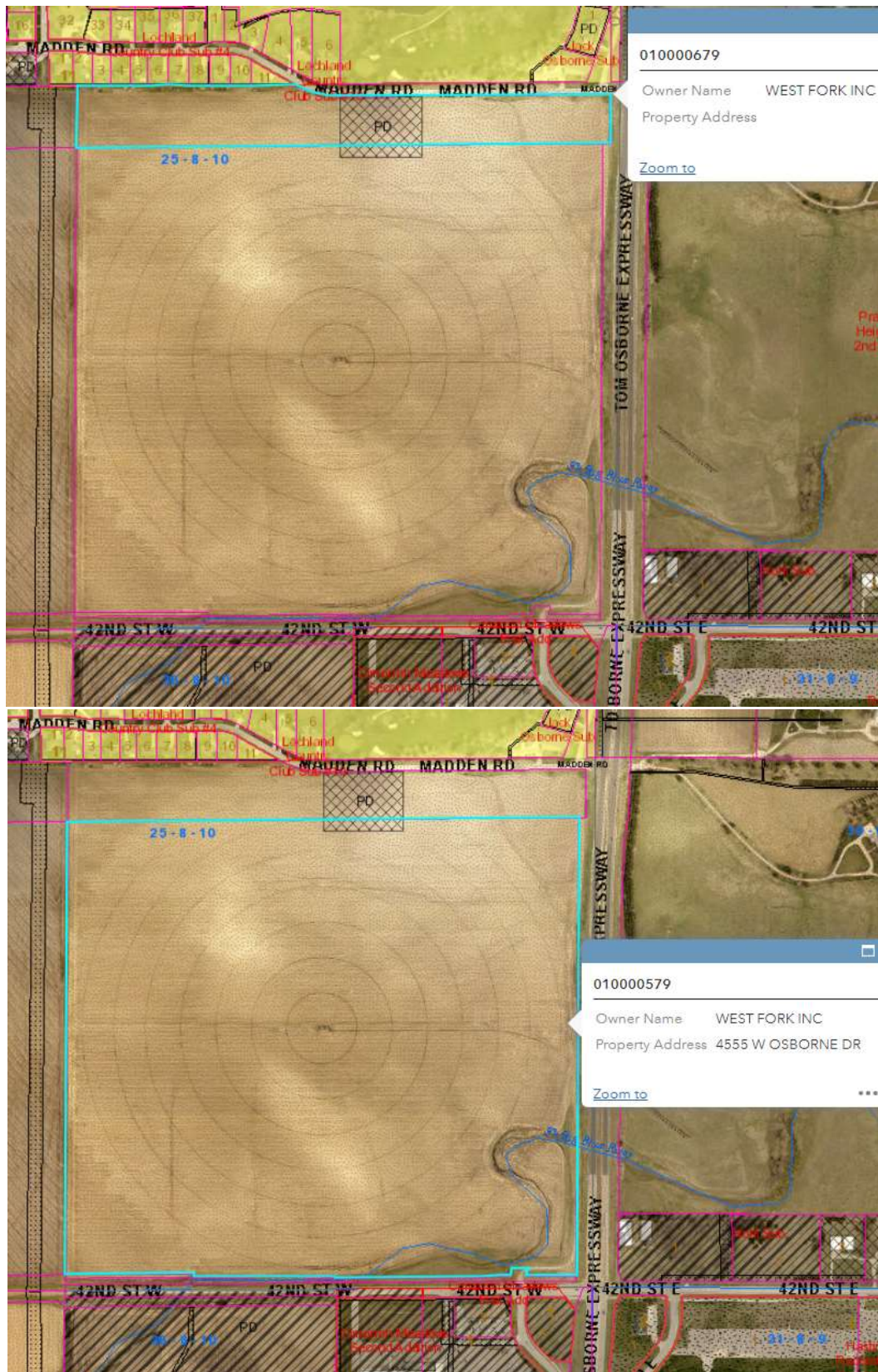




Object ID	2916
Asset Group	Sewer Gravity Main
Asset type	Interceptor Gravity Main
Install Date	12/31/1999, 6:00 PM
Diameter	24"
Material	Polyvinyle Chloride - PVC
Liner Type	None - N
Install Date of Liner	
Tracer Wire	Unknown
Notes	
Name of Plans for the Line	SW-055
Who paid for the Line	Hastings Utilities
Zoom to	



ATTACHMENT #2 - CURRENT OWNERSHIP



ATTACHMENT #3 - LEGAL DESCRIPTION OF "PROJECT AREA"

The Southeast Quarter (SE 1/4) of Section Twenty-Five (25), Township Eight (8) North, Range Ten (10), West of the 6th P.M., Adams County, Nebraska,

EXCEPT the North 756 feet,

AND EXCEPT a tract deeded to the State of Nebraska for road purposes recorded in Book 122, Page 142, being a strip of land lying over and across the eastern part of the Southeast Quarter of Section 25, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska, more particularly described as follows: Beginning at the Southeast corner of said Section 25; thence Northerly on the East line of the Southeast Quarter of said Section 25 a distance of 2641.3 feet to the Northeast corner of said Southeast Quarter; thence Westerly on the North line of said Southeast Quarter a distance of 46.5 feet; thence Southerly a distance of 2,641.3 feet to a point on the South line of said Southeast Quarter; thence Easterly on said South line a distance of 47.0 feet to the point of beginning,

AND EXCEPT a tract deeded to the City of Hastings, as Instrument No. 20044038 being a tract of land consisting of part of the Southeast Quarter (SE¼) of Section 25, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska, and more particularly described as follows: Commencing at the Southeast corner of said SE ¼; thence on a assumed bearing of N89° 54'46"W along the South line of said SE ¼ a distance of 79.84 feet; thence N01° 06'25"E a distance of 33.01 feet to the point of intersection of the North county road right-of-way line and the West U.S. Highway #281 right-of-way line, said point also being the point of beginning; thence N89 °54'46"W along said North right-of-way line a distance of 1352.45 feet; thence N00° 05'14"E a distance of 20.00 feet; thence S89 ° 54'46"E a distance of 871.67 feet; thence N84° 22'36"E a distance of 100.50 feet; thence S89 °54'46"E a distance of 50.00 feet; thence N00 ° 05'14"E a distance of 40.00 feet; thence S89 °54'46"E a distance of 80.00 feet; thence S00° 05'14"W a distance of 50.00 feet; thence S89 °54'46"E a distance of 251.14 feet to a point on the West right-of-way line of U.S. Highway #281; thence S01° 06'25"W along said West right-of-way line a distance of 20.00 feet to the point of beginning,

AND EXCEPT a tract deeded to Adams County, Nebraska, as Instrument No. 20055612, being a tract of land located in Section 25, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska, more particularly described as follows: Referring to the SE corner of the SE ¼ of Section 25, Township 8 North, Range 10, West of the 6th P.M., Adams County, Nebraska, thence West, along the South line of said SE ¼, a distance of 79.84 feet; thence North, along a line deflecting 91 ° 01'11" right from the last described course, a distance of 33.01 feet to the point of intersection of the North county road right-of-way line and the

West U.S. Highway #281 right-of-way line; thence West, along a line parallel to said South line, a distance of 1,352.45 feet to the point of beginning; thence North perpendicular, a distance of 20.00 feet; thence East, perpendicular, a distance of 140.17 feet; thence North perpendicular, a distance of 10.00 feet; thence West, perpendicular, to the West line of said SE ¼ a distance of 1,360.01 feet; thence South along said West line to a point 33.00 feet North of said South line; thence East along a line parallel to said South line to the point of beginning,

AND EXCEPT A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE N88°34'02"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 650.00 FEET; THENCE N01°25'58"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 80.00 FEET; THENCE S88°34'02"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 648.99 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE S00°42'31"E, ON SAID WEST LINE, A DISTANCE OF 80.01 FEET TO THE POINT OF BEGINNING, EXCEPT A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF,

AND EXCEPT A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 2583.60 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 090 DEGREES, 50 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 46.51 FEET ALONG THE NORTH LINE OF THE PROPERTY; THENCE SOUTHERLY DEFLECTING 084 DEGREES, 35 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 848.77 FEET; THENCE SOUTHERLY DEFLECTING 008 DEGREES, 45 MINUTES, 56 SECONDS LEFT, A DISTANCE OF 332.32 FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 12 MINUTES, 38 SECONDS RIGHT, A DISTANCE OF 310.00 FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 38 MINUTES, 08 SECONDS LEFT, A DISTANCE OF 185.61. FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 56 MINIUTES, 50 SECONDS RIGHT, A DISTANCE OF 911.44 FEET; THENCE EASTERLY DEFLECTING 091 DEGREES, 02 MINUTES, 38 SECONDS LEFT, A DISTANCE

OF 79.84 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 4.94 ACRES, MORE OR LESS, WHICH INCLUDES 2.80 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

ATTACHMENT #3A – C-3 REZONE AREA LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE ON THE EAST LINE OF SAID SOUTHEAST QUARTER, NORTH A DISTANCE OF 1160.00 FEET; THENCE WESTERLY, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 1880.00 FEET; THENCE SOUTHERLY, PARALLEL WITH SAID EAST LINE, A DISTANCE OF 1160.00 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE EASTERLY ON SAID SOUTH LINE, A DISTANCE OF 1880.00 FEET TO THE POINT OF BEGINNING, 50 ACRES MORE OR LESS, EXCEPT ALL PORTIONS OF THE BELOW DESCRIBED TRACTS THAT LAY WITHIN THE FOREGOING LEGALLY DESCRIBED AREA:

A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF,

A TRACT DEEDED TO THE STATE OF NEBRASKA FOR ROAD PURPOSES RECORDED IN BOOK 122, PAGE 142, BEING A STRIP OF LAND LYING OVER AND ACROSS THE EASTERN PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE NORTHERLY ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25 A DISTANCE OF 2641.3 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE WESTERLY ON THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 46.5 FEET; THENCE SOUTHERLY A DISTANCE OF 2,641.3 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE EASTERLY ON SAID SOUTH LINE A DISTANCE OF 47.0 FEET TO THE POINT OF BEGINNING,

A TRACT DEEDED TO THE CITY OF HASTINGS, AS INSTRUMENT NO. 20044038 BEING A TRACT OF LAND CONSISTING OF PART OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SE ¼; THENCE ON A ASSUMED BEARING OF N89° 54'46"W

ALONG THE SOUTH LINE OF SAID SE $\frac{1}{4}$ A DISTANCE OF 79.84 FEET; THENCE N01° 06'25"E A DISTANCE OF 33.01 FEET TO THE POINT OF INTERSECTION OF THE NORTH COUNTY ROAD RIGHT-OF-WAY LINE AND THE WEST U.S. HIGHWAY #281 RIGHT-OF-WAY LINE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89° 54'46"W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 1352.45 FEET; THENCE N00° 05'14"E A DISTANCE OF 20.00 FEET; THENCE S89° 54'46"E A DISTANCE OF 871.67 FEET; THENCE N84° 22'36"E A DISTANCE OF 100.50 FEET; THENCE S89° 54'46"E A DISTANCE OF 50.00 FEET; THENCE N00° 05'14"E A DISTANCE OF 40.00 FEET; THENCE S89° 54'46"E A DISTANCE OF 80.00 FEET; THENCE S00° 05'14"W A DISTANCE OF 50.00 FEET; THENCE S89° 54'46"E A DISTANCE OF 251.14 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S01° 06'25"W ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING,

A TRACT DEEDED TO ADAMS COUNTY, NEBRASKA, AS INSTRUMENT NO. 20055612, BEING A TRACT OF LAND LOCATED IN SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: REFERRING TO THE SE CORNER OF THE SE $\frac{1}{4}$ OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10, WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, THENCE WEST, ALONG THE SOUTH LINE OF SAID SE $\frac{1}{4}$, A DISTANCE OF 79.84 FEET; THENCE NORTH, ALONG A LINE DEFLECTING 91° 01'11" RIGHT FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 33.01 FEET TO THE POINT OF INTERSECTION OF THE NORTH COUNTY ROAD RIGHT-OF-WAY LINE AND THE WEST U.S. HIGHWAY #281 RIGHT-OF-WAY LINE; THENCE WEST, ALONG A LINE PARALLEL TO SAID SOUTH LINE, A DISTANCE OF 1,352.45 FEET TO THE POINT OF BEGINNING; THENCE NORTH PERPENDICULAR, A DISTANCE OF 20.00 FEET; THENCE EAST, PERPENDICULAR, A DISTANCE OF 140.17 FEET; THENCE NORTH PERPENDICULAR, A DISTANCE OF 10.00 FEET; THENCE WEST, PERPENDICULAR, TO THE WEST LINE OF SAID SE $\frac{1}{4}$ A DISTANCE OF 1,360.01 FEET; THENCE SOUTH ALONG SAID WEST LINE TO A POINT 33.00 FEET NORTH OF SAID SOUTH LINE; THENCE EAST ALONG A LINE PARALLEL TO SAID SOUTH LINE TO THE POINT OF BEGINNING,

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE N88°34'02"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A

DISTANCE OF 650.00 FEET; THENCE N01°25'58"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 80.00 FEET; THENCE S88°34'02"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 648.99 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE S00°42'31"E, ON SAID WEST LINE, A DISTANCE OF 80.01 FEET TO THE POINT OF BEGINNING, EXCEPT A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF,

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 2583.60 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 090 DEGREES, 50 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 46.51 FEET ALONG THE NORTH LINE OF THE PROPERTY; THENCE SOUTHERLY DEFLECTING 084 DEGREES, 35 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 848.77 FEET; THENCE SOUTHERLY DEFLECTING 008 DEGREES, 45 MINUTES, 56 SECONDS LEFT, A DISTANCE OF 332.32 FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 12 MINUTES, 38 SECONDS RIGHT, A DISTANCE OF 310.00 FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 38 MINUTES, 08 SECONDS LEFT, A DISTANCE OF 185.61. FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 56 MINIUTES, 50 SECONDS RIGHT, A DISTANCE OF 911.44 FEET; THENCE EASTERLY DEFLECTING 091 DEGREES, 02 MINUTES, 38 SECONDS LEFT, A DISTANCE OF 79.84 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 4.94 ACRES, MORE OR LESS, WHICH INCLUDES 2.80 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

ATTACHMENT #3B – CUP AREA LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 84.00 FEET EAST ON THE SOUTH LINE FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER, NORTH A DISTANCE OF 1795.00 FEET; THENCE EASTERLY, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 2162.00 FEET; THENCE SOUTHERLY, PARALLEL WITH SAID EAST LINE, A DISTANCE OF 763.00 FEET; THENCE WESTERLY, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 1624.00 FEET; THENCE SOUTHERLY, PARALLEL TO THE WEST LINE, A DISTANCE OF 856 FEET; THENCE WESTERLY, PARALLEL TO THE SOUTH LINE, A DISTANCE OF 452 FEET; THENCE SOUTHERLY, PARALLEL TO THE WEST LINE, A DISTANCE OF 176 FEET; THEN WESTERLY, PARALLEL TO THE SOUTH LINE, A DISTANCE OF 86 FEET TO THE POINT OF BEGINNING, 48.75 ACRES MORE OR LESS,

EXCEPT ALL PORTIONS OF THE BELOW DESCRIBED TRACTS THAT LAY WITHIN THE FOREGOING LEGALLY DESCRIBED AREA:

A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF, AND

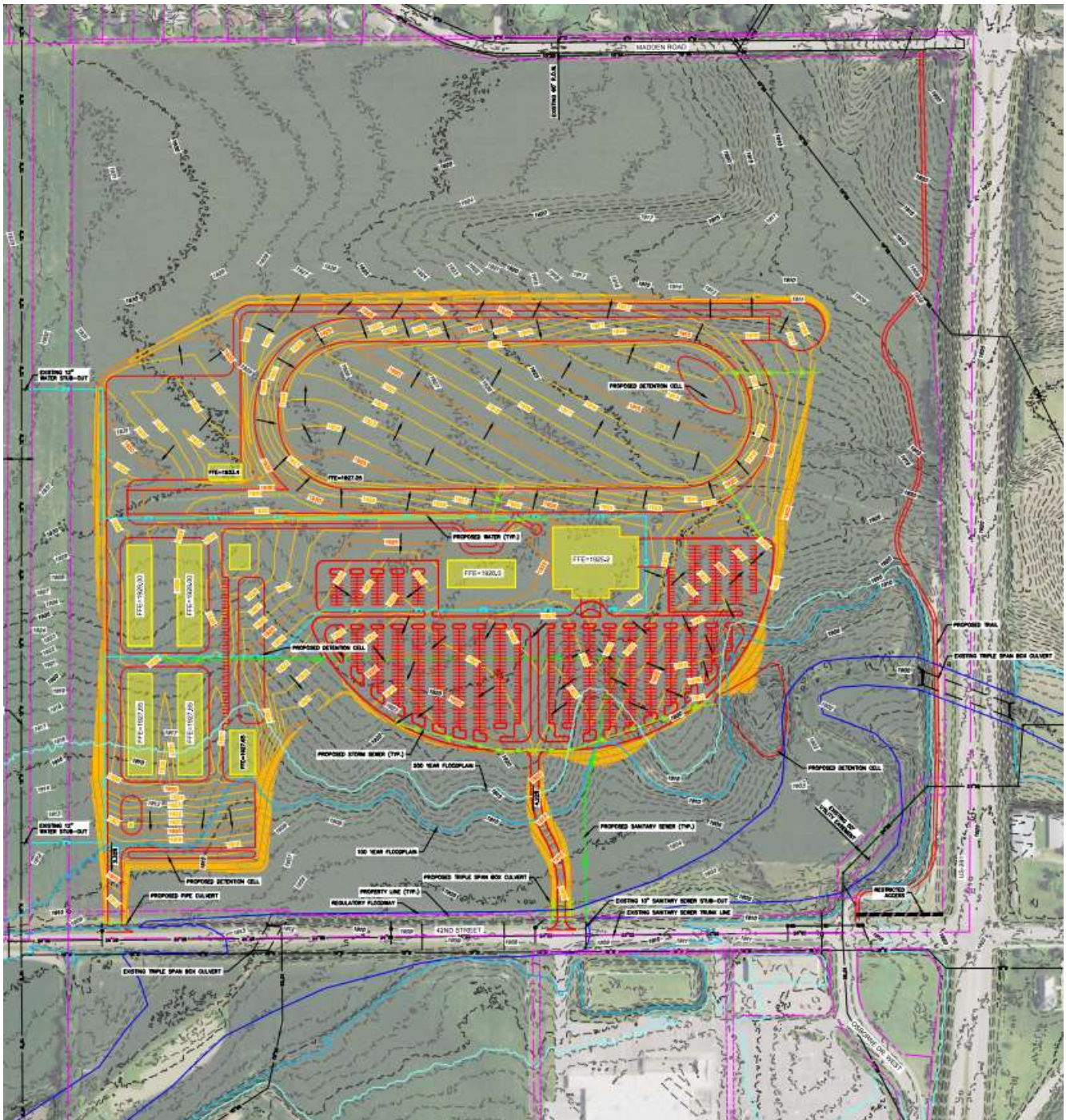
A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25,
TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY,
NEBRASKA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF
SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE N88°34'02"E
(ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE
OF 650.00 FEET; THENCE N01°25'58"W, PERPENDICULAR TO SAID
SOUTH LINE, A DISTANCE OF 80.00 FEET; THENCE S88°34'02"W, PARALLEL WITH
SAID SOUTH LINE, A DISTANCE OF 648.99 FEET TO THE WEST LINE OF SAID SOUTHEAST
QUARTER; THENCE S00°42'31"E, ON SAID WEST LINE, A DISTANCE OF 80.01 FEET TO THE
POINT OF BEGINNING, EXCEPT A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-
OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A
TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF
COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH
33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET
THEREOF, AND

EXCEPT ANY PORTION OF CITY OF HASTINGS LAND, PARCEL # 010019114, AND

EXCEPT ANY PORTION OF ADAMS COUNTY LAND, PARCEL # 010017526.

ATTACHMENT #4 - CONTOUR MAP



ATTACHMENT #5 - OWNER AUTHORIZATION



Owner's Authorization Letter

I/we hereby certify that I/we are the owner(s) of the property described herein. I/we am/are respectfully requesting processing and approval of the application(s) referenced herein. I/we hereby authorize the Applicant(s) listed on this application to act on my/our behalf during the processing and presentation of the request. The person(s) identified as Applicant shall be the principal contact with the City in processing this application.

Project: Horse Racetrack & Casino

Address/Location: 4555 Osborne Drive West , Hastings, NE 68901

Applicant(s): Prairie Thunder Hastings, LLC

West Fork, Inc Robert A. Wallace
Owner: Owner's Signature

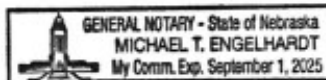
Gremco, Inc. Robert A. Wallace
Owner: Owner's Signature

State of Nebraska)

) ss:

County of Adams)

The foregoing document was acknowledged before me this 15 day of December
2021, by Robert A Wallace



Michael Engelhardt
Notary Public

ATTACHMENT #6 - REALTOR OPINION LETTER #1



December 20, 2021

City of Hastings Planning Commission
Attn: Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Re: Proposed Casino and Racetrack - 4555 W. Osborne Drive

Planning Commissioners:

I am a licensed realtor in good standing here in Hastings and have been representing buyers and sellers of all kinds of properties in Hastings and Adams County for over 20 years. I have been asked for an opinion related to a proposed development site located at 4555 W Osborne drive. I have been presented materials by the developers including site plan describing the project the project area and I've also seen building and property renderings showing the type of investment and equality construction proposed.

I am familiar with the surrounding properties including the residence is north of the subject property both bordering the Expressway and those bordering the northwest corner of the subject property.

After considering all the facts familiar to me my experience background and insight derive from speaking with thousands of property owners over the course of my career it is my opinion that the proposed \$30 million plus construction of a commercial structure and parking lot along with a 5/8-mile horse racetrack and associated buildings is not likely to have a negative impact on the values of these surrounding properties.

In fact, if anything it is my opinion that developing property in question consistent with the developers renderings and plans will more likely than not increase surrounding property values. This is true not only for the Lochland residences but also for the farmland located 2 the West. This project will be one of the most significant development projects but Hastings has seen in years. The developers have carefully analyzed the subject property and will be leaving proximately 45 acres agricultural land as it is today and as it has been since before any of the surrounding residences existed.

In other words, the surrounding existing residences will not have any change in the nature character of the property that currently borders their properties. Based on the site plan the casino will be facing South towards a commercial area including a large Walmart which is currently the view south from the existing Lochland residences.

The majority of the property in question is designated for commercial use which makes perfect sense given its orientation on the Expressway and the adjacent commercial properties.

Further researching the project and speaking to those in our community I have heard significant positive comments about the millions of dollars in tax revenue that will be generated including several million to go directly to property tax relief. From my years of experience I found that lower property taxes are one of the factors buyers used to differentiate between potential homes. One could argue that this project can only help reduce property taxes in our city and our county which would be a positive for all residences not only those north of the subject property.

A misconception about this project may be related to the amount of racing and the features of the racetrack. At the height of the racetrack activities which will take approximately four years after completion of construction to get to there will be approximately a maximum of 12 race days out of 365 per year. In speaking with the developer I've learned that there they do not plan to do night racing and they are not constructing any pole lighting or stadium lighting. Additionally, there will not be a grandstand of any kind.

It is my opinion that a project of this kind with all of the tax and financial benefits as well as the being a project will draw tourists and new dollars into our community to support our existing hotels motels restaurants and retail is a very positive opportunity that should be embraced by the Planning Commission, the City Council and the community. All my opinions are based on my education, experience, background, and review of information directly related to this project.



Michael Engelhardt
Nebraska Realty

ATTACHMENT #7 - REALTOR OPINION LETTER #2



December 20, 2021

City of Hastings Planning Commission
Attn: Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Re: Proposed Casino and Racetrack - 4555 W. Osborne Drive

Planning Commissioners:

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I am familiar with the surrounding properties including the residence is north of the subject property both bordering the Expressway and those bordering the northwest corner of the subject property.

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Brent Parker



Nebraska Realty

POPULOUS™

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Equestrian Manure Management

Charlie Kolarik, RA, NCARB

Introduction:

The methods indicated in this report are based on a manure management system originally developed for the Oklahoma State Fair Park, an urban equestrian and livestock venue. This manure management method has proven to be highly effective at eliminating manure odor, flies, and the potential for runoff contamination. Given the success of this manure management system it is becoming an industry “best practice” for new and existing equestrian and livestock event venues across the United States. Additionally, Populous will be implementing a similar manure management plan in our design for the equestrian venue at the 2012 London Olympic Games.

The typical Equestrian and Rodeo Facility is planned with barns that are implemented through a series of phases. Given this phased implementation it is a complex task to calculate precise manure volumes for a facility from a annual or long term perspective, as the volume will change over time and will be dependent on the growth and attendance of events. This document provides details on the key elements of a well designed manure management plan, an example volume calculation for a typical equestrian event facility, and a brief section on manure disposal and reuse options.

Managing Manure Properties

A successful manure removal plan is a critical component when creating a clean and comfortable environment at an equestrian event facility. There are three byproducts of manure that must be controlled to create a clean and comfortable environment:

Odor:

Odor is the byproduct of a natural decomposition process in which bacteria consume manure and urine and release gas. Ammonia is commonly produced in manure that decomposes in an environment with poor air exchange. When exposed to ample fresh air the decomposition process works efficiently and foul odor is not produced.

Controlling odor is best accomplished by providing ample natural ventilation, absorbent stall bedding, limiting exposure to moisture, and daily manure removal from horse stalls and buildings.

Flies:

Fly problems occur when manure is stockpiled in open air storage and exposed to moisture. Decomposing manure will attract flies, however infestations occur as a result of fly breeding in the manure. Controlling flies is best accomplished by collecting manure in closed containers that limit exposure to moisture, limiting fly exposure, and removing manure from the site periodically throughout the day.

Contaminated Runoff:

Typically manure exposed water runoff is not damaging to the environment unless the manure has been stockpiled and allowed to decompose. A stockpile of manure that is not turned regularly will begin to decompose internally via an anaerobic decomposition process. This is a decomposition process that occurs when ample oxygen is not available to the bacteria in the center of a moist manure stockpile. Anaerobic manure will ferment and attract insects, develop unpleasant odors, and leak an unpleasant and environmentally hazardous liquid called leachate. When leachate is exposed to running water it produces an environmental runoff hazard. Controlling contaminated runoff is best accomplished by collecting manure in closed containers that limit exposure to rain and running water, removing manure from the site daily, and capturing wash water from animals in the sanitary sewer system.

Tradition and Transition:

Equestrian event facilities and fairgrounds traditionally collect livestock manure from barns and place- it in outdoor concrete bunkers or large metal bins. Manure is allowed to stockpile in these bins or bunkers until it is eventually removed by a tractor or forklift and placed in trucks. The tractors and forklifts that lift and carry metal bins around the site pose a serious safety threat to barn inhabitants both human and equestrian.

Bin cleaning typically occurs when the bunker is at or near capacity or at the end of an event. This practice leaves the stockpiled manure in the bunkers for several days before it is removed. Traditionally these bins are not covered, they are exposed to rain and insects, and are allowed to overflow onto the surrounding ground or street. In some facilities the bins are cleaned and the manure stockpiled in large quantities at a remote area of the site. This style of manure management is commonly practiced at many equestrian and livestock facilities today.

In recent years this practice has come under scrutiny as once rural livestock and fairgrounds facilities have been surrounded by urban growth. Additionally, competitors and spectators at livestock event facilities are demanding cleaner and more pleasant environments, environmental stewardship is being embraced, and related environmental regulations are being developed and enforced.

Traditional Manure Removal Solution



Traditional Metal Bin Stockpile



Poorly Managed Manure Removal Results in Manure Piles Outside of Designated Areas

A Modern Solution:

As an international leader in the design of fairgrounds and equestrian event venues Populous recognized the need for a clean and environmentally sustainable manure management solution. The rehabilitation and expansion of the Oklahoma State Fair Park equestrian and livestock facilities provided the first opportunity to develop and implement a large-scale, modern manure management system that would create a pleasant barn environment for competitors, provide ease of operational management, respect the surrounding residential and commercial uses, and minimize the risk of manure-related environmental contamination.

There are three critical components to this manure management system:

Mobile Manure Containers - Rolling containers can be easily moved and filled by the facility users and staff. The containers are affordable and efficient for the facility to provide, empty, and service. The containers have covers to eliminate moisture and insect exposure. These containers are emptied periodically throughout the day into packer trucks and the manure is immediately removed from the site.

Sliding Stall Partitions – Stall partitions slide to the center aisle to allow more thorough and efficient stall cleaning between events.

Drainage Plan – The drainage plan for the facility captures and confines water that has been exposed to manure or washing of animals. This water is directed into the sanitary sewer system.



Case Study: Oklahoma State Fair Park

The Super Barn at the Oklahoma State Fair Park houses 1,016 stalls under one roof and is a primary component of the 3,200 stall equestrian complex, which is the largest in North America. The facility hosts world-class competitions and must provide a very clean, modern, and pleasant environment for show participants and spectators. Exposed manure, unpleasant odors, and flies are not an option for this facility.

In addition to daily stall cleaning during events a unique solution was required to expedite stripping bedding and manure from stalls at the completion of events. The high demand for Equestrian venues at the park requires that the stalls are stripped, cleaned and prepared with absolute minimal turnover time between events. A unique stall system was designed and developed by the equestrian design leaders at Populous to accomplish this task while minimizing labor costs.

Additionally, a carefully planned solution was developed to eliminate the risk of contaminated runoff by isolating water that has been or may potentially be exposed to an environmental contaminant such as manure or soap. Drain types were carefully selected and placed to capture and screen water runoff at the facility.

The following is a brief overview of the manure management system at the Oklahoma State Fair Park Equestrian Venue:

Daily Manure Removal:

Daily manure removal is critical to maintaining a clean and comfortable environment during equestrian and livestock events. Stockpiling manure for bulk handling is a traditional solution, however it is not an acceptable practice for a modern equestrian venue. As an alternative to this traditional practice, the equestrian venues at the Oklahoma State Fair Park provide one plastic 96-gallon rolling trash cart per every ten stalls at the facility. The carts are located inside the barns at the end of each stall row for at-will use of the exhibitors. Manure dropped by the horses in the barn aisles is picked up by the facility staff and placed in these carts. Periodically throughout the day, facility staff will roll the receptacles to designated pickup spaces outside the barns where a packer truck empties the containers and immediately removes the manure from the site. The containers are then rolled back into position at the end of each stall row where users may access them for stall cleaning at their convenience. The rolling trash carts confine the manure in an enclosed container so it is never exposed to moisture or insects. This practice creates a barn environment free of manure odor, fly infestation, and contaminated runoff. This simple solution has revolutionized the way that livestock and equestrian event facilities are addressing manure management around the world.

Rolling Bin Solution



Rolling Carts at Stall Rows



Curb Side Manure Pickup



Rolling Cart with Stall Waste



Rolling Carts at SuperBarn Curb

Post Event Manure and Bedding Removal:

Manure removal is important during events however it must also be considered between events. A thorough cleaning of all stalls is required between each event. This cleaning process produces a much greater volume of waste as all stall bedding is collected in addition to manure that may have been left in the stalls or soaked into the stall bedding. Traditionally stalls are cleaned individually by workers who hand-shovel the stall waste into the aisle. Once all of the waste is in the aisle it is pushed to the outside of the building and loaded into waste containers or dump trucks.

The equestrian planners at Populous developed a unique stall system for the Oklahoma State Fair Park Barns that has resulted in 60% savings in both labor and time for the event turnover when compared to traditional methods. The key to this system is a stall design that allows the stall side partitions to be pulled into the aisle. This opens the stall row to allow a tractor, Bobcat, or similar equipment to push and collect the majority of the stall waste in 40-cubic yard containers inside the building. A riding commercial floor scrubber thoroughly cleans the remaining bedding or waste. The result is a much cleaner stall than achieved through traditional cleaning methods. A cleaner stall greatly reduces the risk of transmitting disease, ensures that manure is not left behind in stall corners to potentially create odor or fly issues, and provides a fresh environment for equestrian competitors and visitors. The 40-cubic yard containers are removed immediately and are not stored on site.

Stall Cleaning Process



1. Barn is vacated after event



2. Stall side partions pull into aisle



3. Stalls are cleared of Bedding and then scrubbed



4. Aisle is cleared and then scrubbed

Drainage / Runoff Protection:

Capturing drainage and runoff that is or may be exposed to environmental contaminants is crucial when constructing an environmentally responsible equestrian event venue. Planning to capture contaminated runoff should begin early in the planning of the facility. Floor slopes and drain locations are designed to isolate areas where contaminated water is likely to occur. The wash stalls at the Oklahoma State Fair Park Equestrian Venues are isolated to avoid over spray of water and have two drains to provide maximum collection of wash water. The wash stalls have a rectangular floor drain in one corner. The floor of the wash stall is sloped to this drain which contains a sump with removable strainer basket to capture solid waste that may be washed into the drain. Additionally, a trench drain runs along the exterior of the wash bays to capture overspray or wash water that escapes the bay. The trench drain outlets have baskets and strainers to catch solid animal waste that may enter through the grate. All wash water is directed into the sanitary sewer system. Washing of animals is not permitted or provided for in areas other than dedicated wash stalls.

Contaminated runoff is not produced in the stall areas as stall bedding will capture urine or other liquids that may be used in the stalls. Soiled bedding is removed with other manure daily via the rolling manure containers discussed previously.

Water and Runoff Control



Confined wash stalls with internal floor drain and external trench drain



Floor drain detail – note grill, basket, and strainer to collect solid waste



South Point Casino and Equestrian Center

The South Point Equestrian complex houses a 4,400 seat equestrian event arena with 1,200 show stalls. South Point is located in an urban environment in Las Vegas, Nevada.

This facility has successfully implemented a similar manure removal system to Oklahoma City State Fair Park and the proposed Kansas Star system.

South Point provides one large capacity open top rolling cart per every other row of stalls for at-will use of the exhibitors. These carts or “gondolas” are emptied into covered 40 cubic yard dumpsters periodically throughout the day. There are three covered 40 cubic yard containers on site that are removed and emptied daily.

The system developed and implemented at the Oklahoma City State Fair Park is a more refined system than utilized at South Point as the South Point collection containers are subject to insect and water exposure. However, the South Point approach is an important example of how modern equestrian event facilities are addressing manure handling and removal in response to customer demand, facility appearance, their urban setting, and the need for increased operational efficiency.

Volume Calculation Considerations

The volume of manure that will be produced by an equestrian event facility cannot be precisely determined as show attendance, frequency, and size will vary show to show and year to year. Shows may vary in size between 50 and 1200 horses at a facility with 800 permanent stalls and space for temporary stall expansion. On average, a large regional show would likely generate around 400 horses and a national show would host about 700. It is important to note that the larger shows will likely run longer than a 3 day weekend and many competitors will stay just long enough to compete in their class but not for the entire length of the show. Some competitors may be leaving as others are arriving.

A sample manure volume calculation is provided below to demonstrate how a facility would utilize the above described manure management system to handle the manure removal for an average horse show. It is likely that the majority of shows at the facility would be regional events so the example manure volume calculation will assume a horse count of 400.

Populous has developed the following formulas for calculating manure volume based on university research reports, agricultural extension research, articles prepared by experts in the field of livestock and equine science, as well as our personal and professional involvement in the industry. A list of resources and cited works is provided in the reference section of this document.

Horse Units:

Horse units are used to provide flexibility in the calculation of manure volume. One horse unit is equivalent to a 1,000 pound horse. Horse waste is comprised of about 60% solids and 40% urine. A 1,000 pound horse or 1 horse unit will produce about 31 pounds of feces and 2.4 gallons (20 pounds) of urine daily. This standard horse unit provides a basis for estimating the expected waste volume for each of the following three equestrian manure categories:

Stall Horse Unit:

A stall horse unit is a 1,000 pound horse that is primarily kept in a stall throughout the year. It is assumed that a stall horse will produce 100% of its waste as stall manure. Stall manure is defined as horse excrement both solid and liquid in combination with soiled bedding and some additional bedding that may be removed in the process of mucking the stalls on a daily basis.

Pasture Horse Unit:

A pasture horse unit is a 1,000 pound horse that is primarily kept in a pasture or paddock throughout the year. It is assumed that a pasture horse will produce 100% of its waste as pasture manure. Pasture manure is defined as solid horse excrement with no bedding.

Stall / Pasture Horse Unit:

A stall/pasture horse unit is a 1,000 pound horse that is kept in a stall for 50% of the year and in the pasture for 50% of the year. It is assumed that a stall/pasture horse will produce 50% of its waste as stall manure and 50% as pasture manure.

All horses at an equestrian event facility will fall into the category of stall horse units. It is important to note that the horse units, manure volume estimates, and manure qualities in this report reflect the most widely accepted method for estimating anticipated manure volume and quality for a typical horse facility. Some shows or events that specialize in certain larger breeds such as draft horses or smaller breeds such as ponies would utilize a multiplier to adjust the size of the horse unit to more accurately estimate the volume of manure that will be produced at the show or event. Additionally, the volume of manure produced by a 1,000 lb horse unit may vary up to 20% higher or lower than the numbers used in this report depending on the horses diet and lifestyle as well as stall cleaning techniques.

Manure Volume:

Manure will vary in its volume depending on whether it is collected from the stable or the pasture. It is important to quantify the volume of each type of manure to help determine which reuse and removal options are the most economically and functionally feasible. In this example manure will be removed from the facility rather than composted or otherwise reused on site. Additionally, the key volume calculation for a typical equestrian event facility will be stall manure volume as no pasture is typically available to horses at the facility. Below are descriptions of the volumes that can be generally expected from raw and stall horse units:

Raw Manure:

Raw manure is comprised of solid and liquid waste. A single horse unit will produce about 31 pounds (0.5 ft^3) of feces and 2.4 gallons (20 pounds or 0.3 ft^3) of urine daily. This equals about 51 pounds (62 lb/ft^3) or 0.8 ft^3 of raw manure from the horse daily.

Stall Manure:

Stall manure is comprised of both solid and liquid waste as well as soiled bedding and a certain amount of clean bedding that is collected when cleaning stalls. Stall manure is collected daily which requires daily management of the waste. (The bedding in the following volume estimate is assumed to be pine shavings) The average daily stall cleaning will result in the removal of 8 to 12 pounds 1.6 ft^3 of bedding per stall in addition to raw manure. Adding raw manure to the bedding brings the total daily volume of stall manure per horse unit to around 60 pounds and 2.4 ft^3 . It is important to note that the volume of bedding is greater than the volume of raw manure.

Estimated Manure Volume (Example Calculation):

A typical equestrian event venue is hosting a regional AQHA show of 400 horses. The horses will be housed in permanent stalls with pine shaving bedding. No turnouts or paddocks are provided and it is anticipated that all 400 horses will be housed in the stalls for the majority of the time that they are attending the 4 day show.

Utilizing the previously provided manure volume data, the daily volume of collected manure is therefore estimated as follows:

$$400 - \text{Stall Horse Units: } 60 \text{ pounds and } 2.4 \text{ ft}^3 (400) = \mathbf{24,000 \text{ pounds and } 960 \text{ ft}^3 \text{ daily}}$$

Forty, 96-gallon (12.83 ft³) rolling manure collection carts are provided by for daily manure removal by the event facility (one cart per every 10 stalls). The total daily volume that each container would accumulate is calculated as follows:

$$960 \text{ ft}^3 \text{ daily} / 40 = \mathbf{24 \text{ ft}^3 \text{ per cart daily}}$$

Each cart has a capacity of 12.83 ft³ so the manure containers must be emptied twice per day minimum. The facility would likely schedule three pickups per day for this show as the containers would be filled to 93% of their maximum capacity if picked up twice. Three scheduled pickups per day would reduce the filled volume of the containers to 62% of their maximum capacity for each pickup.

At the end of the show the facility will remove the remaining bedding from the stalls. A 10'x10' stall typically holds around 6 bags or 50 to 60 ft³ of bedding. When placed in a removal bin the bedding will compact to around 40% of its stall volume which will equal around 20 to 24 ft³ per stall. Clearing 400 stalls will result in a removal bin volume of **8,000 to 9,600 ft³ or 296 yd³ to 356 yd³ per 400 stall event.**

Large capacity removal dumpsters are typically sized in cubic yards. Commonly available sizes are 10, 20, 30, and 40 cubic yards. Removal of this waste will fill 8 or 9 roll off dumpsters with 40 cubic yard capacity. The dumpsters would be brought to the site by a contracted waste removal company and the stall waste would be removed. Rather than delivering 8 or 9 individual dumpsters to the site it is likely that the waste removal contractor would remove the waste in multiple trips through the course of a day.

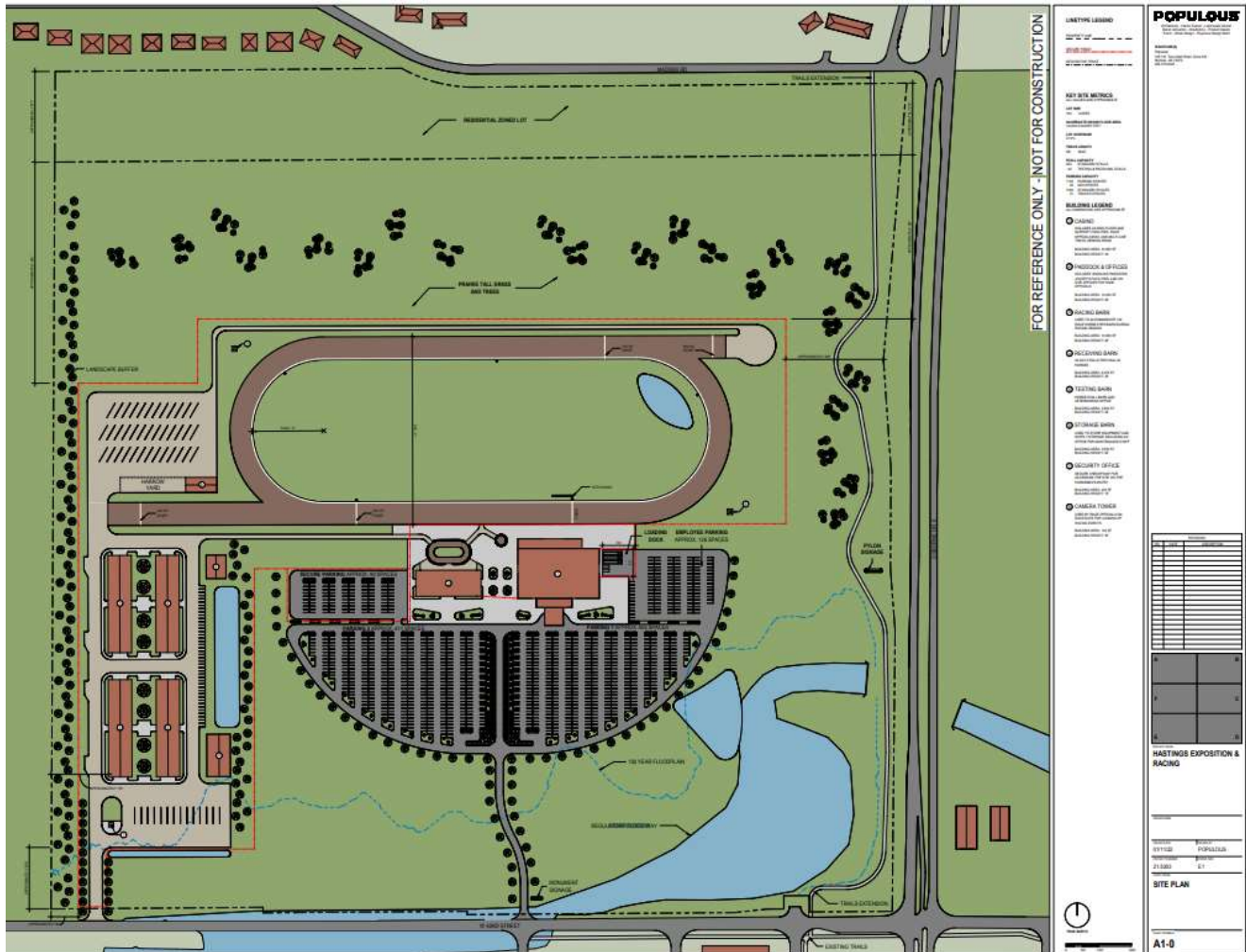
Manure Reuse and Removal Options:

Removing stall and manure waste from the site does not automatically relegate the waste to a local landfill. The preferred option is to partner with a local source that will reuse or recycle the waste. Manure reuse options vary widely depending on a variety of local resources and may include composting, pelletizing, pasture or field spreading, and energy production options. Reuse is not always a feasible option as some event facilities are located in areas where recycling resources are not available.

Research References:

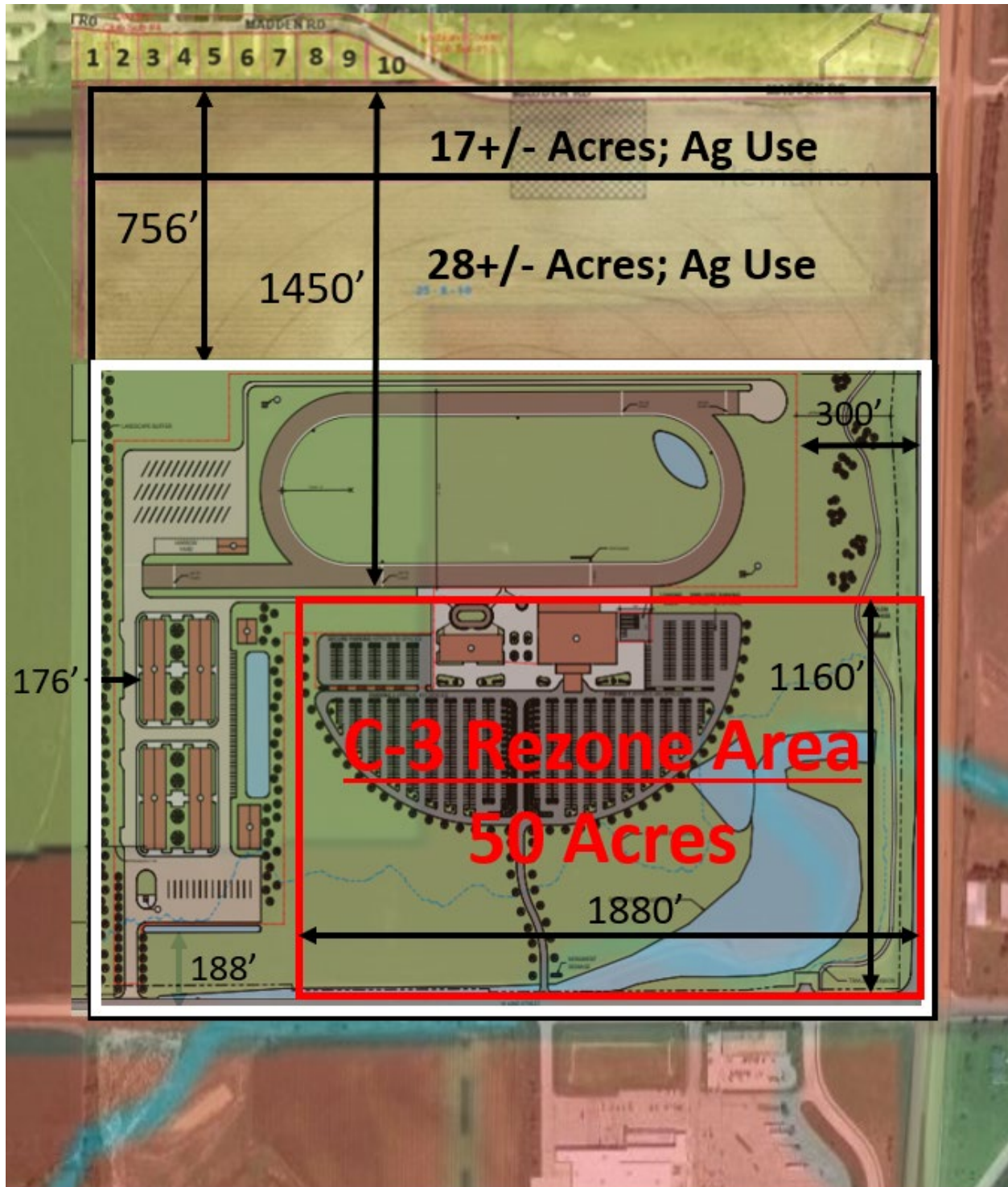
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2. Natural Resource, Agriculture, and Engineering Services (NRAES) Cooperative Extension. *On-Farm Composting Handbook*. NRAES. 1992.
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5. Stutz, J. Donahue, S. Mintzer, E. and Cotter, A. *Compost in Landscaping Applications*. Tellus Institute (US EPA publication). 2003.
6. Buchanan, M. *Horse Manure Management: A guide for Bay Area Horse Keepers*. The Council of Bay Area Resource Conservation Districts and USDA Natural Resources Conservation Services. 2003.
7. Moon, P. *Basic On-Farm Composting Manual*. Land Technologies for the Clean Washington Center. 1997.
8. Auvermann, B. McDonald, L. Devin, R. and Sweeten, J. *Composting Horse Manure*. Texas Agricultural Extension Service. 1999.

ATTACHMENT #9 - SITE PLAN



ATTACHMENT #10 - Permit #21071 Rezone Application Demonstrative

50 Acres in southeast corner of Project Area from A to C-3 as shown in red below. This limited and much reduced area for Rezone is consistent with the existing use to the south and the future land use zoning to the east and on in the Project Area.





Technical Memorandum

Date: January 12, 2022
To: Jeff Palik, PE
From: Dan Bellizzi, PE, PTOE
RE: Hastings Casino Initial Traffic Due Diligence
Project #: 021-06683

It is our understanding that a horse track with a casino and hotel is being proposed on the northwest quadrant of U.S. Highway 281 and 42nd Street in Hastings, Nebraska. The purpose of this initial traffic due diligence is to determine at a high level, what, if any, public infrastructure improvements may be required with the construction of the site.

Based on the current site plan, there is a main access point approximately 1,200 feet west of U.S. Highway 281 along 42nd Street aligned with an existing access for Wal-Mart. A secondary access is located approximately 2,500 feet west of U.S. Highway 281 that is intended to be used by trailers for the horse track and will have minimal traffic.

Available average daily traffic (ADT) data was procured from the Nebraska Department of Transportation (NDOT) map library. ADTs along 42nd Street just west of U.S. Highway 281 were approximately 4,000 vehicles per day (vpd) in 2018. Likewise, ADTs along U.S. Highway 281 were approximately 14,000 vpd near 42nd Street in 2018. Based on information provided by the client, the site is estimated to produce approximately 3,260 total daily trips, 1,630 entering and exiting trips. In addition, during race days, anticipated attendance is estimated between 300 and 500 visitors.

With most of the site traffic using the main drive, there may be a need for a westbound right-turn lane along 42nd Street. Further study at the intersection would be required to determine the need for this improvement. At the intersection of U.S. Highway 281 and 42nd Street, there are dedicated left and right-turn lanes on the eastbound, northbound, and southbound approaches. Signal timings and phasing may need to be reviewed to reduce intersection delay and queues, especially during race days. There are not anticipated to be additional improvements required at this intersection with the build out of the site.

ATTACHMENT #12 – ADDITIONAL AERIAL RENDERING





FOR REFERENCE ONLY - NOT FOR CONSTRUCTION

LINETYPE LEGEND

PROPERTY LINE _____

SECURE FENCE _____

DECORATIVE FENCE _____

KEY SITE METRICS

ALL VALUES ARE APPROXIMATE

160 ALFRES

AGGREGATE GROSS FLOOR AREA
149,800 SQUARE FEET

LOT COVERAGE
2.14%

TRACK LENGTH

518 MILE
STALL CAPACITY

400	STANDARD STALLS
40	TESTING & RECEIVING STALLS

PARKING CAPACITY
1134 PARKING SPACES

24	ADA SPACES
1059	STANDARD SPACES

BUILDING LEGEND

BUILDING LEGEND
ALL DIMENSIONS ARE APPROXIMATE

- 1 **CASINO**
SUPPORTS CASINO RACE AND PUNTS
OFFICIALS BOOTH AND MULTIPLE
TRACK VIEWING ROOM
BUILDING AREA: 40,000 SF
BUILDING HEIGHT: 20'
- 2 **PADDOCK & OFFICES**
INCLUDES SADDLING PADDOCKS,
JOCKEY FACILITIES, AND ON
SITE OFFICES FOR RACE
OFFICIALS
BUILDING AREA: 16,000 SF
BUILDING HEIGHT: 20'
- 3 **RACING BARN**
USED TO ACCOMMODATE 100
RACEHORSES AND HORSES DURING
RACING SEASON
BUILDING AREA: 19,500 SF
BUILDING HEIGHT: 20'
- 4 **RECEIVING BARN**
40 DAY STALLS FOR HAUL-IN
HORSES
BUILDING AREA: 8,200 SF
BUILDING HEIGHT: 20'
- 5 **TESTING BARN**
HORSE STALL BARN AND
VETERINARIAN OFFICE
BUILDING AREA: 8,000 SF
BUILDING HEIGHT: 20'
- 6 **STORAGE BARN**
USED TO STORE EQUIPMENT AND
HORSE FEED STORAGE INCLUDING AN
OFFICE FOR MAINTENANCE STAFF
BUILDING AREA: 3,600 SF
BUILDING HEIGHT: 20'
- 7 **SECURITY OFFICE**
SECURE CHECKPOINT FOR
ACCESSING THE SITE VIA THE
HORSEWAY
BUILDING AREA: 200 SF
BUILDING HEIGHT: 15'
- 8 **CAMERA TOWER**
USED BY RACE OFFICIALS ON
RACE DAYS FOR JUDGING OF
RACING EVENTS
BUILDING AREA: 50 SF
BUILDING HEIGHT: 60'

POPULOUS
Architecture - Interior Design - Landscape Design
Brand Activation - Wayfinding - Product Design
Event - Urban Design - Populous Design Build

DISCIPLINE(S)
Populous
3151 W. Tumecumeh Road, Suite 220
Norman, OK 73072
405.310.4322

[illegible]

A	B
F	C
E	D

PROJECT NAME

HASTINGS EXPOSITION & RACING

ISSUED NAME _____

ISSUED DATE	ISSUED BY
01/11/22	POPULOUS
PROJECT NUMBER	PAPER SIZE
21.5303	E1

SHEET NAME

SITE PLAN

SHEET NUMBER _____

A1-0



HASTINGS EXPOSITION & RACING
AERIAL VIEW LOOKING SOUTHWEST



HASTINGS EXPOSITION & RACING
AERIAL VIEW LOOKING NORTHWEST



HASTINGS EXPOSITION & RACING
INFIELD VIEW LOOKING SOUTH

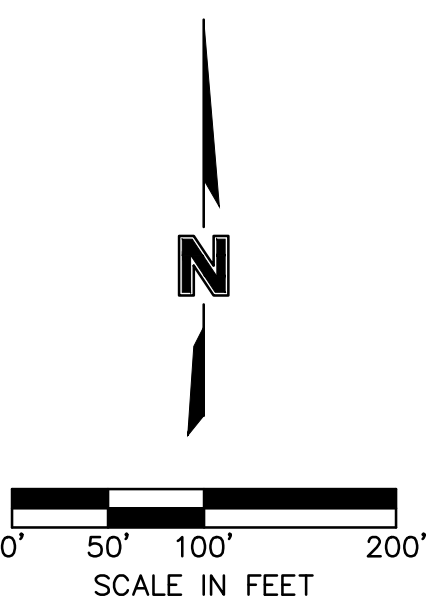
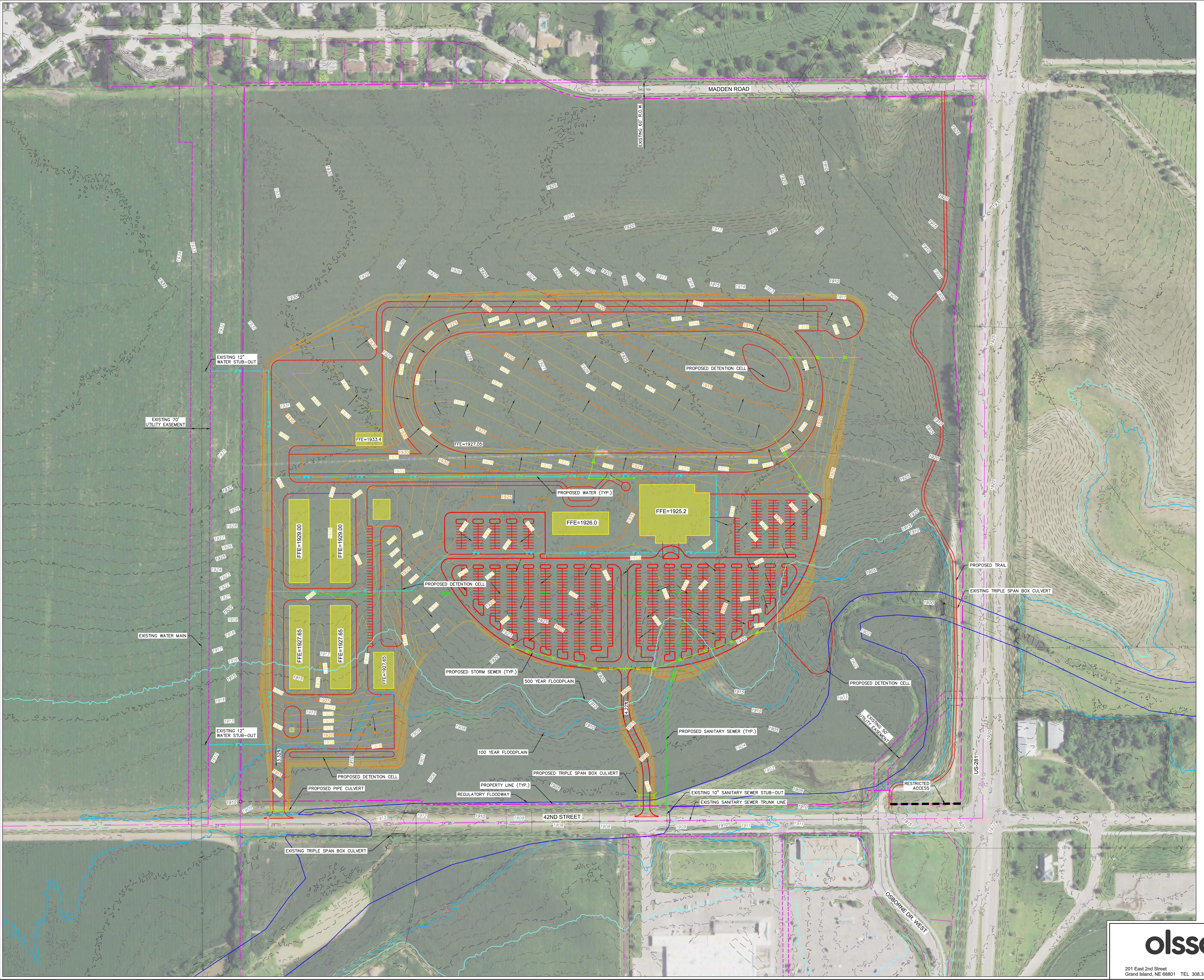


HASTINGS EXPOSITION & RACING
FINISH LINE VIEW LOOKING SOUTHWEST



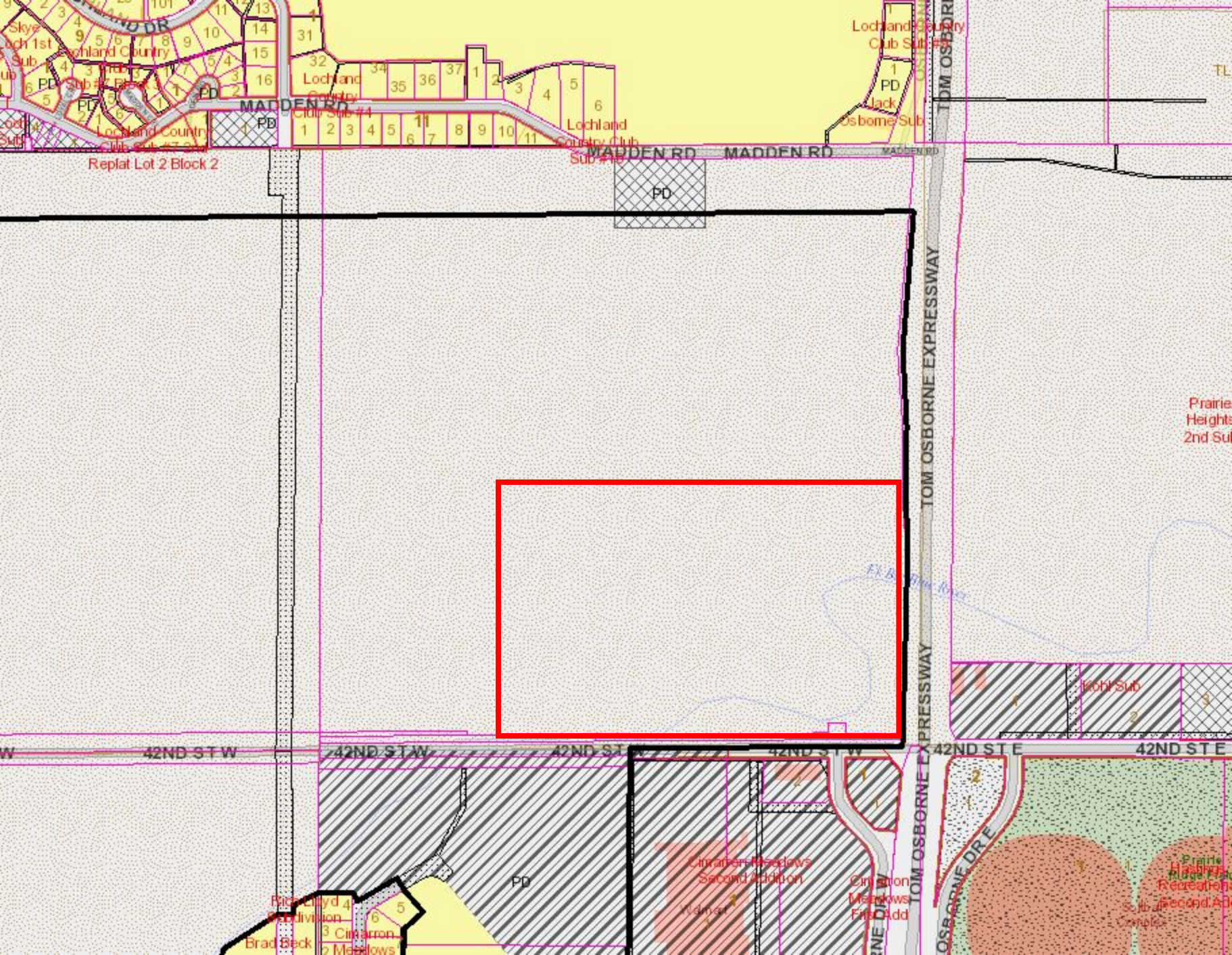
HASTINGS EXPOSITION & RACING
FINISH LINE VIEW LOOKING WEST

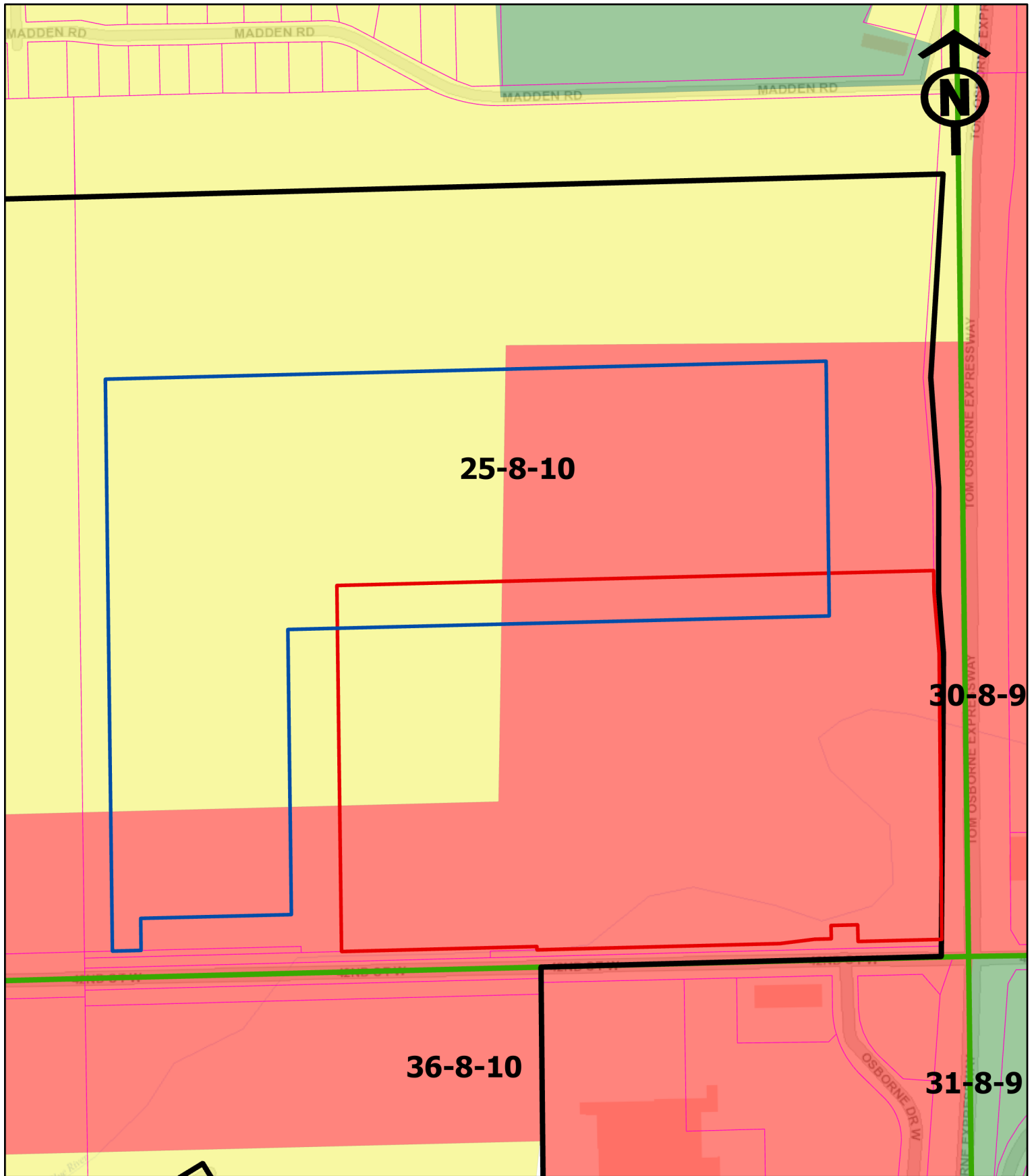
DWG: F:\2021\06591-07000\021-06538\40-Design\Exhibits\Grading\exhibit_02106538.dwg
DATE: Jun 11, 2022 1:17pm
USER: jdoonits
C:\UTIL_02106538
V:\TOPD_LDP_02106538 HASTINGS
V:\RWAY_02106538 HASTINGS
C:\AFL_02106538



olsson

201 East 2nd Street
Grand Island, NE 68801 TEL 308.384.8750 www.olsson.com





Area of Interest

- ▬ C-3 Rezone
- ▬ CUP Change
- ▬ Limits
- ▬ SECTIONS

Future Land Use

- ▬ Suburban Residential
- ▬ Commercial/Retail
- ▬ Parks & Recreation

C-3 Rezone Area and CUP Change Area

Lochland

Future Land Use

PANEL
31079C0375D
eff. 9/26/2008

PANEL
31001C0070C
eff. 7/5/2018

25-8-10

Suburban Residential
7.55 Acres
14%

Commercial/Retail
13.04 Acres
25%

Floodplain
25.13 Acres
48%

Floodway
6.73 Acres
13%

PANEL
31001C0070C
eff. 7/5/2018

PANEL
31079C0375D
eff. 9/26/2008

36-8-10

PANEL
31001C0070C
eff. 7/5/2018

Walmart

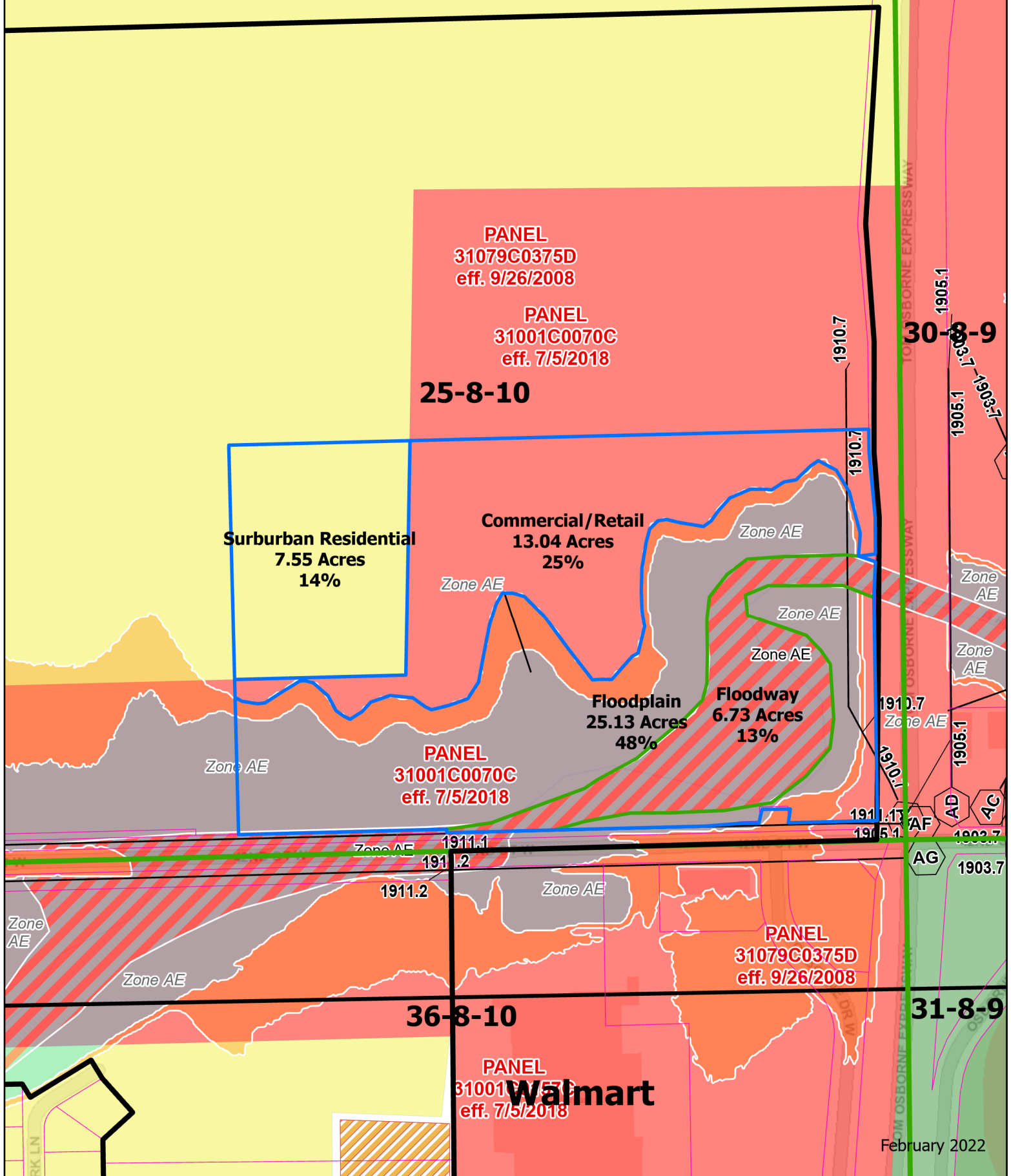
30-8-9

31-8-9

February 2022

Lochland

Future Land Use



[illegible]

Surburban Residential
66.97 Acres
49.77%

PANEL
31079C0375D
eff. 9/26/2008

Commercial/Retail
33.77 Acres
25.10%

PANEL Flood
3100133.82
eff. 7/5/2018 25.11

Floodway
6.72 Acres
5.18%

PANEL
31001C0157C
eff. 7/5/2018

HASTINGS



TRANSPORTATION AND PARKING MASTER PLAN

Focus Group Outreach

The city hosted five focus group interviews, one for each of the four voting wards plus a city-wide evening meeting. These meetings gave 37 participants the opportunity to discuss transportation topics and aspirations with the project team. Below is a summary of themes heard in those conversations.



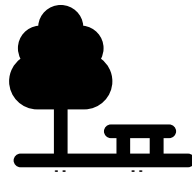
What's Important?

Safety



Safety of the city is a core value for Hastings residents; from crashes to crime

Character



The overall small town character and cleanliness of the city add to the charm of Hastings.

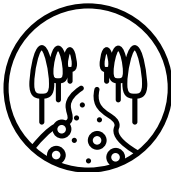
Community



Hastings has friendly neighbors who are willing to volunteer their time and work together.

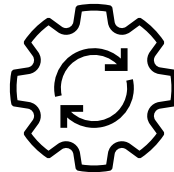
What Do We Like?

Trails



The growing trail system is great for families and community health!

Maintenance



Upkeep and repairs are done in a timely fashion throughout the city.

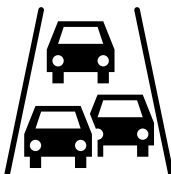
Places



From the colleges to water parks, Hastings has interesting places to go that add to it's appeal.

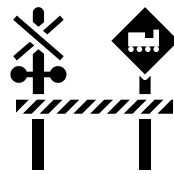
What Could Use Improvement?

Traffic Flow



Traffic signals and limited cross-town routes cause congestion, particularly around schools.

Railroad Quiet Zones



Train horns regularly impact resident's quality of life and downtown visitors.

Alternative Modes



There is desire for more hiking & biking trails, sidewalk consistency, and public transit.



Name 1	Name 2	Date	For or against	# Letters
Alan Robertson D.D.S.		12/15/2021	against	3
John Welch M.D.	George Adam M.D.	12/19/2021	against	1
Kirk Dielman	Karen Swan Dielman		against	1
Ann Russell	Tim Russell	1/11/2022	against	1
Charles Bauer D.D.S.		1/11/2022	against	1
Gordon Blake Ph.D.		1/11/2022	against	1
Lorri Oakeson		1/11/2022	against	1
Kimberly Perez			against	1
David DeRosear	Linda DeRosear	1/12/2022	against	1
Richard French M.D.		1/12/2022	against	2
Property Owners	Daniel C. Pauley	1/12/2022	against	3 Daniel Pauley is an attorney submitting on behalf of clients
Colleen Adam	George Adam	1/12/2022	against	1
Tony Swanson	Cathy Swanson	1/12/2022	against	1
Timothy O'Keefe		1/12/2022	against	6
Dr. Raul Franco	Dr. Allison Kern	1/12/2022	against	1
Sarah Allen		1/12/2022	against	1
Bill Lindsteadt	Tanya Lindsteadt	1/12/2022	against	1
Daniel Sheehy	Kristi Sheehy	1/12/2022	against	3
Mark Phillips	Cathy Phillips	1/12/2022	against	1
Patrick Kern		1/12/2022	against	1
Janet Blake		1/12/2022	against	1
James Lewis		1/12/2022	against	1
Carol Brouillette		1/12/2022	against	1
Jacob Brouillette		1/14/2022	against	1
Mike Butler		1/26/2022	against	1
Troy Curtis		1/26/2022	against	1
Lochland Village Association	George E. Hasley (VP)	2/14/2022	against	1
Kelly Utecht		2/18/2022	for	1
Kelly Bramble		2/18/2022	against	1
Logan Kershner		2/18/2022	for	1
Glориann Peddicord		2/27/2022	for	2
Jacque Cranson		3/1/2022	for	1
Michael Nevriy		3/1/2022	against	2
Jeff Anderson		3/2/2022	for	1
Ken Krueger		3/2/2022	for	1
Gabriel Troester		3/2/2022	for	1
Colin Davison		3/2/2022	for	1
Lori Wright		3/2/2022	for	1
Scott Semsch		3/2/2022	for	1
Brian Coats		3/2/2022	for	1 Gave a Juniata address
Alice Anderson		3/2/2022	for	1
Jessica Porterfield		3/2/2022	for	1
Tiffani Parsons		3/2/2022	for	1
Greg Zoucha		3/2/2022	for	1
Tamara Krueger		3/2/2022	for	1
Alan Anderson		3/2/2022	for	1
Cathy Pershing		3/4/2022	against	1
Bruce McEnroe		3/7/2022	against	1 Engineer submitting on behalf of property owners
Jordan Adam		3/8/2022	against	1 attorney submitting on behalf of clients
Edward Ziemba		3/8/2022	for	1
Total Letters				64
Total Submitting Parties				50
For				18
Against				32

Kirk Dielman
And Karen Swan Dielman
14 Village Dr.
Hastings, NE 68901

City of Hastings Planning Commission
Attn: Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Re: Comments on Proposal for Re-zoning for a Racetrack/Casino on West Osborne Drive between West 42nd Street and Madden Drive

We have several concerns about the proposed rezoning of a large parcel of real estate on West Osborne Drive between West 42nd Street and Madden Road. Residential housing should be protected as much as possible by the Planning Commission. The quiet enjoyment of a home is of utmost concern to the owners and residents of residential real estate.

Increased traffic on West Osborne Drive and surrounding roads will result if the proposal is approved. The proposed development provides for 1000 guest parking spaces and additional parking for those bringing in horses and trailers. Has a traffic study been performed? Will new traffic signals or new turn lanes be required? In addition to customers, there would be traffic from delivery trucks, garbage trucks and horse trailers. The commission should consider all of these aspects of increased traffic.

Noise and light issues will also result from a racetrack alone and would be greatly exacerbated by a casino. Lights and noise from a racetrack would be somewhat limited due to the timing of a race schedule. However, it could be open later than expected due to simulcasting races from other timezones. Is there a limit on hours of operation? In addition, a casino would undoubtedly want to be open late at night and would require lighting for the casino, its parking lots and possibly signage.

Special events could also increase the days and hours of operation and the resulting effect on nearby real estate owners and residents. Concerts can be extremely loud and the light shows and pyrotechnics would disturb the quiet enjoyment of life on nearby properties.

Casinos also bring a host of other problems in areas and communities which permit them. CNN did a written story about these effects. The link is:

<https://cnn.com/2013/09/24/opinion/frum/casinos-harm/index.html> This article has a disturbing conclusion.

The impact of casinos on local property values is “unambiguously” negative, according to the National Association of Realtors. Casinos do not revive local economies. They act as parasites upon them. Communities located within 10 miles of a casino exhibit double the rate of problem gambling. Unsurprisingly, such communities also suffer higher rates of home foreclosure and other forms of economic distress and domestic violence.

Furthermore, the National Association of Realtors reported that residential real estate near a casino is devalued by between 2-10%. This is a significant impact on residential owners and residents who live nearby.

We urge the City of Hastings Planning Commission to recommend to the City Council that the proposed development not be approved.

Sincerely,

Kirk Dielman and
Karen Swan Dielman
14 Village Drive
Hastings, NE 68901

January 11,2022

To the City Of Hastings

Regards to the Development of Casino in North Hastings

Please consider our following concerns regarding the proposed Casino location near our Hastings home.

We moved to the Lochland area 18 years ago. At the time, and since our home site adjoined another home, the golf course, and farmland to our south. Through time we have seen commercial development -including car lots, retail operations large and small and more-expanding along the Highway 281 corridor. Softball fields created a wonderful area for recreation but along with that, noise and light pollution.

As a result, traffic throughout the area, particularly on summer weekends, has increased drastically.

With adjoining land now proposed for rezoning to allow the construction of a horse racetrack and casino, please consider these information points in determining the fate of the application.

This will change the image of the main entrance into the city of Hastings along a heavily traveled road.

The racetrack facility will sit idle the majority of the year.

Nearby casino competition (Grand Island) could result in an underused facility here.

There would be increase trash in the area of tickets, cups, and wrappers for the entire facility.

Increased traffic in the area. An area the already sees regular traffic issues and accidents particularly at the Highway 281 intersections with 42nd and 33rd street.

A need for increased police presence.

Loss of land for potential housing development.

Reduced value on existing homes. And the subsequent drop in property tax revenue as a result.

Casino developers had considered the fairgrounds, where a race track exists, but family values were cited by the Adams county fair Board in rejecting that plan. Those same considerations can apply in placing the facility at the city's front door.

Please take your time with this issue and maybe see how other cities work the casino matter out.

Thank you

Handwritten signatures of Tim and Ann Russell. The signature on the left is 'Tim Russell' and the one on the right is 'Ann Russell'. Both are written in a cursive, flowing style.

Tim and Ann Russell

500 Madden Road

Tim Russell
500 MADDER RD.

City of HASTINGS
Zoning & Planning

I believe in growth for Hastings, which is why I'm opposed to this location being zoned for a Horse Racing Track and Casino.

Horse racing is going the way of dog racing. The industry has seen a steady decrease in popularity over the past several years with a 36% decrease over the past decade. Although it has seen a slight increase since the pandemic, forecasters have predicted the steady decline to continue. It is not likely that it will make a comeback. Recent bad publicity of the industry standards has reduced the popularity of the sport even more. Statistically, if you are not already interested in horse racing, you are not likely to become a fan. Placing a horse racing track in the north part of Hastings creates direct competition with Grand Island's Fonner Park and over saturates an already dying market.

Fonner Park racetrack CEO Chris Kotulak said he's worried the state may wind up with too many racetracks because of companies wanting to operate casinos. "There's not the human or equine infrastructure in place to support any more racing than we already have," Kotulak said. (Quote from Lincoln Journal Star)

This location at the entrance of town will create an identity for Hastings that we need to consider. What will this say about our town? What will people see when they enter Hastings? What will they smell? Is this what we want as our town's first impression?

This plot of land is likely to be very popular for development considering the growth that is already naturally occurring in that area. Is it a smart investment for Hastings to place a business that is decreasing in popularity and not likely to attract new customers in such an opportunistic location? I would argue that it may prevent growth for Hastings. If this business goes the way of dog racing and shuts down, will Hastings have utilized this space to its fullest potential?

The National Association of Realtors have done studies noting that casinos devalue residential, agricultural, and commercial areas within a 1 mile radius of the placement of a casino. Does Hastings have no other potential areas in town that would not decrease the value of people's homes and businesses? After 4 years, casinos see a crime increase in that same 1 mile radius, devaluing homes and businesses further and adding crime to communities.

Considering that Hastings has an under-utilized horse racing track in a space already zoned appropriately for this activity, it may be better to capture the market from the south of Hastings for events, instead of competing with an already established Fonner Park.

Mr Becker's own mission statement acknowledges that the industry is dying. Placing a dying industry business in a growing part of town is a big risk and could not only stop growth for Hastings, but reverse it. I urge you all to consider what's best for our community and our future.

Kimberly A Perez
611 Madden Rd, Hastings NE



January 12, 2022

City of Hastings Planning Commission
Attn: Marshall Gaines, Chmn.
220 N. Hastings, Ave.
Hastings, NE 68901

Re: Proposed Zoning Change for Racetrack/Casino
Hwy 281 & 42nd St., Hastings, NE

Dear Chairman Gaines & Planning Comm. Members:

We are residential property owners on Lakepark Lane, directly across 42nd St. to the south of the proposed site for a racetrack/casino complex.

The purpose of this letter is to express our objection to a zoning change to allow a casino at this location. We strongly believe that such a complex would have a negative impact on property values; along with the traffic, noise, lighting, etc. that will disturb a residential area. Additionally, we are concerned that police, fire, and emergency services will be inadequate due to racetrack/casino activities.

In summary, we firmly believe the negative aspects of a racetrack/casino far outweigh the positives. Hastings has a long history of positive family and community values that will surely be compromised if this zoning request is approved.

Thank you for your consideration of our objection,


David and Linda DeRosear
3816 Lakepark Lane
Hastings, NE 68901



Dear Mr. Hurskainen and members of the Hastings City Planning Commission,

Is there any legitimate reason to undermine the development of lovely residential neighborhoods between Lake Hastings and Lochland which have been moving north steadily from 25th Street to 33rd Street and almost 42nd Street over the past 20 years.

I live at 710 Dockside Cove, just north of the Lake Hastings. I have been impressed that a cornfield behind my house has become populated with numerous streets stretching almost 10 blocks to the north. These are beautiful neighborhoods.

It seemed to me that the city's master plan should be to continue expanding residential neighborhoods to connect 42nd Street to Madden Road, which would beautify our city and make it attractive to new families. Do you realize that all of the houses north of 35th street will have to look out from their hillside over this racetrack facility and barns? The best vision for the cornfield north of 42nd would be to develop 80-90% residential/10-20% light commercial—definitely NOT 90% casino and race track, etc. Have you no prior master plan for development of that area? A casino there certainly shows lack of vision.

Placing a racetrack, horse barns and a casino on a major portion of the cornfield between 42nd Street and Madden Road will kill residential development in that area. It also sabotages the families and developers that have already invested in the housing established north and south of this particular land parcel. If they ever suspected that you would allow the moving of horse barns and race track, akin to moving the County Fairgrounds into their neighborhoods, they would never have dreamed of building north of 35th Street, or in much of Lochland subdivision. Maybe we could maintain some ag feel to the property in question and put a cattle or hog feeding confinement on the west side of the acreage—call the whole parcel "Fairgrounds North."

You may feel that a casino is a good investment for Hastings, but I contend that it will harm the downtown businesses and our present restaurant investments. The discretionary spending in our redeveloped downtown and local eating establishments will be severely dried up by the sucking of extra household dollars out of our community by the casinos. Local and out-of-town people may still prefer to make their bets at the grander casinos in Grand Island, Kearney and elsewhere. You may find that there will be an offset of tax revenue from the casino with reduced sales tax income locally because of the casino drain of available Hastings dollars. Property taxes may then make no improvements or more likely worsen.

Regardless of the merits of a casino in Hastings, the worst possible location is at the entrance to our city. If you aim to allow a casino, move it near the fairgrounds or away from our residential areas. Do you want the casino in your back yard?

Richard French M.D.
710 Dockside Cove
Hastings, NE

1/12/2022 RD French

LISA:

WOULD YOU PLEASE INCLUDE THESE
4 ~~8~~ PAGES IN THE PLANNING COMMISSION
PACKET FOR THEIR DECEMBER 21
MEETING.

THANK YOU

ALAN ROBERTSON

CENTRAL DENTAL GROUP, P.C.

ALAN L. ROBERTSON, D.D.S.
ANN M. HECKMAN, D.D.S.
NATHAN F. THOMPSON, D.D.S.

515 West Ninth Street
P.O. Box 787
Hastings, Nebraska 68902



December 15, 2021

Dear Commission Members,

I am writing to you regarding your agenda item concerning the re-zoning of the ground between 42nd Street and Madden Road, and the ultimate plan to build a race track/casino there.

Obviously, this entire gaming issue is brand new to the State of Nebraska. The Nebraska Racing and Gaming Commission has not yet established clear rules and regulations as of this date.

It would seem that the conglomerate behind the racetrack/casino is trying to "fast-track" the re-zoning.

I feel it would be prudent to perhaps wait until clear-cut rules have been established by the State of Nebraska to make your decision regarding re-zoning.

Thank you.

A handwritten signature in cursive script that reads "Alan L. Robertson, D.D.S.".

Alan L. Robertson, D.D.S.

ALR/deh

This Husker volleyball team is one we can all root for, Tom Shatel writes.
Sports



States take stock of storm damage as many who were feared dead are located.
Page A5

Omaha World-Herald

MONDAY, DECEMBER 13, 2021 • SUNRISE EDITION • REAL. FAIR. ACCURATE.

OMAHA.COM

Casino revenue estimates 'all over the place'

Nebraska could see up to \$98 million in property tax relief from expanded gambling, industry says

MARTHA STODDARD
World-Herald Bureau

LINCOLN — New industry estimates show that casino gambling could give Nebraskans significantly more property tax relief than advocates touted during last year's successful campaign to legalize expanded gambling.

One source put the amount at about \$63 million annually from casinos planned at the state's six existing horse racetracks. Another projects it at closer to \$82 million for those casinos — or as much as \$98 million if two more track/casino combinations were built.

All three figures top the \$45.5 million that supporters estimated casino legalization would add to the state's Property Tax Credit Fund each year.

But Anthony Lucas, a professor of casino management at

the University of Nevada, Las Vegas, warned that the amount collected will depend on several factors, including the number and location of casinos built and the quality of the facilities.

Some factors are easy to track, such as population and driving distances. Others are harder to predict, such as whether a new casino proves attractive enough to keep Nebraskans from crossing the river to the Iowa casinos or whether it can lure people from outside the state to come and play.

"That's why you see these estimates are all over the place," he said. "This is a pretty common problem for new jurisdictions."

Nebraska became the newest state to legalize casinos last year, when voters passed a trio of ballot initiatives. The measures included a constitutional amendment allowing casino gambling at licensed horse racetracks and laws regulating the casinos and earmarking tax revenue for property tax relief.

Please see CASINOS, Page A2

US military explosives lost, stolen over decade

AP unearths inquiries into munitions emerging in the civilian world

**KRISTIN M. HALL, JUSTIN PRITCHARD
AND JAMES LAPORTA**

Casinos

From A1

Under those laws, the casinos are to pay a 20% tax on gross gambling revenue.

The state's long-standing Property Tax Credit Fund, which offsets a portion of property tax bills, will get 70% of those taxes. The fund will provide \$300 million worth of credits this fiscal year, using money collected from sales, income and other taxes.

The rest of the tax revenue will be divided among the city and county where the casino is located, state government and the Compulsive Gamblers Assistance Fund.

During the campaign, Keep the Money in Nebraska, the group pushing the initiatives, estimated casino revenue at about \$325 million, which would yield \$45.5 million in property tax relief.

Lance Morgan, president and CEO of Ho-Chunk Inc., the economic development arm of the Winnebago Tribe of Nebraska, said the revenue estimate used during the campaign focused primarily on the Omaha, Lincoln and South Sioux City areas. He said newer projections put the revenue closer to \$450 million, bringing the property tax relief portion to about \$63 million.

Ho-Chunk Inc. partnered with the Horsemen's Benevolent and Protective Association, a group representing the horse owners and trainers who race in Nebraska, to get the initiatives on the ballot and campaign for their passage.

At the time of the vote, Nebraska had six racetracks, in Omaha, Lincoln, Grand Island, Hastings, Columbus and South Sioux City, which meant the potential for six casinos. WarHorse Gaming, a new division of Ho-Chunk, has contracts to develop casinos at three of those tracks, Horsemen's Park in Omaha, the Lincoln Race Course and Atokad in South Sioux City.

Morgan was skeptical of higher revenue estimates produced by Global Gaming Nebraska, a business entity of the Chickasaw Nation of Oklahoma that is working to develop casinos in Hastings, North Platte and Gering.

The entity has teamed up with Brian and Breann Becker, who operate a quarter horse track in Hastings but are now proposing to build a new track there and to establish new racetracks in the other two locations.

Sean Boyd, president of Global Gaming Nebraska, estimated that casinos at the six current tracks could produce almost \$583 million in revenue and almost \$82 million for property tax relief. Adding ca-

sinos to potential tracks in North Platte and Gering would push revenue to about \$698 million and the property tax money to about \$98 million.

He said the projections were based on a proprietary model that takes into account such things as population, drive times, other forms of entertainment and competition. The model also looks at area residents' "propensity to game."

"The findings of this study verify our belief that western Nebraska is an untapped market for this type of entertainment facility," he said. "We believe we can deliver revenue to the state and, in turn, to property tax relief."

But Morgan believes that those revenue figures are overly optimistic and are geared to winning support for the new tracks.

"They're looking for a big number because they want to sell the concept," he said. "I think the average Nebraskan can smell when they are being manipulated."

Morgan said a proliferation of track/casino combinations in Nebraska could weaken the whole market and harm everyone. He said the new casinos need to be big enough to lure Nebraska dollars back from the casinos in Council Bluffs and elsewhere.

While more casinos might pro-

duce modest increases in total gambling revenue, he said they would not provide the industry-saving boost to horse racing that backers of the ballot measures wanted.

"Having six tracks in a state like Nebraska is a massive number," Morgan said, although he added that there may be room for one or two more.

Boyd estimated that Nebraska could support eight to 10 track/casino combinations, although he agreed that the market could suffer if all of the current proposals were approved.

"At some point, you may reach saturation, where you're merely cannibalizing from each other," he said.

At a July meeting, the Nebraska Racing and Gaming Commission heard plans for five new racetracks, with accompanying casinos, in Bellevue, York, Norfolk, North Platte and Gering. Additional track/casino combinations have since been proposed for Ogallala and Kimball.

Commission members have taken no action on the proposals while working to set up the state's oversight and regulatory process. One key step, a hearing on proposed rules and regulations, is set for 9:30 a.m. Friday at the Nebraska Innovation Campus on

Lincoln. But it could take several more months for the rules to win final approval from Gov. Pete Ricketts and Attorney General Doug Peterson.

In the meantime, State Sen. Tom Briese of Albion, who chairs the General Affairs Committee, plans to bring legislation in January to limit the number of track/casino combinations that can be approved. He said he is looking at a bill that would require track/casinos to be at least 50 miles apart and to have a minimum number of race days.

"I think it's fair to say that Nebraskans don't want a casino at every I-80 interchange or every county seat," he said. "They want a well-regulated industry."

Lucas, the casino management professor, said it may be prudent to start with a limited number of track/casinos in Nebraska. However, he said the market would eventually stabilize on its own, as the first entrants start seeing revenues drop and new proposals have difficulty getting backing to proceed.

"You want to end up with something that is economically viable and competitive," he said.

martha.stoddard@owh.com,
402-670-2402, twitter.com/
stoddardOWH

Maya

From A1

Nebraska Humane Society.



Pet Care in Omaha. Veterinarians there were preparing to euthanize Maya because she was in such bad shape when Brown said no, she was too young.

From: alan robertson [REDACTED]
Subject: Letter to Planning and Zoning Commission
Date: Dec 13, 2021 at 9:42:52 AM
To: lparnell-rowe@cityofhasting.org

Dear Commission Members:

I understand you are voting on possibly re-zoning the farm ground between 42nd Street and Madden Road from agricultural to commercial. I also understand that the endgame is for an Oklahoma Indian tribe to establish a casino/racetrack on that property.

I can't testify before you in person today due to an out of town meeting, so I am writing this letter instead.

I wish to express my very strong opposition to this re-zoning and ultimately, the construction of this proposed casino/racetrack.

Let me indicate the numerous negative aspects of this proposed project.

- 1.). This ground is located between 2 very nice residential neighborhoods; folks have invested significant funds to build homes and create a very nice residential area. This casino/racetrack project would have a serious detrimental impact on property values.
- 2.). The potential for increased crime. The Nebraska Gaming Commission has already indicated setting aside funds for problem gambling and sex trafficking; potential problems that we certainly do not need.
- 3.) There have been several very attractive, architecturally well designed commercial buildings constructed on the west side of Highway 281 just north of Lochland Road; a casino/racetrack in this vicinity would visually blight the entrance to our city.
- 3.). Is there even a need for a casino/racetrack in Hastings? Grand Island's Fonner Park will have a much more elaborate and better funded facility just a short 20 miles north. Attempting to compete with that facility will be extremely difficult. The chances for long term success seem slim.
- 4.). Does city code allow for multiple horses to be stabled within the city limits?
- 5.). Lastly, if the citizens of Hastings truly want a casino/racetrack, why not locate it at the Adams County Fairgrounds where there is already an existing racetrack? Does that not make more sense?

In conclusion, I encourage you to vote against this re-zoning and retain the current agricultural use of this property.

Thank you for your consideration.

Sincerely,

Alan L. Robertson, D.D.S.

December 19, 2021

Dear Mayor Stutte, Members of the Hastings City Planning Commission and Members of the Hastings City Council,

We would like to submit this letter in opposition to the request for rezoning and approval of a Conditional Use Permit (“CUP”) to facilitate the proposed relocation of the horse racetrack to north Hastings, with the proposed casino adjacent to the track. We realize that there will likely be a casino in Hastings as approved by the voters of Nebraska. We feel strongly that the property in question should not be rezoned in the manner requested and the CUP should not be granted to allow a track in north Hastings at our most visible entrance. This is the front door to our town.

1. This proposal has been sprung on the citizens of Hastings in a very rushed fashion. It is the obvious intent of those proposing this change of location to deny opposition their right as citizens to have a voice in the process. Proponents of the move do not want opposition to become organized. They have put it before the state gaming commission on December 17 and then before the City Planning Commission on December 21. There has not been a single reference to this proposal in the Hastings Tribune. We understand why the proponents of the change of location are trying to ram this through our city’s process — we do not understand why the City Planning Commission and the Hastings City Council would consider accommodating them.
2. The horse track will have stables for hundreds of horses which may be on location for months if not all year. This would be very unfair to those who live adjacent to the track on both the north and south sides of the property. You cannot operate a dog kennel

with more than three dogs in the city limits. Why should this business be allowed to expand and move their track and stables to a location within city limits adjacent to residential neighborhoods which were developed with no knowledge that this might occur? Why just change zoning rules just because this group requests such a change? This is precisely the kind of development zoning rules are intended to avoid, and citizens rely on these zoning rules when planning their homes and futures.

3. The noise pollution and smell of such a horse track with hundreds of stalls and horses would be a great burden on the adjacent residential neighborhoods. In addition there would be expected problems with dust, trash, and flies. While the proposal indicates there will only be a few race days per year, it does not indicate how many days, weeks or months horses will be on the premises covered by the conditional use permit. Horses could be stabled and trained on site for months. We must require any proposal for a CUP to state the number of days horses would be present. Questions like these must be addressed and proper limitations must be formalized before the citizens grant the CUP.
4. The number of horses allowed at any one time on the property must be limited to the standard set as established for the CUP owned by George Adam on the east side of Highway 281. One animal per acre of the CUP is the established standard set by the city. Dr. Adam has at most sixty animals on his CUP at any one time, much less than allowed. The CUP for HER should include the track and stable buildings. This would be approximately fifty acres of ground, allowing for no more than fifty horses on site at any one time.

5. The northward expansion of residential developments over the past twenty years has been a great success, leading to increased housing access, downward price pressure on homes for citizens and the strengthening of community and school systems. We should not intentionally halt that progress by altering the Future Land Use map to rezone a considerable amount of residential area at the request of this group.
6. A horse track and casino as the dominant image for a visitor arriving in Hastings will be detrimental to our town. The perception of Hastings would change from a very pleasant small college town with a priority on family life to Hastings being a Casino Town. Having the casino in a more appropriate location would not lead to such a change in perception. Hastings would then be a town with a casino, not a Casino Town. We are very concerned about our ability to attract professionals to Hastings when we feature a horse track and casino at our primary entrance. It should not be at our front door.
7. Have the proponents provided strong data as to the benefits, financial and otherwise, that similar towns have derived from such a track and casino? Do those benefits justify ruining the north entrance to our community and the harm to the adjacent neighborhoods? Reading about the economic benefits to a city by a new casino indicates that the initial benefits and growth are limited to the first several years of the casino. The detrimental effects do not go away. If the casino and horse track do not meet their expected financial goals, will the city have any ability to avoid an unsightly mess of a failed venture at our front door? A casino and horse track in Hastings is acknowledged to have a limited chances of success compared to competing casinos and tracks in Grand Island and Lincoln. Those competitors will win

most out of town customers. Instead of drawing in money from outside the city this proposed operation will extract money from the local citizens and send it to the site's out-of-town ownership group.

8. The anger of citizens once again blindsided by a clandestine, rushed approval process may result in litigation and organized opposition that would seriously lessen the likelihood of the project's commercial success. This in turn would increase the risk that the community would have a failed enterprise on its hands. The likelihood of this opposition would decrease significantly if there was open public debate before the decision.
9. We have a fantastic softball, baseball, and soccer complex in this area. Do we believe the young people and their families that come to Hastings for tournaments will view the horse track and casino as a favorable nearby attraction? Will teams view Hastings as a family friendly location to bring their young people?
10. The floor plan for the casino makes clear that this will not be a full-service casino with large entertainment venues and multiple restaurant options. The floor plan shows a handful of blackjack tables buried in a crowded warehouse of hundreds of slot machines. While the merits of a casino in Hastings are a separate issue, this particular facility is not worth changing our community's approved Future Land Use plan to accommodate.

We strongly urge the Planning Commission not to deny the citizens of Hastings their right to learn about this proposal and provide input to the commission. The Planning Commission and City Council's decision will affect the future of Hastings more than any other decision we can think of during the past fifty years. Will the members of the

Planning Commission be able to explain to citizens that such a decision had to be made with such little deliberation and in such a rushed fashion? If there is a reason, the citizens have a right to know before the decision is made.

Do you want Hastings to be known as a Casino Town? Do you want this to be the image at our front door? The renderings of the proposed development erase our communities and depict an empty expanse surrounding their casino. While the owners of this “Racino,” as they call it, do not care about our existing neighborhoods and community, the City Council and Planning Commission must care.

The number of horses on the property must be limited to no more than one per acre of the CUP, as established by precedent by our City of Hastings. The applicants do not deserve more favorable treatment than what has already been established.

Please vote against this proposal. If you cannot vote against it at this time, please table the proposal and allow for at least six months of study and conversation between the Planning Commission, City Council and the citizens of Hastings. Thank you.

Sincerely,

John C. Welch MD

George M. Adam MD

FRASER STRYKER

PC LLO

LAWYERS

500 ENERGY PLAZA
409 SOUTH 17TH STREET
OMAHA, NEBRASKA 68102-2663

WWW.FRASERSTRYKER.COM



DANIEL C. PAULEY

January 12th, 2022

Hastings City Planning Commission
c/o Lisa Parnell-Rowe, Director of Development Services
220 N. Hastings, Avenue
Hastings, NE 68901

Hastings City Council
220 N. Hastings Ave.
Hastings, NE 68901

VIA Email: lparnell-rowe@cityofhastings.org

RE: Protest of Permit #2021-071 / Rezoning and Conditional Use Permit Request for the Property located at or near 4555 Osborne Drive West, Hastings, Nebraska, 68901 (SE1/4 of Section 25, Township 8N, Range 10 West of the 6th P.M., Adams County)

Dear Members of the Hastings City Planning Commission and Hastings City Council:

I have been retained to represent a group of Hastings citizens and adjoining property owners that make up more than Twenty Percent (20%) of the adjoining land surrounding the proposed Conditional Use Permit area ("CUP") and Zoning Change referenced above. My clients further comprise and make up long standing citizens, business owners, and leaders of the Hastings Community.

I have attached a Protest and Objection from certain landowners who adjoin the property at issue with regard to Permit #2021-071 and the request to rezone and obtain a conditional use permit on the property located at approximately the Southeast Quarter of Section 25, Township 8N, Range 10 West of the 6th P.M., Adams County, Nebraska. I have also attached an Affidavit from Steve Sokol, P.E., with regard to this property, as well as the surrounding property.

You will see through my letter, as articulated below, that my clients have significant legal, economical, practical and finally moral objections to the proposed CUP and Zoning Change.

1. Objection by 20% of Adjoining Landowners. Pursuant to Hastings Mun. Code § 34-801 and Neb. Rev. Stat § 19-905, my clients have submitted a Protest and Objection to the above-referenced CUP and Zoning Change application. I plan to discuss this Protest and Objection on the record at the January 18, 2022, meeting to make Planning and Zoning aware that this shall legally change the process and procedure to approve such CUP and Zoning Change to require that three-fourths of the Hastings City Council must vote in favor of any approval of a CUP or Zoning Change.

2. Objection to CUP. My clients specifically object to the CUP on the grounds that granting it would be an extreme departure of the nature, use, and master plan of the property and surrounding properties as well as the community at large. The use and establishment of a race track will have significant negative economic impacts to the surrounding properties. The potential noise, smell, water and drainage issues, traffic impact and overall nature of a race track is not in keeping with the surrounding properties. Further, as time and experience have shown, Hastings is not a community that can move quickly on alternative uses for specific facilities. Case in point, the Imperial Mall. Should the proposed use of this facility and the CUP ever falter for any reason, both the community and the surrounding property owners would be left with a significant impact to their economic values and no likely way to pay for the remediation of a facility that could quickly become dilapidated. This facility would also likely become the associated image of Hastings, given its focal location at the entrance of the community. There further appears to be no consideration to the long term economical, practical, and safety impacts of the waste water and or drainage issues associated with a facility like the one proposed and the number of animals identified to be part of the same. The use of this facility as proposed is tantamount to a commercial feed lot operation.

The city and community of Hastings have spent a lot of focused time and attention on the development North of Hastings, which has been a collaborative effort of HEDC and the city and citizens of Hastings, NE. This was and has been done specifically to ensure that such an important and initial introduction to the Hastings Community is representative of the values, economics and development plan for Hastings. This proposed use does not conform to the tone and temperament that Hastings uses in looking at Conditional Use Permits. CUP's are typically granted on the basis that they should be approved when they advance the greater good of the Community and ultimately conform to the long term view and plan of the future growth of Hastings.

3. Objection to Rezoning. The reasons stated in paragraph 2 herein carry forward for objecting to a rezoning of the parcel in question. The anticipated use is contrary to the value, use and nature of the surrounding properties. Whether for horses or cars, a race track in this location is not the type of quiet mixed use that has been planned and incorporated to the entire area. This location is not proper or practical for a facility of this nature now or in the future. There is very real reason to consider keeping the current zoning of this parcel to protect from future impacts that would alter the entrance of the community.

4. Moral Objection. Everything else notwithstanding, my clients advocate that not only is the proposed location not with keeping in the considerations that Planning and Zoning should approve, but that the proposed use in general is a detrimental addition to the city of Hastings. There are many objections that can and likely will be made on the basis of whether gambling establishments should be morally permissible. For now, I would call attention to the impact on a community well known for "clean living", liberal arts education, and family values. A facility such as this goes in direct opposition to what almost all of the rest of the Hastings community has been built and marketed around to business, and citizens.

5. Legal Basis. Pursuant to the relevant law, a Planning and Zoning Commission and subsequently a City Council, may adopt any proposed zoning regulations and conditional use permits according to Neb. Rev. Stat, § 19-903. Which states: in part

" Regulations adopted pursuant to sections 19-901 to 19-915 shall be designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to secure safety from flood; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to protect property against blight and depreciation; to protect the tax base; to secure economy in governmental expenditures; and to preserve, protect, and enhance historic buildings, places, and districts.

Such regulations shall be made with reasonable consideration, among other things, for the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality." Further, Hastings Mun. Code 34-402 holds:

(1) The Planning Commission shall hold a public hearing to review the required submission documents of each application for a conditional use to assure that the proposed development will integrate compatibility with existing land uses and with permitted uses that may be established within any area to be affected by the proposed development. No conditional use design may be approved which will have a permanent negative impact on those items listed below substantially greater than that anticipated from development permitted without a conditional use. The Commission, following its public hearing, shall forward its recommendation on the application to the Hastings City Council, which shall have final authority following:

- (a) Pedestrian and vehicular traffic circulation and safety.
- (b) Reasonable and economic extension of public utilities and facilities.
- (c) Noise, fumes, dust or other environmental pollution.
- (d) The maintenance of logical and efficient development patterns and land use mixtures.
- (e) The maintenance of property values in accordance with established and permitted land uses

(2) Where the approval of a conditional use application would result in the interface of residential and non-residential uses, any approval of the conditional use shall impose conditions and design standards necessary to ensure the maintenance of residential property values and the safety, health, comfort and repose of residents.

(3) All standards contained in this Chapter are minimum standards. More restrictive conditions may be recommended by the Planning Commission and imposed by the Hastings City Council where necessary to ensure compliance with the Comprehensive Plan or the purpose and intent of the zoning regulations.

The law both of Nebraska and of the Hastings city code, cited above makes clear that Planning and Zoning has broad discretion to deny both CUP's and Zoning changes when there is any question in their "good faith" review of a propped changed to the Zoning. In the instant matter, this Planning and Zoning commission would be deviating from the master plan, surrounding properties and communities best interests in allowing this CUP or Zoning change to pass.

Hastings City Planning Commission and Hastings City Council
January 12th, 2022
Page 4

I will be further supplementing the protest and objection of my clients at the oral hearing section of the meeting scheduled for January 18, 2022.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel C. Pauley". The signature is stylized with large, sweeping letters.

Daniel C. Pauley
FOR THE FIRM

DCP/saw
2732813

PROTEST AND OBJECTION

January 12, 2022

Hastings City Planning Commission
Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Hastings City Council
220 N. Hastings Ave.
Hastings, NE 68901

RE: Protest of Permit #2021-071 / Rezoning and Conditional Use Permit
Request for the Property located at or near 4555 Osborne Drive West,
Hastings, Nebraska, 68901 (SE1/4 of Section 25, Township 8N, Range 10)

Dear Hastings City Planning Commission and Hastings City Council:

We, the undersigned property owners, hereby present this Protest and Objection in accordance with NEB. REV. STAT. § 19-905 and Hastings Municipal Code § 34-801. We submit and present this Protest and Objection to the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council.

We, the undersigned property owners, are the owners of certain real property that is immediately adjacent to that certain real property located at or near the Southeast Quarter of Section 25, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska, commonly described as 4555 Osborne Drive West, Hastings, Nebraska, 68901, Parcel Nos. 010000579 and 010000679 (hereafter, "Subject Property"). Together, our real property consists of more than 20% of the lots and real property that are immediately adjacent to the Subject Property. We have attached hereto as Exhibit 1 a description of our real property. We have also attached hereto as Exhibit 2 a true and correct copy of an aerial map that shows our real property in relation to the Subject Property.

We, the undersigned property owners, hereby object to and protest the application and request of West Fork, Inc., Gremco, Inc., and Prairie Thunder Hastings, LLC (collectively, "Applicants") to rezone, and obtain a conditional use permit for, the Subject Property. We, the undersigned property owners, hereby object to and protest the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, the undersigned

property owners, also hereby object to and protest the Applications' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

We, the undersigned property owners, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

Sincerely Yours,

The undersigned property owners

EXHIBIT 1

PROPERTY OWNERS **JOINING PROTEST** **AND DESCRIPTION OF** **THEIR REAL PROPERTY**

PARCEL #010015519

Colleen B. Adam

I, Colleen B. Adam, am the titled and legal owner of that certain real property having the following approximate legal description: South One-Half of Fractional Section 30, Township 8 North, Range 9 West of the 6th P.M., Adams County, Nebraska, Lot 1 Prairie Heights Second Subdivision, also described as 4900 Osborne Drive East, Hastings, Nebraska, 68901 (Parcel #010015519) (hereafter, "My Property"). My Property is directly east of, and immediately adjacent to, the Subject Property.

I, Colleen B. Adam, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). I, Colleen B. Adam, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, I, Colleen B. Adam, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

I, Colleen B. Adam, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. I, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Colleen B. Adam, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

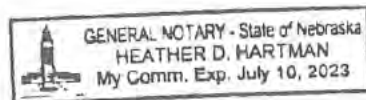
Colleen B. Adam
Colleen B. Adam

January 12, 2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Colleen B. Adam appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Colleen B. Adam was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Colleen B. Adam on the date identified above.

Heather D. Hartman
Notary Public
My Commission expires: July 10, 2023



PARCEL #010000615
Engel Construction, Inc.

Engel Construction, Inc. is the titled and legal owner of that certain real property having the following approximate legal description: Northeast Quarter of Section 36, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska (Parcel #010000615) (hereafter, "My Property"). My Property is directly south of, and immediately adjacent to, the Subject Property.

Engel Construction, Inc. has read and hereby joins the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). Engel Construction, Inc. also hereby objects to and protests the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, Engel Construction, Inc. believes the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

Engel Construction, Inc. objects to and protests any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. Engel Construction, Inc., therefore, requests that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Dennis E. Engel, being first duly sworn upon oath, state that I am the President and Owner of Engel Construction, Inc.; that I am duly authorized to act on behalf of Engel Construction, Inc.; and that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Engel Construction, Inc.

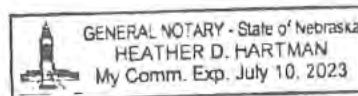
Dennis E. Engel
Dennis E. Engel, President and Owner

01/12/22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Dennis E. Engel, President and Owner of Engel Construction, Inc., a Nebraska corporation, appeared before me and acknowledged before me that he executed this foregoing instrument/document on behalf of the said corporation and that I had satisfactory evidence that Dennis E. Engel was the person described in and who executed this foregoing instrument/document. This foregoing instrument/document was subscribed, acknowledged, and sworn to and signed before me by Dennis E. Engel, President and Owner of Engel Construction, Inc., a Nebraska corporation, on behalf of the said corporation on the date identified above.

Heather D. Hartman
Notary Public
My Commission expires: July 10, 2023



PARCEL #010015520
Kathy McNerney-Kohl

My name is Kathy McNerney-Kohl. I am the widow of Brian Alan "Dusty" Kohl ("Mr. Kohl"), who passed away on December 2, 2021.

I, Kathy McNerney-Kohl, am the titled and legal owner of that certain real property having the following approximate legal description: Lot One (1), Kohl Subdivision, an addition to the City of Hastings, Adams County, Nebraska (Parcel #010015520) (hereafter, "My Property"). My Property is directly east of, and immediately adjacent to, the Subject Property. My Property passed to me upon Mr. Kohl's death.

I, Kathy McNerney-Kohl, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). I, Kathy McNerney-Kohl, also hereby object to and protest the Applications' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, I, Kathy McNerney-Kohl, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

I, Kathy McNerney-Kohl, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. I, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Kathy McNerney-Kohl, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Kathy McNerney-Kohl
Kathy McNerney-Kohl

Jan 12th 2022
Date

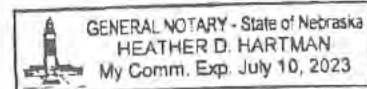
STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Kathy McNerney-Kohl appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Kathy McNerney-Kohl was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Kathy McNerney-Kohl on the date identified above.

Heather D. Hartman

Notary Public

My Commission expires: July 10, 2023



PARCEL #010000778
Bierman Family Trust

The Bierman Family Trust is the titled and legal owner of that certain real property having the following approximate legal description: Lot 6, Block Eleven, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 635 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000778) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

The Bierman Family Trust has read and hereby joins the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). The Bierman Family Trust also hereby objects to and protests the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, the Bierman Family Trust believes the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

The Bierman Family Trust objects to and protests any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. The Bierman Family Trust, therefore, requests that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

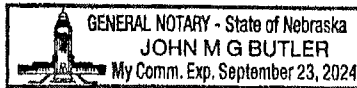
AFFIRMATION AND ACKNOWLEDGMENT

I, Dale E. Bierman, being first duly sworn upon oath, state that I am the Co-Trustee of the Bierman Family Trust; that I am duly authorized to act on behalf of the Bierman Family Trust; and that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Bierman Family Trust

Dale Bierman
Dale E. Bierman, Co-Trustee

Date 2/22/2022

[illegible]

I, John M.G. Ryker, the undersigned notary public, hereby certify that on the 22nd day of February, 2022, Dale E. Bierman, Co-Trustee of the Bierman Family Trust, appeared before me and acknowledged before me that he executed the foregoing Protest and Objection on behalf of the said Trust and that I had satisfactory evidence that Dale E. Bierman was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Dale E. Bierman, Co-Trustee of the Bierman Family Trust, on the date identified above.

Notary Public
My Commission expires: 9-23-2024

AFFIRMATION AND ACKNOWLEDGMENT

I, Ronda L. Bierman, being first duly sworn upon oath, state that I am the Co-Trustee of the Bierman Family Trust; that I am duly authorized to act on behalf of the Bierman Family Trust; and that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Bierman Family Trust

Ronda L. Bierman
Ronda L. Bierman, Co-Trustee

2-22-2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)



I, John M G Butler, the undersigned notary public, hereby certify that on the 22nd day of February, 2022, Ronda L. Bierman, Co-Trustee of the Bierman Family Trust, appeared before me and acknowledged before me that she executed the foregoing Protest and Objection on behalf of the said Trust and that I had satisfactory evidence that Ronda L. Bierman was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Ronda L. Bierman, Co-Trustee of the Bierman Family Trust, on the date identified above.

John M G Butler
Notary Public
My Commission expires: 9-23-2024

PARCEL #010000780
Jorge Perez-Gonzalez and Kimberly A. Perez

We, Jorge Perez-Gonzalez and Kimberly A. Perez, are the titled and legal owners of that certain real property having the following approximate legal description: Lot-8, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 611 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000780) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Jorge Perez-Gonzalez and Kimberly A. Perez, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Jorge Perez-Gonzalez and Kimberly A. Perez, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Jorge Perez-Gonzalez and Kimberly A. Perez, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Jorge Perez-Gonzalez and Kimberly A. Perez, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Jorge Perez-Gonzalez, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

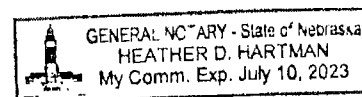
Jorge Perez-Gonzalez
Jorge Perez-Gonzalez

2-22-2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, HEATHER D. HARTMAN, the undersigned notary public, hereby certify that on the 22nd day of February, 2022, Jorge Perez-Gonzalez appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Jorge Perez-Gonzalez was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Jorge Perez-Gonzalez on the date identified above.

Heather D Hartman
Notary Public
My Commission expires: July 10, 2023



AFFIRMATION AND ACKNOWLEDGMENT

I, Kimberly A. Perez, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

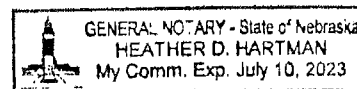
Kimberly A. Perez

2-22-2022
Date

[illegible]

I, HEATHER D. HARTMAN, the undersigned notary public, hereby certify that on the 22nd day of February, 2022, Kimberly A. Perez appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Kimberly A. Perez was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Kimberly A. Perez on the date identified above.

Heather D Hartman
Notary Public
My Commission expires: July 10, 2023



PARCEL #010015724
Timothy Russell and Ann Russell

We, Timothy Russell and Ann Russell, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 6, Lochland Country Club Subdivision No. 10, City of Hastings, Adams County, Nebraska, commonly described as 500 Madden Road, Hastings, Nebraska, 68901 (Parcel #010015724) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

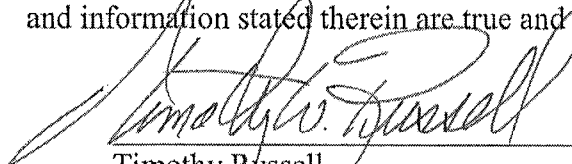
We, Timothy Russell and Ann Russell, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Timothy Russell and Ann Russell, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Timothy Russell and Ann Russell, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Timothy Russell and Ann Russell, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Timothy Russell, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.



Timothy Russell

1-12-2022

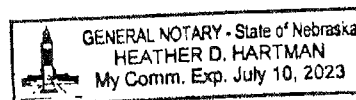
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Timothy Russell appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Timothy Russell was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Timothy Russell on the date identified above.



Notary Public
My Commission expires: July 10, 2023



AFFIRMATION AND ACKNOWLEDGMENT

I, Ann Russell, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

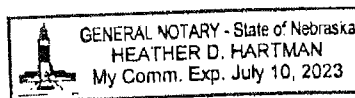

Ann Russell

1-12-22
Date

[illegible]

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Ann Russell appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Ann Russell was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Ann Russell on the date identified above.


 Notary Public
 My Commission expires: July 10, 2023



PARCEL #010000746
Duane R. Niemeyer and Linda M. Niemeyer

We, Duane R. Niemeyer and Linda M. Niemeyer, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 4, Lochland Country Club Subdivision No. 10, City of Hastings, Adams County, Nebraska, commonly described as 524 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000746) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Duane R. Niemeyer and Linda M. Niemeyer, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Duane R. Niemeyer and Linda M. Niemeyer, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Duane R. Niemeyer and Linda M. Niemeyer, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Duane R. Niemeyer and Linda M. Niemeyer, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

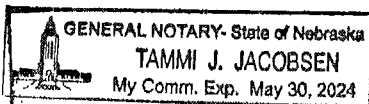
I, Duane R. Niemeyer, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Duane R. Niemeyer
Duane R. Niemeyer

Jan. 13, 2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Duane R. Niemeyer appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Duane R. Niemeyer was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Duane R. Niemeyer on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires

PARCEL #010000778
Bierman Family Trust

The Bierman Family Trust is the titled and legal owner of that certain real property having the following approximate legal description: Lot 6, Block Eleven, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 635 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000778) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

The Bierman Family Trust has read and hereby joins the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). The Bierman Family Trust also hereby objects to and protests the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, the Bierman Family Trust believes the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

The Bierman Family Trust objects to and protests any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. The Bierman Family Trust, therefore, requests that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

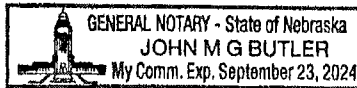
AFFIRMATION AND ACKNOWLEDGMENT

I, Dale E. Bierman, being first duly sworn upon oath, state that I am the Co-Trustee of the Bierman Family Trust; that I am duly authorized to act on behalf of the Bierman Family Trust; and that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Bierman Family Trust

Dale Bierman
Dale E. Bierman, Co-Trustee

Date 2/22/2022

[illegible]

I, John M.G. Ryker, the undersigned notary public, hereby certify that on the 22nd day of February, 2022, Dale E. Bierman, Co-Trustee of the Bierman Family Trust, appeared before me and acknowledged before me that he executed the foregoing Protest and Objection on behalf of the said Trust and that I had satisfactory evidence that Dale E. Bierman was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Dale E. Bierman, Co-Trustee of the Bierman Family Trust, on the date identified above.

Notary Public
My Commission expires: 9-23-2024

AFFIRMATION AND ACKNOWLEDGMENT

I, Ronda L. Bierman, being first duly sworn upon oath, state that I am the Co-Trustee of the Bierman Family Trust; that I am duly authorized to act on behalf of the Bierman Family Trust; and that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Bierman Family Trust

Ronda L. Bierman
Ronda L. Bierman, Co-Trustee

2-22-2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)



I, John M G Butler, the undersigned notary public, hereby certify that on the 22nd day of February, 2022, Ronda L. Bierman, Co-Trustee of the Bierman Family Trust, appeared before me and acknowledged before me that she executed the foregoing Protest and Objection on behalf of the said Trust and that I had satisfactory evidence that Ronda L. Bierman was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Ronda L. Bierman, Co-Trustee of the Bierman Family Trust, on the date identified above.

John M G Butler
Notary Public
My Commission expires: 9-23-2024

PARCEL #010000780
Jorge Perez-Gonzalez and Kimberly A. Perez

We, Jorge Perez-Gonzalez and Kimberly A. Perez, are the titled and legal owners of that certain real property having the following approximate legal description: Lot-8, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 611 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000780) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Jorge Perez-Gonzalez and Kimberly A. Perez, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Jorge Perez-Gonzalez and Kimberly A. Perez, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Jorge Perez-Gonzalez and Kimberly A. Perez, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Jorge Perez-Gonzalez and Kimberly A. Perez, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Jorge Perez-Gonzalez, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

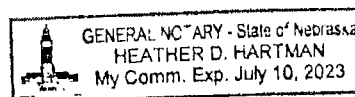
Jorge Perez-Gonzalez
Jorge Perez-Gonzalez

2-22-2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, HEATHER D. HARTMAN, the undersigned notary public, hereby certify that on the 22nd day of February, 2022, Jorge Perez-Gonzalez appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Jorge Perez-Gonzalez was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Jorge Perez-Gonzalez on the date identified above.

Heather D Hartman
Notary Public
My Commission expires: July 10, 2023



AFFIRMATION AND ACKNOWLEDGMENT

I, Kimberly A. Perez, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

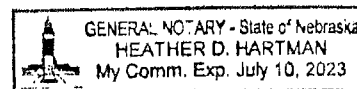
Kimberly A. Perez

2-22-2022
Date

[illegible]

I, HEATHER D. HARTMAN, the undersigned notary public, hereby certify that on the 22nd day of February, 2022, Kimberly A. Perez appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Kimberly A. Perez was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Kimberly A. Perez on the date identified above.

Heather D Hartman
Notary Public
My Commission expires: July 10, 2023



PARCEL #010015724
Timothy Russell and Ann Russell

We, Timothy Russell and Ann Russell, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 6, Lochland Country Club Subdivision No. 10, City of Hastings, Adams County, Nebraska, commonly described as 500 Madden Road, Hastings, Nebraska, 68901 (Parcel #010015724) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

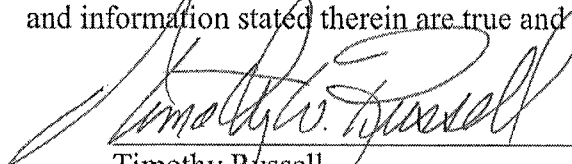
We, Timothy Russell and Ann Russell, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Timothy Russell and Ann Russell, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Timothy Russell and Ann Russell, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Timothy Russell and Ann Russell, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Timothy Russell, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.



Timothy Russell

1-12-2022

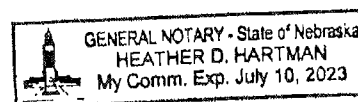
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Timothy Russell appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Timothy Russell was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Timothy Russell on the date identified above.



Notary Public
My Commission expires: July 10, 2023



AFFIRMATION AND ACKNOWLEDGMENT

I, Ann Russell, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

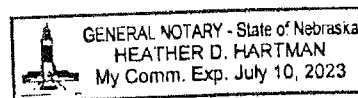
Ann Russell
Ann Russell

1-12-22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Ann Russell appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Ann Russell was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Ann Russell on the date identified above.

Heather D Hartman
Notary Public
My Commission expires: July 10, 2023



PARCEL #010000746
Duane R. Niemeyer and Linda M. Niemeyer

We, Duane R. Niemeyer and Linda M. Niemeyer, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 4, Lochland Country Club Subdivision No. 10, City of Hastings, Adams County, Nebraska, commonly described as 524 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000746) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Duane R. Niemeyer and Linda M. Niemeyer, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Duane R. Niemeyer and Linda M. Niemeyer, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Duane R. Niemeyer and Linda M. Niemeyer, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Duane R. Niemeyer and Linda M. Niemeyer, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

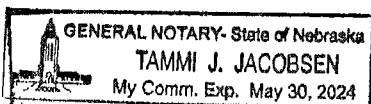
I, Duane R. Niemeyer, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Duane R. Niemeyer
Duane R. Niemeyer

Jan. 13, 2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Duane R. Niemeyer appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Duane R. Niemeyer was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Duane R. Niemeyer on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires

AFFIRMATION AND ACKNOWLEDGMENT

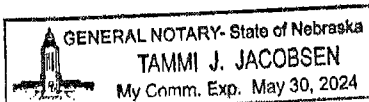
I, Linda M. Niemeyer, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

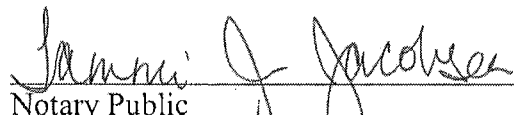

Linda M. Niemeyer

1/13/22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Linda M. Niemeyer appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Linda M. Niemeyer was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Linda M. Niemeyer on the date identified above.




Notary Public
My Commission expires

AFFIRMATION AND ACKNOWLEDGMENT

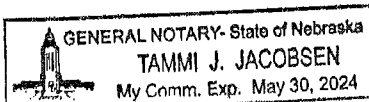
I, Linda M. Niemeyer, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

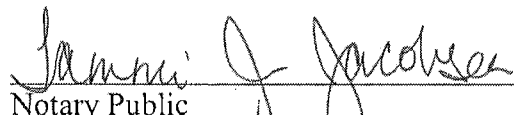

Linda M. Niemeyer

1/13/22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Linda M. Niemeyer appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Linda M. Niemeyer was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Linda M. Niemeyer on the date identified above.




Notary Public
My Commission expires

PARCEL #010000782
The Kathryn Ann Adams Revocable Trust

The Kathryn Ann Adams Revocable Trust is the titled and legal owner of that certain real property having the following approximate legal description: Parts of Lots 10 and 11, Block Eleven, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 531 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000782) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

The Kathryn Ann Adams Revocable Trust has read and hereby joins the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). The Kathryn Ann Adams Revocable Trust also hereby objects to and protests the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, The Kathryn Ann Adams Revocable Trust believes the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

The Kathryn Ann Adams Revocable Trust objects to and protests any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. The Kathryn Ann Adams Revocable Trust, therefore, requests that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Roxanne K. Janeke, being first duly sworn upon oath, state that I am the Successor Trustee of The Kathryn Ann Adams Revocable Trust; that I am duly authorized to act on behalf of The Kathryn Ann Adams Revocable Trust; and that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

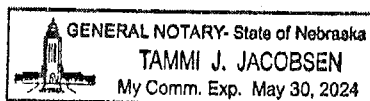
The Kathryn Ann Adams Revocable Trust

Roxanne K. Janeke, Successor Trustee
Roxanne K. Janeke, Successor Trustee

1-13-2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Roxanne K. Janeke, Successor Trustee of The Kathryn Ann Adams Revocable Trust, appeared before me and acknowledged before me that she executed the foregoing Protest and Objection on behalf of the said Trust and that I had satisfactory evidence that Roxanne K. Janeke was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Roxanne K. Janeke, Successor Trustee of The Kathryn Ann Adams Revocable Trust, on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires: May 30, 2024

PARCEL #010000781
Christopher M. Uridil and Amy S. Uridil

We, Christopher M. Uridil and Amy S. Uridil, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 9, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 603 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000781) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

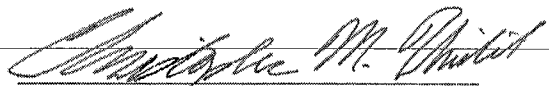
We, Christopher M. Uridil and Amy S. Uridil, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Christopher M. Uridil and Amy S. Uridil, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Christopher M. Uridil and Amy S. Uridil, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Christopher M. Uridil and Amy S. Uridil, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Christopher M. Uridil, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.



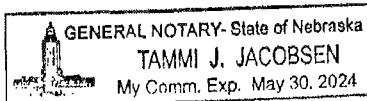
Christopher M. Uridil

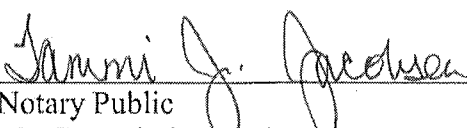
1-13-22

Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Christopher M. Uridil appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Christopher M. Uridil was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Christopher M. Uridil on the date identified above.

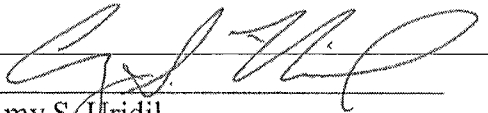




Notary Public
My Commission expires:

AFFIRMATION AND ACKNOWLEDGMENT

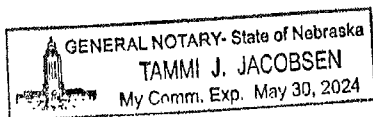
I, Amy S. Uridil, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

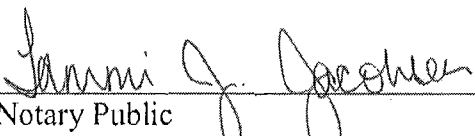

Amy S. Uridil

1/13/22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Amy S. Uridil appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Amy S. Uridil was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Amy S. Uridil on the date identified above.




Notary Public
My Commission expires:

PARCEL #010000779
Jordan A. Kohtz and Alexa J. Kohtz

We, Jordan A. Kohtz and Alexa J. Kohtz, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 7, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 627 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000779) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Jordan A. Kohtz and Alexa J. Kohtz, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Jordan A. Kohtz and Alexa J. Kohtz, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Jordan A. Kohtz and Alexa J. Kohtz, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Jordan A. Kohtz and Alexa J. Kohtz, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Jordan A. Kohtz, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

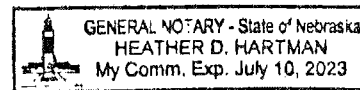
Jordan A. Kohtz
Jordan A. Kohtz

1/12/2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Jordan A. Kohtz appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Jordan A. Kohtz was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Jordan A. Kohtz on the date identified above.

Heather D. Hartman
Notary Public
My Commission expires: July 10, 2023



AFFIRMATION AND ACKNOWLEDGMENT

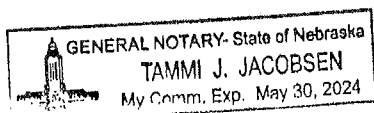
I, Alexa J. Kohtz, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Alexa J. Kohtz
Alexa J. Kohtz

1-13-22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Alexa J. Kohtz appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Alexa J. Kohtz was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Alexa J. Kohtz on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires:

PARCEL #010000777

Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio

We, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, are the titled and legal owners of that certain real property having the following approximate legal description: The East 88 feet of Lot 5, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 703 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000777) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

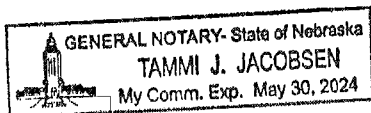
AFFIRMATION AND ACKNOWLEDGMENT

I, Colleen Velasquez-Nicassio, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Colleen Velasquez-Nicassio 1/12/2022
Colleen Velasquez-Nicassio Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

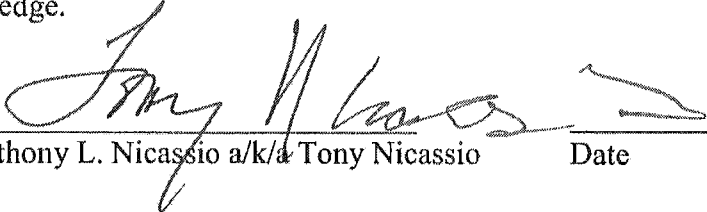
I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Colleen Velasquez-Nicassio appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Colleen Velasquez-Nicassio was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Colleen Velasquez-Nicassio on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires:

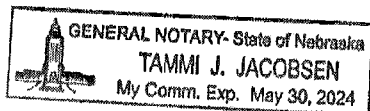
AFFIRMATION AND ACKNOWLEDGMENT

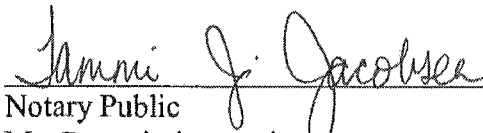
I, Anthony L. Nicassio a/k/a Tony Nicassio, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

 1-13-2022
Anthony L. Nicassio a/k/a Tony Nicassio Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Anthony L. Nicassio a/k/a Tony Nicassio appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Anthony L. Nicassio a/k/a Tony Nicassio was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Anthony L. Nicassio a/k/a Tony Nicassio on the date identified above.




Notary Public
My Commission expires:

PARCEL #010000776
Micah McCaffery and Katie L. Crowe

We, Micah McCaffery and Katie L. Crowe, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 4 and the West Two Feet of Lot 5, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 719 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000776) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Micah McCaffery and Katie L. Crowe, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Micah McCaffery and Katie L. Crowe, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Micah McCaffery and Katie L. Crowe, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Micah McCaffery and Katie L. Crowe, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Micah McCaffery, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.



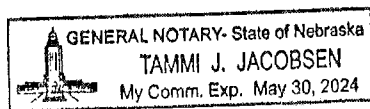
Micah McCaffery

13 JAN 2022

Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Micah McCaffery appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Micah McCaffery was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Micah McCaffery on the date identified above.





Notary Public
My Commission expires: May 30, 2024

AFFIRMATION AND ACKNOWLEDGMENT

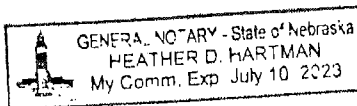
I, Katie L. Crowe, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Katie L. Crowe
Katie L. Crowe

1-12-2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Katie L. Crowe appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Katie L. Crowe was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Katie L. Crowe on the date identified above.



Heather D Hartman
Notary Public
My Commission expires: July 10, 2023

PARCEL #010000775
Carol A. Brouillette

I, Carol A. Brouillette, am the titled and legal owner of that certain real property having the following approximate legal description: Lot 3, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 727 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000775) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

I, Carol A. Brouillette, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). I, Carol A. Brouillette, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, I, Carol A. Brouillette, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

I, Carol A. Brouillette, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Carol A. Brouillette, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Carol A. Brouillette
Carol A. Brouillette

1-12-22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Carol A. Brouillette appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Carol A. Brouillette was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Carol A. Brouillette on the date identified above.

Heather D. Hartman
Notary Public
My Commission expires: July 10, 2023

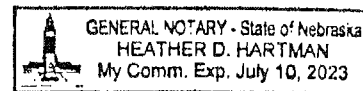
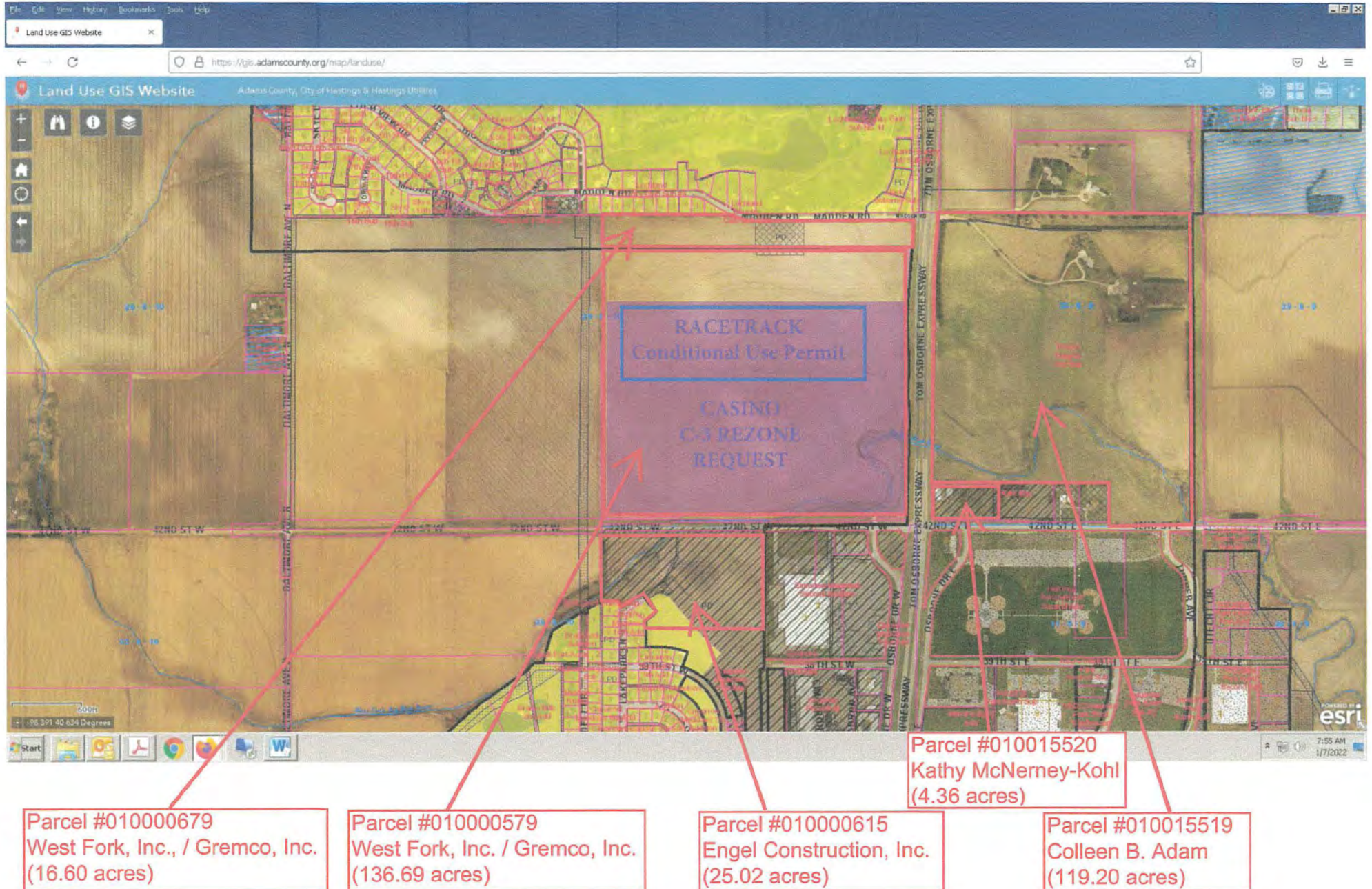


EXHIBIT 2

AERIAL MAP
SHOWING PROPERTY
OWNERS' PARCELS

HASTINGS, NEBRASKA AERIAL MAP





FAAR CONSULTING, LLC

FAILURE ANALYSIS ACCIDENT RECONSTRUCTION

Ted T. Sokol, Ph.D., P.E.
Registered Professional Civil Engineer

Steve F. Sokol, P.E., J.D.
Registered Professional Civil Engineer

Steve F. Sokol, P.E., J.D., being first duly sworn upon oath, deposes and states as follows:

1. I am above the age of 19, am competent to testify, and have personal knowledge of all facts set forth herein.

2. I am a licensed professional engineer with over 20 years of experience in the fields of professional and civil engineering. I also received my Juris Doctor degree in 2007. I have attached a true and correct copy of my *curriculum vitae* as Exhibit 4.

3. I specialize in forensic engineering investigations, including, but not limited to, accident reconstructions and industrial accidents.

4. As part of my profession and day-to-day activities as a forensic engineer, I routinely create, evaluate, and work with engineered plans, drawings, and diagrams. I also routinely use Computer-Aided Design (CAD) software and programs, and prepare CAD drawings and figures. Using CAD software, I, like other engineers, am able to create figures, including drawings showing sites and distances on aerial images.

5. I am familiar with and use geographic information systems (GIS) to evaluate sites and determine distances. In the accident reconstruction and civil engineering fields, engineers like myself routinely and reliably calculate distances and measurements using GIS aerial maps.

6. I have reviewed materials in connection with a proposed rezoning request and a conditional use permit (CUP) for that certain property located at approximately the Southeast Quarter of Section 25, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska, commonly described as 4555 Osborne Drive West, Hastings, Nebraska, 68901, Parcel No. 010000579 (hereafter, Subject Property). The applicants for this rezoning request are seeking to rezone a portion of the Subject Property from agriculture

(A) to commercial (C-3) in order to operate a casino on that property. In addition, the applicants are seeking a conditional use permit (CUP) on a portion of the Subject Property to operate a horse racetrack.

7. My review of the materials has included, but is not limited to, (a) the applicants' proposed site plan for the Subject Property, (b) a December 15, 2021, engineered drawing from Populous of the site plan for the Subject Property, and (c) a December 16, 2021, contour map and engineered drawing created by Olsson Engineering of the site plan for the Subject Property.

8. I have also reviewed data and information regarding the Subject Property and the surrounding properties from the Adams County Assessor's Office, Google Earth, and Google Maps. This data included, but is not limited to, the owner information, property descriptions, and parcel information for the owners of the Subject Property and all of the property surrounding and adjacent to the Subject Property.

9. Using FARO® CAD software, I used a publicly-available aerial map from the Adams County GIS Mapping website (<https://gis.adamscounty.org>) and measured certain distances on that map. Engineers commonly and routinely use FARO® CAD software to determine distances on aerial maps.

10. Using FARO® CAD software, I have created the two scaled images/drawings that are attached hereto as Exhibits 1 and 2, respectively. The exhibits truly and accurately show the Subject Property and the properties that surround it and are immediately adjacent to it. I have also identified the Adams County, Nebraska, parcel numbers for the landowners that are adjacent to the Subject Property. The individual parcels are outlined in these two exhibits.

11. Exhibit 1 (labeled as "Map 1") shows a purple box, which consists of that portion of the Subject Property that the applicants are seeking to rezone from agriculture (A) to commercial (C-3) in order to build a casino. Exhibit 2 (labeled as "Map 2") shows a red box, which consists of that portion of the Subject Property that the applicants are seeking a conditional use permit to operate a horse racetrack.

12. Exhibits 1 and 2 truly and correctly identify the distance (in feet) of the perimeter of the purple box (*i.e.*, the applicants' C-3 rezone request) and the red box (*i.e.*, the applicants' CUP request), respectively.

13. Exhibits 1 and 2 also truly and correctly identify the number of feet of each parcel that is adjacent to and directly opposite of the applicants' C-3 rezone request and the applicants' CUP request.

14. Exhibits 1 and 2 are scaled drawings/images, and there is a scale in the bottom left-hand corner of each of those exhibits that shows distances in feet.

15. I have also attached hereto as Exhibit 3 a spreadsheet that truly and correctly identifies the landowners (and their parcel numbers) who are adjacent to the Subject Property. The spreadsheet in Exhibit 3 truly and correctly identifies (a) the names of each landowner, (b) their parcel numbers, (c) the number of feet that each landowner is adjacent to/directly opposite of the applicants' C-3 rezoning request and the CUP request, (d) the percentage that each landowner's property makes up of the total perimeter of the applicants' C-3 rezone request (the purple box) and the applicants' CUP request (the red box), and (e) the direction that each parcel is located in relation to the Subject Property.

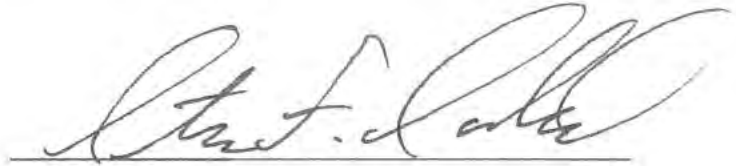
16. The Adam property (parcel no. 010015519) and the Kohl property (parcel no. 010015520) comprise at least 20% of the perimeter of the applicants' C-3 rezone request. Adding the Engel Construction property (parcel no. 010000615), those three properties comprise at least 36% of such perimeter.

17. The Adam property and the Engel Construction property are also directly adjacent and opposite to at least 34% of the applicants' CUP request.

18. Your Affiant further states he has read the foregoing Affidavit, that he knows the contents thereof, and that the statements contained therein are true and based upon personal knowledge.

FURTHER AFFIANT SAITH NOT.

DATED this 12th day of January, 2022.



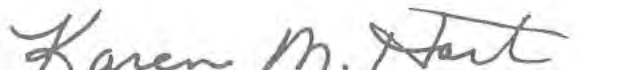
Steve F. Sokol, P.E., J.D.

STATE OF NEBRASKA)

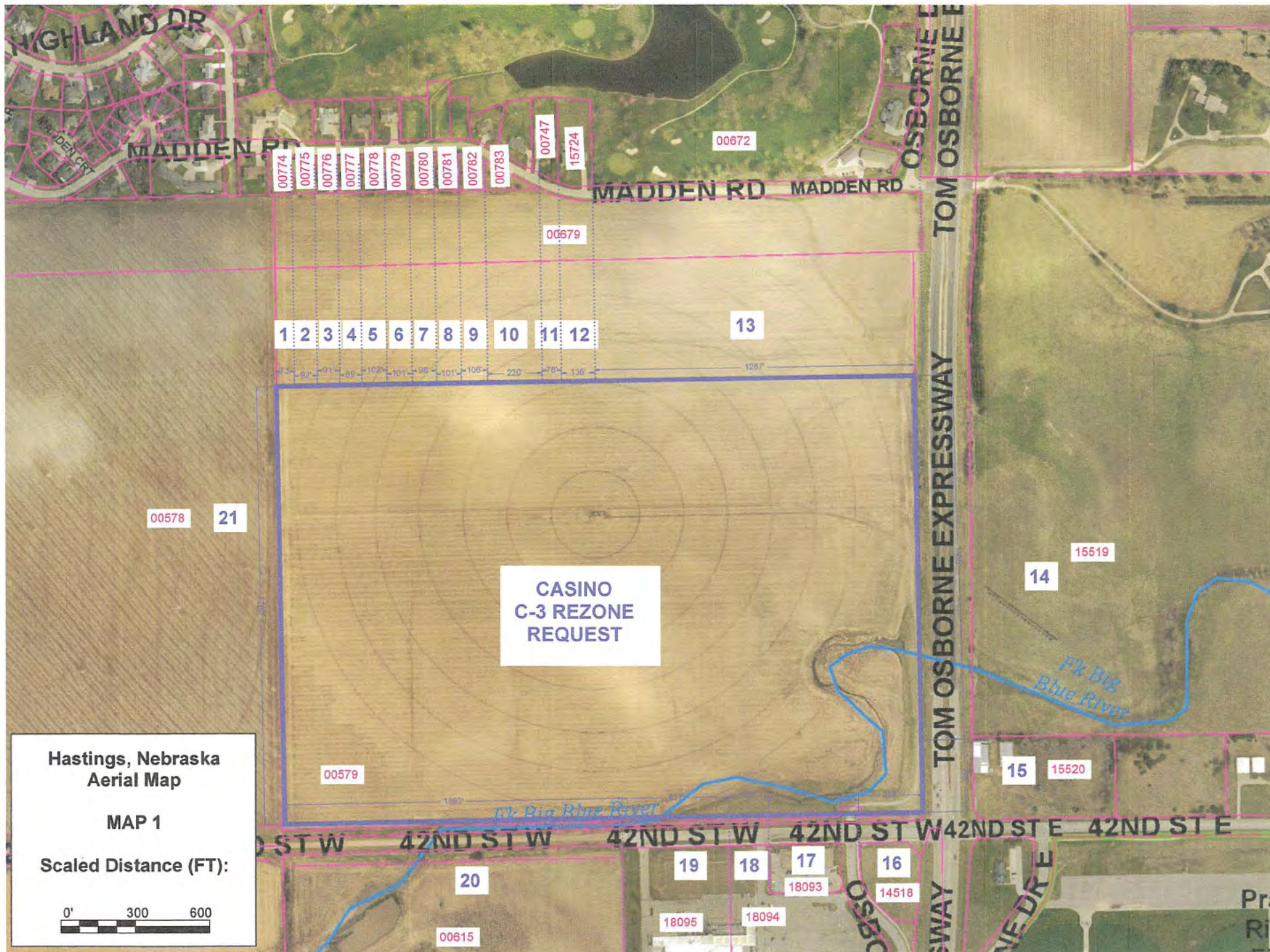
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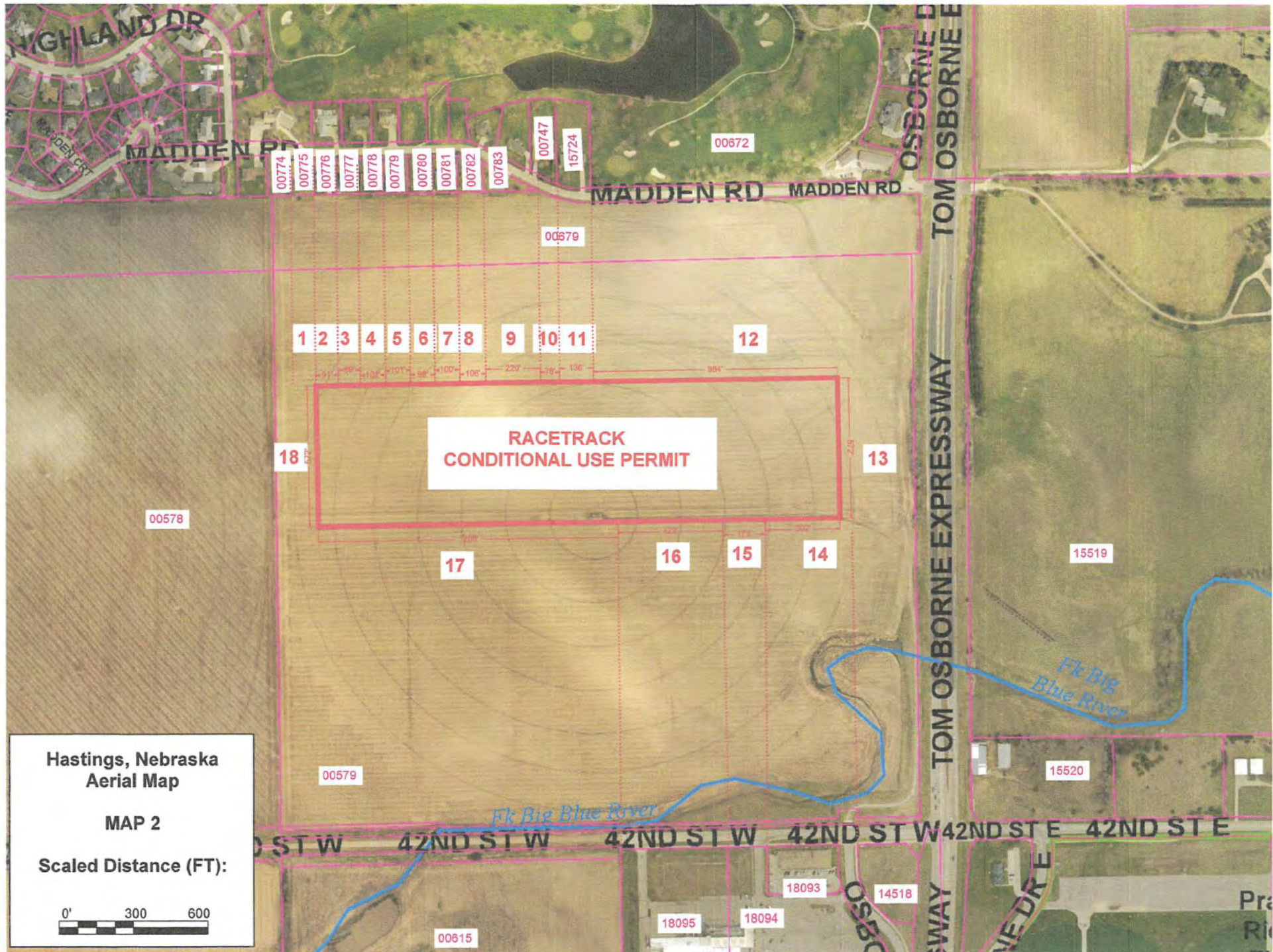
COUNTY OF DOUGLAS)

The foregoing document was subscribed, acknowledged, and sworn before me this
12th day of January, 2022.


Notary Public

My Commission Expires:





Map 1 Casino C3 Rezoning Request (21 Parcels)
Purple Box (C3 Rezoning Area)

Boundary Side	Segment Number	Parcel ID	Owner Name	Perimeter Distance (Ft)	Percentage of Perimeter
North	1	10000774	Clint L. Bucknell and Jessica M. Bucknell	73	1%
	2	10000775	Carol A. Brouillette	92	1%
	3	10000776	Micah McCaffery and Katie L. Crowe	91	1%
	4	10000777	Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio	89	1%
	5	10000778	Bierman Family Trust	102	1%
	6	10000779	Jordan A. Kohtz and Alexa J. Kohtz	101	1%
	7	10000780	Jorge Perez-Gonzalez and Kimberly A. Perez	98	1%
	8	10000781	Christopher M. Uridil and Amy S. Uridil	101	1%
	9	10000782	Kathryn Ann Adams Revocable Trust (Roxanne Janeke, Successor Trustee)	106	1%
	10	10000783	Jeffrey D. Hinrichs and Ronda L. M. Hinrichs	220	3%
	11	10000747	Timothy A. Ossowski and Patricia M. Ossowski	78	1%
	12	10015724	Timothy Russell and Ann Russell	136	2%
	13	10000672	Highland Realty Inc.	1287	15%
East	14	10015519	Colleen B. Adam	1485	17%
	15	10015520	Kathy McNerney Kohl	295	3%
South	16	10014518	Walmart Property Tax Department	258	3%
	ROW		Osborne Dr. West	72	1%
	17	10018093	Osborne Place LLC	291	3%
	18	10018094	Walmart Realty Company	159	2%
	19	10018095	Walmart Realty Company	431	5%
	20	10000615	Engel Construction, Inc.	1363	16%
West	21	10000578	Gro Then Harvest, L.L.C.	1780	20%

Total Boundary Distance

8708

100%

Map 2 CUP Request (18 Parcels)
Red Box (Racetrack Conditional Use Permit)

Boundary Side	Segment Number	Parcel ID	Owner Name	Perimeter Distance (Ft)	Percentage of Perimeter
North	1	10000775	Carol A. Brouillette	NA	NA
	2	10000776	Micah McCaffery and Katie L. Crowe	91	2%
	3	10000777	Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio	89	2%
	4	10000778	Bierman Family Trust	102	2%
	5	10000779	Jordan A. Kohtz and Alexa J. Kohtz	101	2%
	6	10000780	Jorge Perez-Gonzalez and Kimberly A. Perez	98	2%
	7	10000781	Christopher M. Uridil and Amy S. Uridil	100	2%
	8	10000782	Kathryn Ann Adams Revocable Trust (Roxanne Jaeke, Successor Trustee)	106	2%
	9	10000783	Jeffrey D. Hinrichs and Ronda L. M. Hinrichs	220	4%
	10	10000747	Timothy A. Ossowski and Patricia M. Ossowski	78	1%
	11	10015724	Timothy Russell and Ann Russell	136	3%
	12	10000672	Highland Realty Inc.	984	18%
East	13	10015519	Colleen B. Adam	572	11%
South	14	10018093	Osborne Place LLC	302	6%
	15	10018094	Walmart Realty Company	173	3%
	16	10018095	Walmart Realty Company	422	8%
	17	10000615	Engel Construction, Inc.	1208	23%
West	18	10000578	Gro Then Harvest, L.L.C.	572	11%

Total Boundary Distance

5354

100%



FAAR CONSULTING, LLC

FAILURE ANALYSIS ACCIDENT RECONSTRUCTION

Steve E. Sokol, P.E., J.D.
Registered Professional Civil Engineer

CURRICULUM VITAE

BUSINESS INFORMATION:

- Office Address: 11620 Arbor Street, Suite 202, Omaha, NE 68144

EDUCATIONAL BACKGROUND:

Creighton University School of Law, Omaha, Nebraska
Juris Doctor, *cum laude* May 2007

Iowa State University, Ames, Iowa
Bachelor of Science, Civil Engineering, May 2001

PROFESSIONAL REGISTRATIONS:

Registered Professional Civil Engineer
State of Nebraska - Registration Number E-13148

Certified Traffic Accident Reconstructionist
Accreditation Commission for Traffic Accident Reconstruction, ACTAR
Registration Number 2235

Member of the Nebraska State Bar Association
Attorney Number 23685 (Inactive)

Certified Crash Data Retrieval System Technician and Analyst
Collision Safety Institute, San Diego, CA



PRIVATE INDUSTRY ENGINEERING EXPERIENCE:

FAAR Consulting, LLC, Omaha, Nebraska

2003 to Present

Civil Engineer/ Accident Reconstructionist

Responsible for the investigation and analysis of vehicle accident reconstructions and industrial accidents. Reconstructed motor vehicle accidents involving automobiles, motorcycles, commercial motor vehicles, bicycles and pedestrians. Evaluated transportation systems and roadway signage as it pertains to vehicle accidents. Performed vehicle and site inspection. Analyzed site distances related to accident reconstruction. Calculated pre-impact vehicle speeds. Causation analysis, accident avoidance maneuvers, vehicle and motorcycle braking analysis, collision analysis.

Prepared roadway plan and profile drawings. Retrieval of event data from vehicle Airbag Control Modules and Engine Control Modules. Analyzed roadway traffic control plans and construction work zone signage.

Investigations of various types of industrial accidents. Scissor lifts, ladders, and construction equipment. Analyzed Uniform Building Code and OSHA regulations as they apply to industrial accidents.

Northern Natural Gas, Omaha, Nebraska

2003

Civil Engineer / Project Engineer

Assessed gas pipeline projects, including shallow / exposed pipe remediation, horizontal directional drilling, maintenance of existing pipeline systems, and pipeline system integrity. Estimated project costs, coordinated with subcontractors, prepared preliminary and bid drawing packages, and worked with project managers to produce project scopes and schedules.

CH2M Hill, Denver, Colorado

2001, 2002

Civil Engineer / Transportation Engineer

Developed design alternatives and roadway plan and profile sheets. Prepared cost estimates and quantity calculations for roadway projects. Provided engineering services during the construction phase of roadway projects. Prepared traffic control plans, grading plans, and preliminary design plans for roadway projects.

Burns and McDonnell, Kansas City, Missouri

2000

Civil Engineer / Transportation Engineer

Designed aircraft terminal markings and engine danger zones. Verified the location of existing fuel pits and isolation values. Evaluated the current fuel pit layout for the terminals and made recommendations on the placement of proposed fuel pits.

Kiewit Construction Co., Omaha, Nebraska

1998 & 1999

Construction Engineer

Assisted with the foundation layout of 90-inch diameter drilled shafts and the daily site log. Coordinated drilling schedule with drilling subcontractor.

Reviewed construction drawings, prepared RFI's (Request for Information), and reviewed shop drawings. Assisted with job site safety program and performed job site inspections to ensure compliance with OSHA regulations. Communicated daily with subcontractors, and gained knowledge of construction industry.

PROFESSIONAL SOCIETY AFFILIATIONS:

Member – Society of Automotive Engineers, SAE

Member – Midwest Association of Technical Accident Investigators, MATAI

Member – National Society of Professional Accident Reconstruction Specialists, NAPARS

Member – Nebraska State Bar Association (Currently Inactive Member)

Fellowship – Claims and Litigation Management Alliance

HONORS AND AWARDS:

Chi Epsilon National Civil Engineering Honor Society

Cum Laude Graduate, Creighton University School of Law, 2007

UNIVERSITY COURSES TAKEN RELATING TO ACCIDENT RECONSTRUCTION:

- | | |
|---------------------------------|----------------------------------|
| ➤ Algebra | ➤ Mechanics of Materials |
| ➤ Trigonometry | ➤ Structural Analysis |
| ➤ Analytical Geometry | ➤ Transportation Engineering |
| ➤ Calculus I, II, III | ➤ Materials Testing |
| ➤ Computer Programming | ➤ Structural Steel Design |
| ➤ Physics I, II | ➤ Concrete & Pavement Structures |
| ➤ Engineering Statics | ➤ Highway Design |
| ➤ Computer Aided Drafting | ➤ Engineering Dynamics |
| ➤ Route & Engineering Surveying | ➤ Engineering Design |



SEMINARS & TRAINING ATTENDED RELATING TO ACCIDENT RECONSTRUCTION:

Advanced Crash Reconstruction Utilizing Human Factors Research, Crash Safety Solutions LLC, October 11-15, 2021.

Cloud Compare Software Course, ai2-3D Forensics, July 8-9, 2021.

Click 3D Photogrammetry Course, ai2-3D Forensics, June 28-29, 2021.

Applying Automotive EDR Data to Traffic Crash Reconstruction, Society of Automotive Engineers, Troy, MI, November 20-22, 2019.

Drone (sUAS) Training - Oracle Aviation, Omaha, NE, August 30, 2018.

Advanced Crash Reconstruction Utilizing Human Factors, Northwestern University Center for Public Safety, Evanston, Illinois, May 14-18, 2018.

MUTCD: Work Zone Traffic Control, CED Engineering, Omaha, NE, April 9, 2018.

I.DRR User Forum, Austin, TX, February 23-24, 2018.

FARO Zone 3D CAD Software, FAAR Consulting, LLC, Omaha, NE, November 7, 8 and 10, 2017.

Aerial Mapping and Modeling Workshop, Dart Drones, Fremont, CA, October 28-29, 2017.

Part 107 Test Preparation Course, Dart Drones, Kansas City, KS, October 22, 2017.

Phantom and Inspire Flight Training, Dart Drones, Kansas City, KS, October 21, 2017.

Crash Data Retrieval - Data Analyst, Northwestern University Center for Public Safety, Evanston, Illinois, April 4-8, 2016

Energy Methods and Damage Analysis in Traffic Crash Reconstruction, Institute of Police Technology and Management at University of North Florida, Jacksonville, Florida, August 18-22, 2014.

Utilizing Human Factors in Traffic Crashes, Northwestern University Center for Public Safety, Evanston, Illinois, May 20-24, 2013.

Inspection and Investigation of Commercial Vehicle Crashes, Institute of Police Technology and Management - University of North Florida, Jacksonville, FL, February 18-22, 2013.

Motorcycle Crash Reconstruction, Northwestern University Center for Public Safety, Evanston, Illinois, September 10-14, 2012

How to Interpret Commercial Vehicle Event Data Recorders, The University of Tulsa, Tulsa, Oklahoma, March 26-30, 2012.

Cummins INSITE Training, Kansas City, MO, October 4-5, 2011.

INSITE Cummins Virtual College, Omaha, NE, September 17, 2011.

Trimble M3 Total Station Training, Seiler Instrument, Omaha, NE, April 6, 2011.

How to Interpret Commercial Vehicle Event Data Recorders, The University of Tulsa, Tulsa, Oklahoma, November 15 -19, 2010.

Advanced Crash Reconstruction, Fort McCoy, Wisconsin, October 4-8, 2010.

Human Factors For Traffic Crash Reconstruction Presented By The Crash Safety Research Center, Coralville, IA, May 26-28, 2010.

Certified Crash Data Retrieval Analyst Course, Chantilly, Virginia, February 16-19, 2010.

Certified Crash Data Retrieval Technician Course, Chantilly, Virginia, February 15, 2010.

ARC-CSI Crash Conference, Las Vegas, Nevada, June 1-4, 2009.

Crash Data Retrieval System Operator's Certification Course, Collision Safety Institute, Houston, Texas, June 9-11, 2004.

Physics Principles Applied to Accident Reconstruction, Hawkeye Community College, Midwest Association of Technical Accident Investigators, Waterloo, Iowa, February 9-13, 2004.

SEMINARS PRESENTED RELATING TO ACCIDENT RECONSTRUCTION:

Case Study: Kozlov vs. Associated Wholesale Grocers Inc., et. al., I.DRR User Forum, Austin, TX, February 24, 2018.

"Engine Control Module & Airbag Control Module Data," Nebraska Association of Trial Attorneys, Omaha, NE. December 9, 2016.

"Vehicle Accident Reconstruction," Nebraska Trucking Association Safety Management Council, Omaha, NE. November 13, 2014.

"Vehicle Accident Reconstruction," Lincoln/Nebraska Claims Association Fall Seminar, Ashland, NE. October 6, 2011.

"Accident Reconstruction Expert for Trial Demonstration", Nebraska Chapter of American Board of Trial Advocates Masters in Trial Seminar, LaVista, NE. August 26, 2011.

"Accident Reconstruction and Demonstrative Evidence", seminar presented to the Inns of Court, Lincoln, NE. April 12, 2011.

"Introduction To ACMs and EDRs", seminar presented to the Nebraska Defense Counsel Association, Ashland, NE. May 21, 2010.

"Introduction To ACMs and EDRs", seminar presented to Baylor Evnen law firm for the annual Baylor Evnen educational program, Lincoln, NE. April 1, 2010.

"Introduction To Event Data Recorders a.k.a. Black Boxes", seminar presented to the National Association of Trial Attorneys (NATA), Omaha, NE. October 2, 2009.

"Introduction To Event Data Recorders a.k.a. Black Boxes", seminar presented to the Nebraska State Bar Association, Lincoln, NE. August 19, 2009.

RESEARCH AND ANALYSIS PROGRAMS DEVELOPED RELATING TO ACCIDENT RECONSTRUCTION:

- Evaluation of braking distance from a known speed
- Research regarding edge drop-offs in construction work zones
- Reconstruction and analysis of staged collisions
- Review of current research literature relating to accident reconstruction
- Sight Distance Analysis
- Comparison studies relating to crush damage as it relates to real accidents
- Stopping Distance Calculations
- Low Speed Collision Analysis
- Lane Change Maneuvers
- Post Impact Speed Calculations

FORENSIC TESTING:

- Nighttime Visibility Study of Railcar Shuttlewagon, Mead, NE, September 5, 2018.
- Nighttime Visibility Study of Pedestrians, Friend, NE, November 20, 2017.
- Nighttime Visibility Study of Tractor/Trailer, Nebraska City, NE, April 12, 2015.
- Nighttime Visibility Study of Pedestrians, Ames, IA, April 3, 2013.
- Motorcycle Acceleration, Evanston, IL, September 12, 2012.
- Motorcycle Lane Change Maneuver, Evanston, IL, September 12, 2012.
- Motorcycle Intersection Turning Time From Stopped Position, Evanston, IL, September 12, 2012.
- Motorcycle Deceleration: Braking, Evanston, IL, September 13, 2012.
- Motorcycle Deceleration: Post-Impact Sliding and Tumbling, Evanston, IL, September 13, 2012.
- Commercial Vehicle Event Data Recorder (EDR) forensic testing, Tulsa, OK, March 28, 2012.
- Nighttime Visibility Study of Pedestrians, Kearney, NE, December 14, 2010.
- Commercial Vehicle Event Data Recorder (EDR) forensic testing, Tulsa, OK, November 17, 2010.

Colleen and George Adam
4900 Osborne Drive East
Hastings, NE 68901
[REDACTED]

To: Members of the Hastings City Council
Corey Stutte, Mayor
Members of Hastings Planning and Zoning Commission

Date: January 12, 2022

Re: Proposed Racetrack/Casino located on Hwy 281

Prairie Thunder Hastings (PTH) and Global Gaming Solutions (GGS) Nebraska (a wholly owned subsidiary of Chickasaw Nation) are proposing a racetrack/casino on the NW corner of Hwy 281 and 42nd street, arguably the *gateway* to Hastings.

PTH and GGS tell us that 110 to 150 new jobs will be created bringing approximately \$2.75 million in salaries. They state, ***"This represents a significant amount of new jobs and new economic growth."***

- Let's be clear. That's an average annual income of **\$25,000** per employee.
- **In 2020 the Dept. of Health & Human Services set the federal poverty level at \$26,000 for a family of four. A living wage must at least be greater than the poverty level.**

Where does the *revenue* from expanded gambling really go? 80% will leave our community.

PTH and GGS also tell us that 63% of those living at Lochland voted in favor of expanded gambling. Lobbyists told us that expanded gambling would bring property tax relief. Those voting in favor of expanded gambling said, "Keep the money in Nebraska."

- Those who voted in favor were not told that there would be efforts to bring casinos and racetracks into numerous towns, villages, and cities in our state.
 - For reference, Oklahoma currently has over 140 casinos. Over 20 are owned by GGS.
- Those who voted in favor didn't think about the fact that a multi-million-dollar facility with casino, racetrack, and hotel would be located less than 25 miles away in Grand Island.
- Those who voted in favor of expanded gambling didn't think the casino would be built on a prime piece of property within a 2-mile radius of a beautiful downtown and on what is referred to as the gateway to our community.
- Those who voted in favor did not learn about the low-paying jobs and the impact they would have on an already stressed public school system managing the

reality of 64+% students eligible for the free and reduced lunch program. (The state average for this program is 58%.)

Pat Loontjer, Executive Director of *Gambling with the Good Life* says, ***“Nearly all casinos in America cannibalize their local economies. They bring little money from outside. Rather, they pull most of it from spending at existing businesses.”***

Additionally, Ms. Loontjer says, “GGS knows that most casino revenue comes from within 35 miles of a casino, with a smaller secondary market within 80 miles.” **“The last thing Nebraska’s rural business community needs is another revenue drain.”**

- **“A casino is designed to be an all-absorbing environment that does not release its customers until they have exhausted their money.”** (David Frum, *The Atlantic*)
- The reality is that Hastings will likely attract day-trippers. They will find food within the casino. They will head home when their gambling for the day is completed. No visits to restaurants outside of the casino. No hotel stays.
- The large casino planned for Grand Island will draw from those living in the area and possibly from the state, particularly during State Fair days. Competing with a local casino housing primarily slot machines will be difficult.

Finally, the impact of casinos on neighboring property values is “unambiguously negative,” according to the economists at the National Association of Realtors. **“Casinos don’t encourage nongaming businesses to open nearby, because the people who most often visit casinos do not wander out to visit other shops and businesses.”**

The evidence is compelling that *“Casinos are a Good Way to Wreck a Local Economy.”*

We urge you to do the right thing. Vote **NO** to the proposal for a racetrack and casino.

Sincerely,

Colleen Adam

George Adam

Tony & Cathy Swanson
630 N Shore Dr
Hastings, NE 68901



January 12, 2022

Hastings City Council

RE: Proposed Casino Development

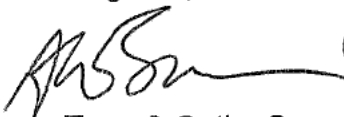
To Whom It May Concern:

We strongly oppose the building of casino in the city of Hastings, especially on the property on north side of on town as it is the entrance most used to enter our community.

Although many may believe that a casino would bring needed revenue to our city, we believe that the negatives of such a business will far outweigh the possible financial benefits. The depreciation of residential properties in the vicinity of a casino has been proven in different analysis that have been done in other communities where casinos have been built. Gambling addictions are known to be caused or greatly exacerbated if there is casino operation close to those who struggle with that addiction. This addiction causes financial hardships to not only those addicted, but to those closest to them, often creating broken relationships and families. Those broken people and families affect the community as a whole.

In short, the construction of a casino in Hastings may provide some financial benefit, but we strongly feel it would be a net negative for our long term prosperity.

Regards,



Tony & Cathy Swanson

Timothy J. and Carol Q. O'Keeffe

1809 North Elm Street

Hastings, NE 68901



January 12, 2022

Zoning and Planning Commission
City of Hastings, Nebraska

Dear Commissioners:

Please find attached a slide deck briefing that details my significant concerns regarding locating a casino and horse track at the main entrance to our City, as well as significant concerns in regard to the application for rezoning and the security of a conditional use permit by Robert A. Wallace for West Fork, Inc. / Breann Becker Prairie Thunder Hastings, LLC.

As I write I read what appears to be staff disapproval of the rezoning request, as well as a recommendation to table the request for a Conditional Use Permit ("CUP") in the agenda published this morning, January 12, 2022. I urge you to proceed to deliberate this matter and to vote "NO" for these proposals, regardless of future information provided. The idea of building a race track and casino at the entrance to our City is a bad idea- always and forever. Let us send a strong message to the developers now, so as to compel them to find other locations in our community that would not detract from nearby property values, and which align to the standards set forth in our Comprehensive Plan. Otherwise we can expect to continue to invest our precious resources in time and energy to continuously contest future iterations as the developers work to put together a quality application that is even worthy of consideration. The developers have now had two meeting opportunities and they still have not elevated the worthiness of their application to warrant consideration. End this now.

For the record, here is a summary as to why the notion of a casino and horse track at this location will always be a bad idea:

1. In recent days I have completed a data analysis of all building permits issued in the City of Hastings from January 1, 2017 to December 15, 2021 (about five years). I identified those permits which appeared to be single family new construction residential. About 70% of the permits issued, encompassing 90% of estimated value, came from an area bound by Lochland to the north; Hastings Lake to the south; USS 281 on the east, and North Baltimore on the west. The source for the data was an Information Request from the City. This data indicates the natural development pattern of the City lies in the area between Lochland and Hastings Lake and this site is in the middle of this "greenfield" of development opportunity. Installing a horse track and casino would destroy that pattern and significantly reduce the development opportunity of the parcel to the west, known as the "Grothen Farm".
2. We have seen a massive and rapid community mobilization against this proposal in only a few short weeks. If one drives the neighborhood, one will find numerous signs against this proposal. In recent days we have worked to have adjacent neighbors as defined in City Code 34-801 to file a Protest, therefore elevating City Council requirements to

approve this project to 75%. We believe that we will achieve a near 50% protest level, as opposed to a 20% requirement. These numbers reinforce the significant opposition that exists to this proposal.

3. The applicant proposes a CUP to encompass the horse racing track set within a rezoned area of about 85% of the site from "A" to "C3". The CUP does not appear to encompass horse barns. My reading of the codes would suggest that the barns need to be included in the CUP. Is this the result of lax and poor planning by the applicant, or some sort of more sinister ill intent?
4. The applicant seeks to communicate an intent to conform to the Comprehensive Plan which calls for mixed-use residential and commercial. This site plan lists a 16-acre narrow buffer to the north, which the applicant has labeled "Residential". If the applicant was actually earnest in intent, the applicant would be platting the land area and actually zoning the designated residential area as R1 or other similar zoning. Additionally, the cost to run a street into the residential area and try and sell residential lots or build multi-family structures is non-economic and not rational. Those residences, if ever built, would back up to a horse track and casino on one side, and a Federal four-lane highway on another. No one would want to live there, especially at the cost it would require to develop. The percentage of development cost per unit in street addition alone would render the entire idea non-economic and irrational. The applicant's assertion of residential is bogus and misleading.
5. The Comprehensive Plan calls for mixed use residential and commercial in this area. If the C-3 zoning is approved, a zoning that runs with the land, an estimated 40% of the land area in the site designated as residential would be taken away. Worse, such rezoning would destroy the potential for residential development along the eastern portion of the "Grothen farm" to the west. In short, rezoning the site to C-3 does not conform to the Comprehensive Plan and materially alters the entire development character of the land area between North Baltimore and U.S. 281. Such rezoning would destroy our City's residential development green field and forever alter the future natural development pattern of the community. Think of this as damming a river.
6. There are so many elements of the application that are bogus, that the application itself is laughable and cannot be trusted. For example, the developers note that there will be pole lights or stadium lights that illuminate the track, and *"because we will run races predominantly day races..... we will not need to have the lights that lead to light pollution"*. Nearly all casinos are open 24/7. This facility will need pole lights. The applicant is intentionally deceiving here. In addition, with respect to matter of light pollution, the applicant only addresses concern from person's north of the proposed development, stating, *"Lights related to signage on the casino itself will be located on the front of the building which is the side facing south toward 42nd Street and will not be visible to the north in Lochland"*. What about the folks in Cimarron? What about folks on the east side of 281? Would you want to stare down at neon lights from your yards?
7. Among the most serious concerns by area residents in a one-mile radius, are what will be a decrease in property values among single family residences. This is a key consideration for approval of a CUP as set forth in City Code 34-402. The applicant has provided two letters from brokers at Nebraska Realty that state that this development would not negatively impact value. The two letters are nearly identical word-for-word causing one to question the amount of thought that went into them. Nebraska Realty is the listing agent for the property according to persons who answer the phone there, and thus the letters were written by people most likely to earn a commission on the sale

to the applicant. This built-in conflict-of-interest, an interest not disclosed in the letters, further reinforces the laughable nature and wanton poor quality of execution in putting the application together. Nebraska Realty is a member of the National Association of Realtors ("NAR") according to their website. NAR has published an array of articles and studies that note that casinos lower the value of residences. This project WILL lower values in Lochland and Cimarron and beyond and as noted prior, will lower property values to the west, and to the east. Think of it as 360-degree residential property value destruction.

8. The proposal comes at a time when there currently are no state laws or regulations that govern the conduct and operations of casinos. We have no codes in place that contemplate the unique land use aspects of casinos such as 24/7 operation, alcohol and drug consumption, security concerns, and otherwise. Atop that we have a speculative and poor-quality application that lacks details. Numerous studies that should be done are missing, such as a water retention/detention study. The studies and information that are provided are aligned with the low quality of the letters allegedly documenting the effects on property values.
9. The business prospects for this casino are poor. The Grand Island casino, which news media suggest will bear an investment as much as five times what the applicant states for this development, already have a website and the renderings of it are much nicer than what is seen in this application. The Lincoln casino proposal looks to be the same. This developer already has received planning approval for a horse track and casino in North Platte. The business prospects and market potential of a casino and horse track in Hastings only exist locally, and perhaps extending south to Kansas, where there already are Indian gaming facilities. The prospects for this casino are not good, and if it folds, we would have a single-use abandoned facility sitting at the entrance to our City. This is the wrong location!

There are alternate locations elsewhere in the City. This is not the only location. The Comprehensive Plan sets forth an array of Employment Hubs and many of those areas may suffice to meet the developer requirements. I would appeal to the Commission, City Council, and staff that regardless of location, the quality and scope of any application for these uses must be far better than what was seen here.

On another level, I urge staff to contemplate the development of comprehensive standards in Section 34-404 of the City Code that would specifically address the land use considerations for a casino and horse track. That would allow staff time to adequately study and draft policies in conjunction with other stakeholders such as police and fire, and the community at large.

In closing, I urge the Commission and City Council to hear this proposal now, and to once and for all end speculation of this land area for use as a casino and horse track. It is the entrance to our City and this is not the way we want to welcome people. We do not want to destroy the natural land development pattern that is already underway.

Sincerely,

Timothy O'Keeffe

Enclosure:

1/12/2022

From:

**Dr. Raul Franco and Dr. Allison Kern
3812 Lake Park Ln.
Hastings, NE 68901**

To: The Hastings Planning and Zoning Commission and The Hastings City Council,

I am writing this letter in protest of the rezoning and of the planned development of a horse racing track and casino North of 42nd St, East of Baltimore, West of Burlington, and South of Madden Dr.

I am a small business owner, an Air Force veteran, a husband, and 10 months ago I became a father. Becoming a father is the proudest moment in my entire life. Never before have I understood the importance of a foundation of family values.

Before I moved to Hastings I was slightly nervous because we had made a choice to settle in Hastings for a lifetime. Since then I have never looked back or carried any regrets. This is because I began to realize what living in Hastings is all about. I began to uncover what this community means to the people that live here. Simply put, I realized that Hastings is a home for good, family oriented, hardworking, common-sense people and is treated that way by those that live here.

In a world where aspects of society are becoming completely unrecognizable from better days in the past, Hastings stands strong as a testament to what can be achieved by good people appreciating the simple things in life; the things that matter. In essence, it is a product of cherishing 'the good life'. Hastings is more than just a small town, it represents the last frontier of family, community, respect, tradition, and hard work. It is an unbreakable family beacon that stands dead center in the middle of the country. That is what makes Hastings so special. That is what we all are blessed to call home.

When I was notified that there were plans of a casino in Hastings I immediately thought of my son and all the other families in this community. A casino will have terrible socioeconomic impacts on this community (especially in that location). It is proven time and time again in many cities around the country that allow these budget casinos to be built in the backyard of wonderful communities.

The proposed area is one of the top areas of home growth and development left in this town. The casino would essentially kill that momentum and take some of the best real estate in Hastings. No one would ever want a casino built in their backyard and there are obvious reasons for that. There is noise pollution and light pollution. There is copious amounts of drinking and gambling. Casinos do not foster or reinforce family values and are not safe places for children to live around. Furthermore, there are evidenced based studies that show that casinos reduce neighboring property values in a radius of one mile by up to 10% and it could be more. Absolutely no one wants a casino in their backyard, so please do not put one in ours.

Why would one allow a casino to be built in an area that is completely surrounded by residential homes? I imagine the answer to my question is money. I am certain that these planners/realtors/developers, etc. will tell you that this casino is going to bring in so much tax money for this city that we can build new schools, new roads, and perhaps even a new fire station. The numbers that they use are outlandish. For example, 650,000 visitors annually are suggested would visit the casino. If you do math, that amounts to just under 1800 visitors every single day for 365 days a year. This would be saying that this tiny budget casino in Hastings, NE will attract more visitors in a year than Memorial stadium does in a football season! Moreover, there will be a 110-million-dollar casino approximately 20 miles north of this proposed location that people will choose to go to instead. These are only two obvious reasons why this estimate is wishful thinking at the very least and near impossible at the very best.

I would encourage that our leaders vote against rezoning one of the most valuable residential areas of our community to outsiders for the promise of money. The families of Hastings can find more effective and more family-oriented businesses or recreational ideas to produce revenue and experiences for our city and our community. The new YMCA Capital Campaign is a great example. With only a small number of donors (less than 300) our great community has been able to raise over \$11 million dollars and are on track to reach a goal well above \$13 million dollars. The new YMCA project offers an impactful and beneficial opportunity for this community that will contribute services for health and wellness to families in the area. We have the capacity to build great projects here when we work together and keep our core values centered in our projects. Let this be an example of what we are capable of and let us find better ways to build upon the community development plan.

A casino does not come close to satisfying what this wholesome community thinks is good for the future of our families. In fact, over time casinos become leeches on the communities that they sit in. They are places that attract transient populations, people struggling with addiction, and people who are encountering financial hardship. The casino does not provide positive effects on a community. In fact it does the exact opposite and it takes the largest toll on our most vulnerable populations.

Another reason why one might be considering voting in favor of this project might be jobs. These developers claim they will bring 110 jobs and pay out \$2.5 million in salary money. This amounts to \$22,727 as an annual salary for 110 families. The annual salary in Nebraska that is considered to be the poverty line is \$26,000. This means that this casino will be offering 110 families, salaries that fall below the poverty line. That is in no way good for our community. It is setting up families to be in a position where they can hardly support themselves. Our school systems currently have approximately 60% of students on free and reduced lunch. If you add another 110 families that will be well below the poverty line, it greatly stresses the systems in place to help those most in need. We can find other avenues that promote revenue and build families at the same time, while not breaking them or the systems that support them.

It is easy to get caught up in the blue sky offers that these developers have mastered presenting. However, please keep in mind that the downside is so much worse than the upside. If you put a casino at the front door of our town, Hastings may be known as just another casino town. In 5 years when the paint starts to fade, and the lights start to burn out, and trash starts rolling across the parking lot... We will be left with a dump of a casino right in the entrance of our beautiful town. It will lie in waste right in between what could have been a thriving community of families and opportunity. The face of our entire family-oriented town will become defined by this casino that contradicts everything we stand for.

Hastings is my home. Hastings is our home. Let's work together to keep it a hardworking, family-oriented town. Putting a casino dead center in the heart of our homes, goes against everything we believe in. No amount of money is worth that. Please think of all of our families when you consider your vote; The decency and character of Hastings is dependent on the family values that have kept this town head strong for over 100 years. Do not support the rezoning or the casino development, or this town will be changed for the worse, forever.



January 12, 2022

TO: The City of Hastings, Development Services

RE: Concern of Casino

My husband and I just moved from Omaha to Hastings exactly one year ago. We cannot be more thrilled to be here and we love the slower pace of life and the ease of small-town living. The thing we love the most about our lives here is our home. We found a beautiful home that we are so comfortable in and we LOVE that it backs up to the cornfields. We love the peace and quiet, and we have enjoyed the first year of watching the planting, the crop dusters, watching and feeling the center-pivots go by, and harvest. The serenity of the quiet, open, beautiful countryside offers us such serenity in our lives.

We are extremely disheartened to learn of the possibility of a casino in our backyard. We did not move to Hastings and escape the big city to turn around and have the hustle and bustle of traffic, pollution (trash, noise and light pollution) of a casino in our backyard.

I spent many years as a single mother struggling to get by. I lived in low-rent apartments where I could hear neighbors talking through the walls, people stomping around on the floors above me, doors slamming, partying late at night, I even had an apartment that was on the backside of a local bar/restaurant that dumped glass bottles and trash into the dumpster at 2:00am at closing time. Both my husband and I have worked very hard over the years to get ourselves into a better place which is the home we live in now, and are sick to find we may encounter the very things we work so hard for to be away from.

I believe everyone's home or living space is sacred to them. I am not saying mine is better or more deserving than anyone else's, I just happen to be in this unfortunate location of a proposed casino. My home offers me serenity, peace of mind, and essentially, quality of life. If a casino shows up in my backyard, these things are robbed from me. I hoped this would be my forever home but I will not be able to live with these conditions, and will look to find a new place to live....and again I will be robbed because there is no way I will get out of my house what we have put into it. Why on earth would someone voluntarily pay for a home KNOWING what they are getting as a backdoor neighbor??

I understand the desire to bring a casino to Hastings. I can see the value but I just don't understand why it needs to be in the back of a long-standing, well-established family neighborhood? We are certainly not land-locked here in Hastings, why can't more consideration and thought be put into finding a more mutually-acceptable place for the entire town and everyone who makes this their home?

I truly hope that people's voices are being heard and considered, Hastings is our home too.

Respectfully,



Sarah Allen

5003 Jordan Way



Tuesday, January 11, 2022

From: Charles D. Bauer, DDS

1015 North Share Drive

Hastings, Nebraska, 68901

To: The Hastings Planning and Zoning Commission

The Hastings City Council

You are about to vote on rezoning a large block of land north of West 42nd Street and west of HW 281. The land as I understand it is zoned light commercial along the highway and residential to the west of the property. The proposed new owner wants the property rezoned so that a casino and race track can occupy the site.

The purpose of this letter is to register my opposition to the proposed rezoning for the casino- race track and keep the current zoning in force. The reasons for my opposition are as follows.

1. The long-range plan for city growth has always been for residential and small business growth to develop to the north. The casino-race track would discourage future residential development along this corridor. I would suggest that most of the residential growth for the past 10 years has been to the north of Hastings. The proposed casino-race track would at the least discourage future residential development and the most stop crush future development to the north of Hastings.
2. The proposed casino and race track is surrounded on three sides (north, east, and south) by residential property. The current property owners built or bought housing in these locations anticipating future residential development. This was known to be in accordance with the long-range plan. This is the plan past city councils and zoning commissions helped develop and work toward. These Hastings citizens did not anticipate a casino, a race track or any industrial commercial building project to occupy the property adjacent to their homes. Why should they?
3. I would like you to consider the future tax base of this area. Would the City of Hastings be better off with a single day per year horse track on this land or would it be better off if this property were developed with housing for future Hastings's citizens? If this land is taken away from residential development, where do you propose the housing development goes?

Please choose and vote wisely. The wrong rezoning vote can change the face of Hastings for years to come. There has to be more suitable locations for the casino-horse track to be located.



Wednesday, January 12, 2022

Planning and Zoning
c/o Development Services Office
City of Hastings
220 N Hastings, 1st Floor
Hastings, NE 68901

We moved to Hastings in 1985 and raised our three children in this community. Despite growing up in other communities, we consider Hastings home, and now that we are retired (with children and grandchildren here too), we plan to live out our days in this town. In short, we love Hastings! This is why we are adamantly opposed to the proposed horse track and casino.

There are many reasons to oppose this project, here are a few:

- This project will stop future growth both at Lochland and Lake Hastings. **Would YOU build a home near a horse race track and casino?**
- This project is destined to be a total failure. With Fonner Park and other casinos in Nebraska communities, there are only so many gambling dollars available. In 10-15 years (if that long), this failed project will have weeds growing up around the horse track and barns at the entrance to our city.
- This project will not bring outside dollars to our community. With gambling casinos all up and down the I-80 corridor, what chance does Hastings stand to attract outside dollars? This project will only suck dollars out of our community and send them to Oklahoma.
- This project will undoubtedly increase the crime rate in our community and increase the poverty level.
- This project will put tremendous pressure on our school system.
- The social cost to our community will far outweigh any revenue generated.
- This project simply does not fit the culture of Hastings. We have 3 very good school systems, 2 outstanding colleges, and many individuals (now and in the past) who have worked diligently to make Hastings a safe and family-oriented place to live. Let's not shoot ourselves in the foot with this project for growth at any cost.

Thank you for your time. If you have questions or would like to speak with us, our phone numbers are [REDACTED]

Respectfully,

Handwritten signatures of Bill and Tanya Lindsteadt in blue ink.

Bill & Tanya Lindsteadt
1114 Country Club Drive
Hastings NE 68901

Daniel & Kristi Sheehy

1/12/22

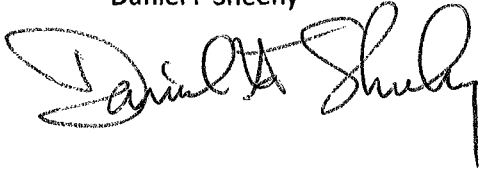
1132 Highland Drive

Hastings, NE 68901

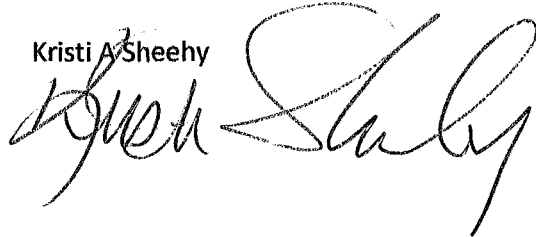
We are writing this letter in opposition to the proposed Casino and Race Track in its proposed location. We feel this is not the best use of this property and does not align with the Comprehensive Plan of the City of Hastings. We are also against the Conditional Use Permit within the new proposed zoning. We feel it will have a negative impact on the valuation of our property.

Thank you for your time,

Daniel F Sheehy

A handwritten signature in black ink, appearing to read "Daniel F. Sheehy", written in a cursive style.

Kristi A Sheehy

A handwritten signature in black ink, appearing to read "Kristi A. Sheehy", written in a cursive style.

Mark and Cathy Phillips
1411 Highland Drive
Hastings, NE 68901

01/12/2022

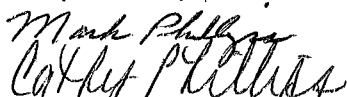
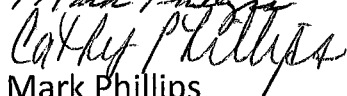
Members of the City Planning Commission,

Our names are Mark and Cathy Phillips. We are lifelong residents of Hastings, Nebraska and we are writing this letter to inform you that we are completely opposed to the proposal to build a casino and horse racing track at the site of 42nd Street and Highway 281. This proposed location is at the "gateway" of our city. This is the wrong location for our town, our community values, and for the future growth and development of this beautiful, family-oriented city.

The proposed site does not conform to the comprehensive city plan for development, nor do we believe that this type of business will be sustainable long term at this location. There has been a horse track in our community in the past. It did not last. Our neighbors 22 miles to the north are planning to build a \$100 million dollar hotel casino resort attached to an already existing and well-recognized horse racing operation. In the research we have done, and specifically, by the National Bureau of Economic Research, four years after this type of project is completed, bankruptcy rates, violent crime, auto thefts, and larceny are up 10% in counties with a casino.

Thank you for your time and attention to this matter. We hope you will do the right thing for our community.

Respectfully,



Mark Phillips
Cathy Phillips

To: Hastings Planning and Zoning, Hastings City Council

January 12, 2022

From: Patrick Kern

Re: Protest to Proposed Rezoning and Conditional Use Permit for Horse Track and Casino

I would like to officially state my objection to the proposed horse track and casino project suggested to be built on the property between Hwy 281 and Madden Road.

I have been a homeowner at Lochland for the past 12 years. When I purchased my home on Loch View Drive in 2008, Madden Road had not been extended and the land behind me was a cornfield. Since that time, I have counted at least 25 new homes built in my neighborhood. It has been one of the fastest growing areas in the city. The same goes for the area known as Cimarron Meadows on the south side of 42nd St. The proposed casino area is located directly between the fastest growing residential areas in Hastings. A casino/racetrack on this property would effectively end the growth in this part of town which is arguably one of the most desirable places to live in Hastings. This would not be a sound planning strategy for our city.

The negative effect on property values in the area is another huge concern. A study done by the National Association of Realtors has concluded that the impact of casinos on local property values is "unambiguously negative". The negative impact on home values in the area can be very significant- "ranging in the neighborhood of 4 to 10 percent" according to the study. Increased traffic congestion, noise, trash, and crime are all of great concern.

Grand Island has already approved a 110-million-dollar project to build a casino/hotel at Fonner Park. This is clearly on a much larger scale than the facility proposed in Hastings. It is a mere 20 minute drive to Fonner Park -why would people come to Hastings to gamble when a Vegas style casino is only 20 miles away? The saturation of casinos in Nebraska will lead to failure of many of them. When the proposed casino goes out of business due to gambling competition from across the State, Hastings will be stuck with a "white elephant" on one of the most desirable pieces of property in the city. Future growth of the city will die with it.

This property is the "front door" to our city. Is a casino and race track the image we want for Hastings? I say no.

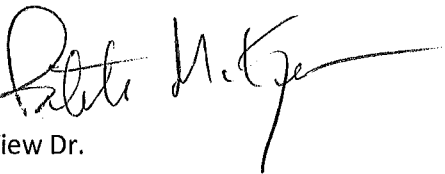
Please vote AGAINST the Proposed Rezoning and Conditional Use Permit for the Horse Track and Casino.

Sincerely,

Patrick Kern

1307 Loch View Dr.

Hastings, NE

A handwritten signature in black ink, appearing to read 'Patrick Kern', with a long horizontal flourish extending to the right.

Hastings, Nebraska
January 11, 2022

City of Hastings Planning Commission
220 North Hastings Ave.
Hastings, Nebraska

Dear Members.

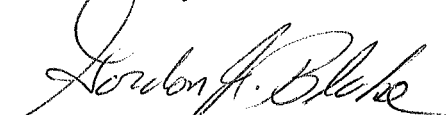
I have recently become aware of efforts to establish a casino and horse race track in the open area between 42nd St. and Madden Rd. Living at 806 Madden Road, I am opposed to a casino and race track in that location. We moved to Hastings about ten years ago. If there had been a casino and race track in that location at that time we would have moved to Kearney instead of Hastings.

I understand that the Adams County Fair Board turned down the request to put the proposed track and casino at the Fair Grounds, because they had worked hard to make the events there family friendly and aligned with community values. In a similar manner there is currently a facility near the proposed casino that is family friendly and aligned with community values. That is the Softball complex. It provides a very wholesome welcoming image of Hastings. That would be offset and diminished by a casino more or less across the street from it.

Beyond initial construction employment, it is unlikely that the casino and race track will create many good jobs. Furthermore, with a much more elaborate casino being developed in Grand Island, it is difficult to see how a casino in Hastings can be financially successful. If it is constructed in the proposed site and then fails, the city of Hastings will be left with an unsightly mess to clean up.

I am not totally opposed to a casino and race track, but I am opposed to the proposed location. If it was located well away from residential areas I would not promote it, but neither would I oppose it. If some folks want to make, what appears to me, to be a highly risky investment that is their business.

Yours truly,



Gordon J. Blake, Ph.D.

806 Madden Rd.
Hastings, NE 68901
January 12, 2022

City of Hastings Planning Commission
220 North Hastings Avenue
Hastings, NE 68901

Dear Members of the Planning Commission,

I am writing to voice my opposition to the proposed location of a horse racing track and casino in my neighborhood (between 42nd Street, Highway 281, and Madden Rd) . This location is next to my residential area. I am also concerned about the unrealistic figures in the development plan.

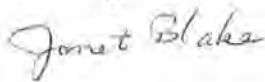
Our area, on occasion, has the smell of feed lots when the wind is blowing from the southwest, noise from the train tracks that are 1.5-2 miles to the south, and noise from the race car track clear over from the southeast side of town. If 400-600 horses are stabled across the street from my house, the quality of life in the neighborhood will be severely affected by the smells from manure, noise from the operation, and blowing dust. No empty mitigation measures such as a buffer of trees, would improve the situation, nor block the visual eyesore while we wait 15-20 years for the trees to mature. I already have trouble entering and exiting Hwy 281 from/to Madden Road at certain times of day. This establishment would only make it worse.

The proposal estimates 650,000 visitors a year or 1,780 people a day. Where will the patrons come from? Grand Island is building a bigger casino with more gaming tables, entertainment areas, and multiple restaurants. Anybody in the tri-city area is going to find the Grand Island's casino more attractive than the Hastings casino, including many Adams County residents. We are only 24 miles away.

The jobs the casino would create appear to be low paying jobs for clerks, cashiers, cleaners. The developers estimate the income to their employees will be about \$25,000/person which is below the poverty level of \$26,000 a year (based on developers' estimated annual salaries divided by estimated number of employees). Does this benefit Hastings?

In conclusion, I believe most residents in Hastings do not want a casino/race track in their residential area, because of the concerns I have listed. Couldn't the casino/race track be placed on the edge of town, away from residential homes? The estimates in the developers' plan about attendance and income seem wildly unrealistic. Casinos placed close to other casinos do less well financially. What happens if the casino/race track fails? Please do not rely only on the developers estimates when they only want to sell their concept.

Sincerely,



janet Blake

January 11, 2022

To Whom It My Concern:

My husband, Doug, and I moved to Hastings over 35 years ago in what we thought was going to be a three-to-four-year commitment. Now, almost 40 years later, we are still here and consider Hastings our "forever home". What lured us to Hastings, initially, was a job opportunity. What has since kept us here is the quality and standard of living that Hastings has offered through the years. From the two colleges, three high schools, Mary Lanning hospital/medical community, downtown renewal, museum and Duncan Field—to name a few—Hastings is unique and has a great deal of "good" to offer future families. Allowing a casino/race track to be built anywhere in our town is a bad omen. Putting it at the entrance to our community is unconscionable for the family element. Please consider thoughtfully the effect on our community that a casino would bring.

Thank you,

A handwritten signature in blue ink that reads "Lorri Oakeson". The script is cursive and fluid, with the first name "Lorri" and last name "Oakeson" clearly distinguishable.

Lorri Oakeson
1205 Country Club Dr.
Hastings, Ne 68901

January 12, 2022

Dear Planning and Zoning,

I have lived in Hastings for 44 years and currently consider this a great place to live. A recent concern of mine and a concern of every neighbor and all my friends is the consideration of a horse track/casino located at the entrance to our community. It does not make sense to me, and to everyone I know, that this would even be a serious consideration by our city zoning commission and council.

After reviewing the application for requested changes, I notice several "facts" stated couldn't be substantiated and seem to me to be "pie-in-the-sky" generalities not related to our community. For instance: How can the stated customer traffic to this installation be even close to the figure in the application - - that this would draw over 650,000 people a year (that would be 1780 people per day for every day of the year) which is an estimate that would be unattainable in Hastings, Nebraska no matter how far away they draw customers. And, with another casino 23 miles away, which is to be larger and more elaborate, the chance of a Hastings casino going belly up is a high probability. Would the big money behind this issue even care if the local casino goes under? I don't think so, since as I understand it, they simply rent all the equipment to area operators, and if it goes under simply moves their equipment to some other location. Another observation is that the proposals for Gering and North Platte are using the same renderings, statistics, etc. as for Hastings.

How much of a "community citizen" are the local people pushing this idea? How many civic organizations, local charities, schools, museum, library, hospital and social assistance organizations do they help support? I don't see their names on donor lists.

I think their requests are self-serving and not in the best interest to the Hastings community. And, even if city council insists they want to take this blind plunge into a casino operation, the current location is completely wrong for a family-oriented community like we have now, and will change the image for Hastings in a negative way. And, my opinion is that any endeavor like this does not belong in a residential area.

Please reconsider both approving a casino operation, and also the location presented in the current applications.

Sincerely,



James (Jim) Lewis
816 Madden Road
Hastings, NE 68901



January 12, 2022

Development Service Office
220 N Hastings Avenue
Hastings, NE 68901

To Whom It May Concern:

I am writing to voice my objections and concerns about the proposed Race Track and Casino being built behind my place of residence at 727 Madden Road. There are many negative aspects to this development and the proposed location.

My first concerns are the financial detriment to surrounding homeowners and loss of quality land for housing. The property value of homes in this area would plummet, as well as, the ability to market and sell homes in the future. Also, this section of land would provide excellent residential growth with the shortage of housing that we are currently experiencing. When we purchased our home over 14 years ago, they even stated that the land behind us was earmarked for residential development.

Setting this track and casino next to our nicest golf course and Country Club used as a venue for many weddings and gatherings would be damaging to their business. Our community would take another hit for our already limited options of venues in Hastings. Especially those that can offer food and drink on site without the need to cater. The smells, noise, and traffic level would lower the standard of living in this region. Yet again, compounding all of the aforementioned issues.

My final concerns are that our welcoming entrance to those visiting our city would be that of gambling and betting. The appeal of our Community with the improvements and new businesses in both the Cimarron Plaza and the downtown shopping area would be wasted. Why not pull visitors further into Hastings or even through the city to the southern side so they could see all that we have to offer?

Sincerely,



Carol Brouillette
727 Madden Road
Hastings, NE 68901

COMMUNITY REACTION

NO CASINO

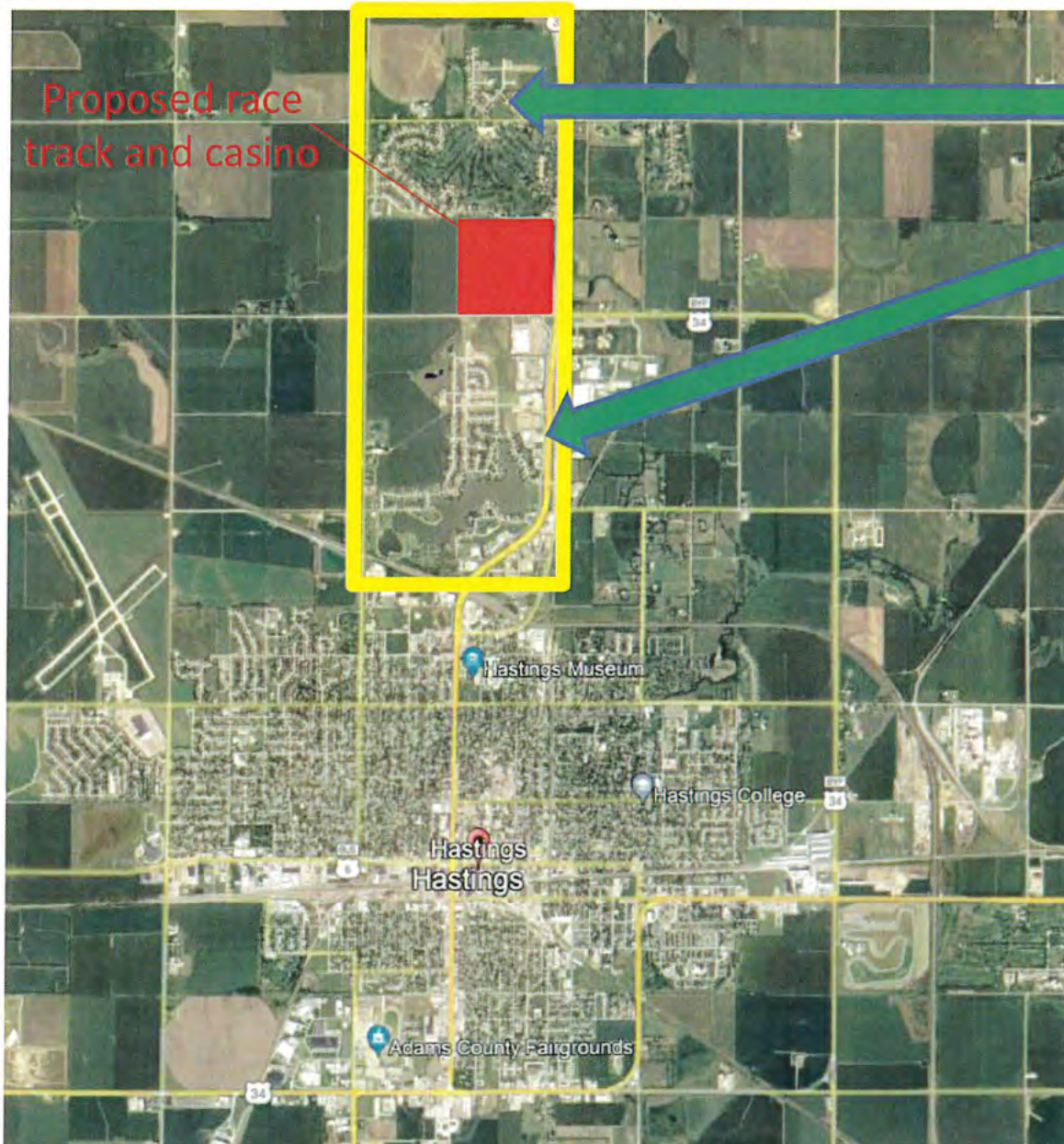


I ♥ HASTINGS!

HASTINGS' GREEN FIELD

NO CASINO

Proposed race track and casino



According to preliminary data analysis of single family building permits issued in the past five years from an Official Information Request obtained from the City. In the designated area noted....

Appr. **70%**

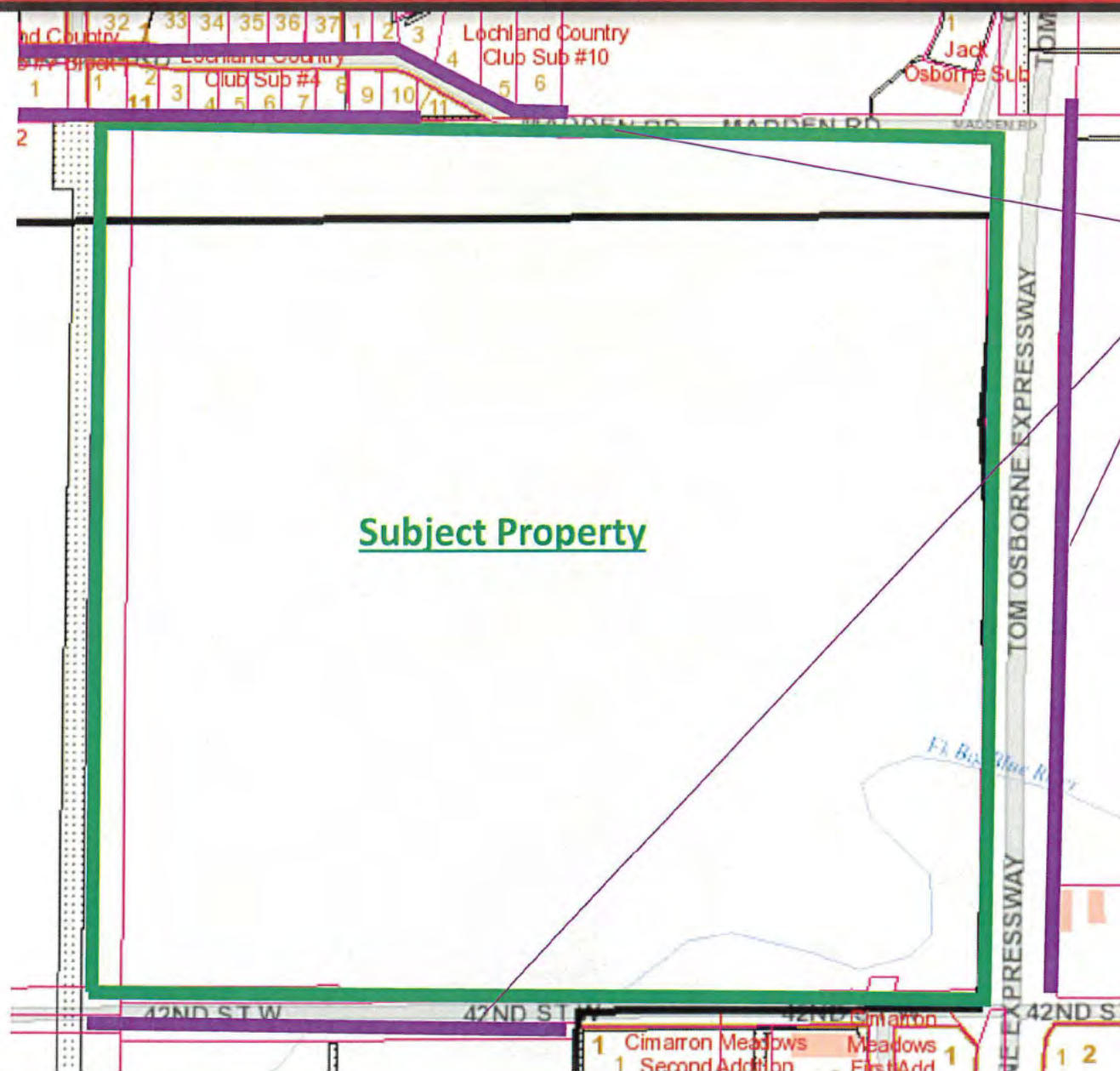
of single family new construction building permits were issued of the total of all such permits.... accounting for

Appr. **90%**

of estimated value **I ♥ HASTINGS!**

OFFICIAL PROTEST

NO CASINO



Official Property Owners Protest

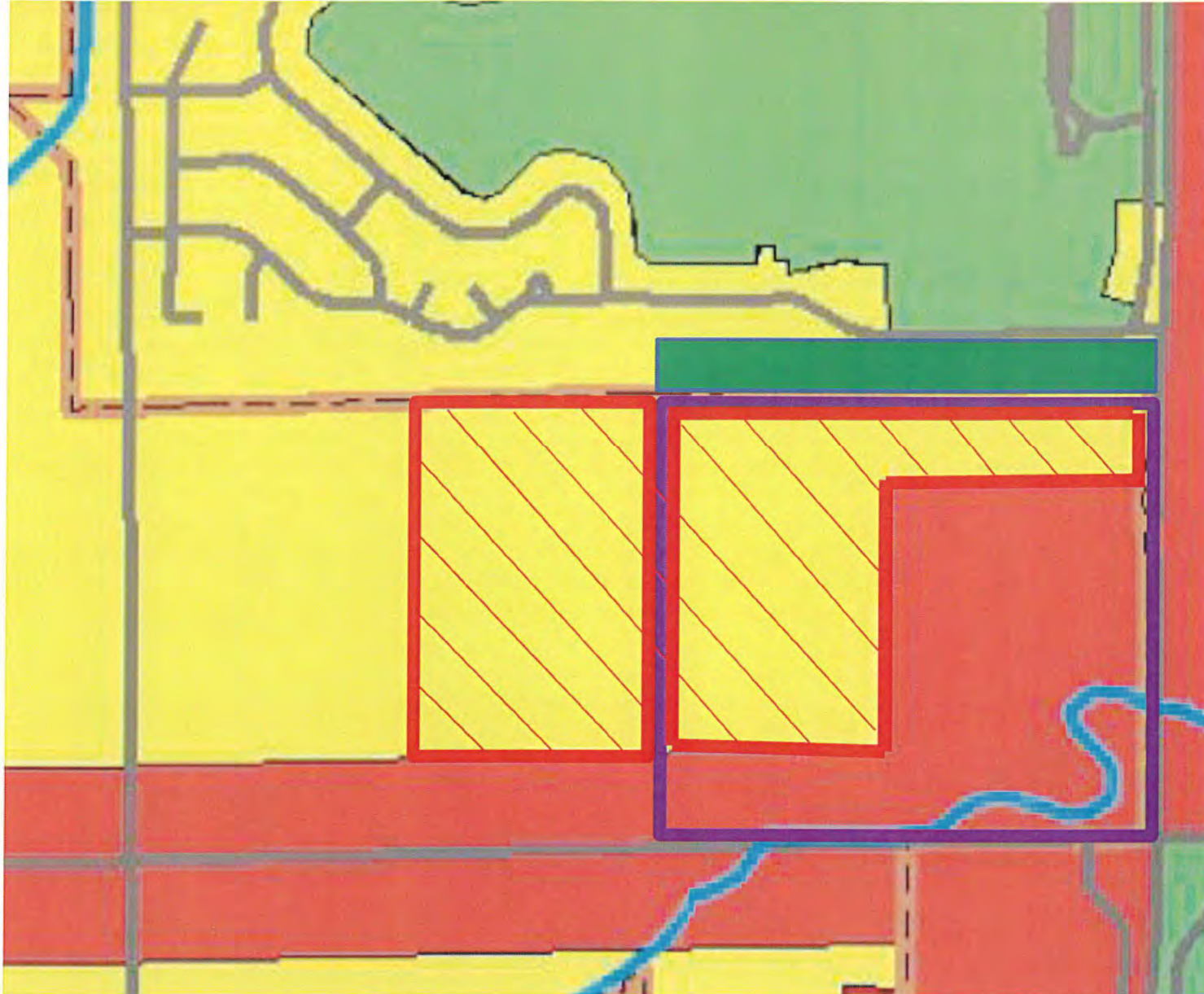
Estimated 50% plus signees
versus 20% requirement

I ♥ HASTINGS!





- Not being platted and actually zoned to R1, R1A.....
- Likely not developable for residential
 - Requires Madden Road access and paving of streets
 - Requires sewers and utility infrastructure
 - Unlikely the developer can recover development costs and make a profit, nor price lots at marketable rates
 - Lots would either face or back up to horse track, or US 281
 - Fonner Park experiences suggest lots/development would not be salable
- **RESIDENTIAL IN NAME ONLY**



- With the presence of horse barns, a race track, and casino, including a parking lot, lands to the west will not be practically developed to residential, which was the intent of the Comp Plan
- Approval of this application destroys Hastings' most important and lucrative residential development corridor
- Approval of this application is not aligned to the Comp Plan

I ♥ HASTINGS!

LIGHTING

We do not intend to have track lights or pole lights or stadium lights - the traditional kind of lights that would illuminate a racetrack similar to those found at high school sports fields. Because we will run races predominately day races in May-June time frame we will not need to have the lights that could lead to light pollution.

**In a survey of Oklahoma casinos (approximately 140) all but two are open 24 hours per day.
2 casinos had operating hours 9:00 am – 2:00 am**



I ♥ HASTINGS!

APPLICATION REVIEW

NO CASINO

Lights related to signage on the Casino itself will be located on the front of the building which is that side facing south toward 42nd Street and will not be visible by the residences to the north in Lochland.



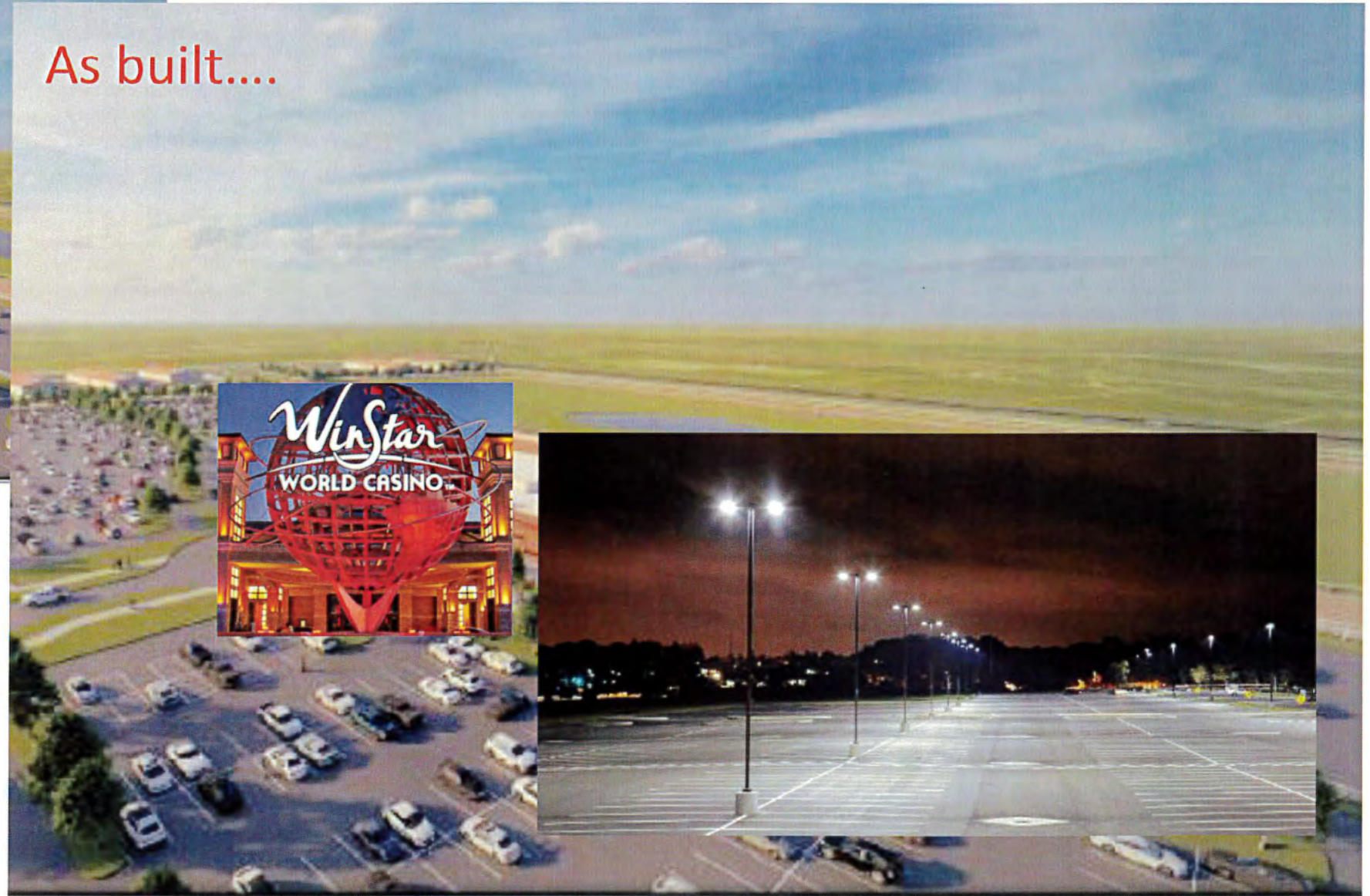
APPLICATION REVIEW

NO CASINO

Conceptual Plan to
get zoning....



As built....



APPLICATION REVIEW

NO CASINO

ATTACHMENT #6 - REALTOR OPINION LETTER #1



December 20, 2021

City of Hastings Planning Commission
Attn: Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Re: Proposed Casino and Racetrack - 4555 W. Osborne Drive

Planning Commissioners:

I am a licensed seller of all kinds of an opinion related to presented materials also seen building as proposed.

I am familiar with property both bordering property.

After considering speaking with thousands of proposed \$30 million horse racetrack and surrounding property

In fact, if any developers render it true not only for the be one of the most carefully analyzed today and as it has

In other words character of the project be facing South town from the existing lot

The majority of the property in question is designated for commercial sense given its orientation on the Expressway and the adjacent commercial

Further researching the project and speaking to those in our community positive comments about the millions of dollars in tax revenue that will million to go directly to property tax relief. From my years of experience taxes are one of the factors buyers used to differentiate between properties this project can only help reduce property taxes in our city and our county all residences not only those north of the subject property.

A misconception about this project may be related to the amount of racing and the features of the racetrack completion per year. In they are no grandstands

the racetrack completion per year. In they are no grandstands

it is being a project models re: Commission experience

Michael Engelhardt
Nebraska Realty

17117 BURT STREET | OMAHA, NE 68118 | 402.421.0100 | NebraskaRealty.com

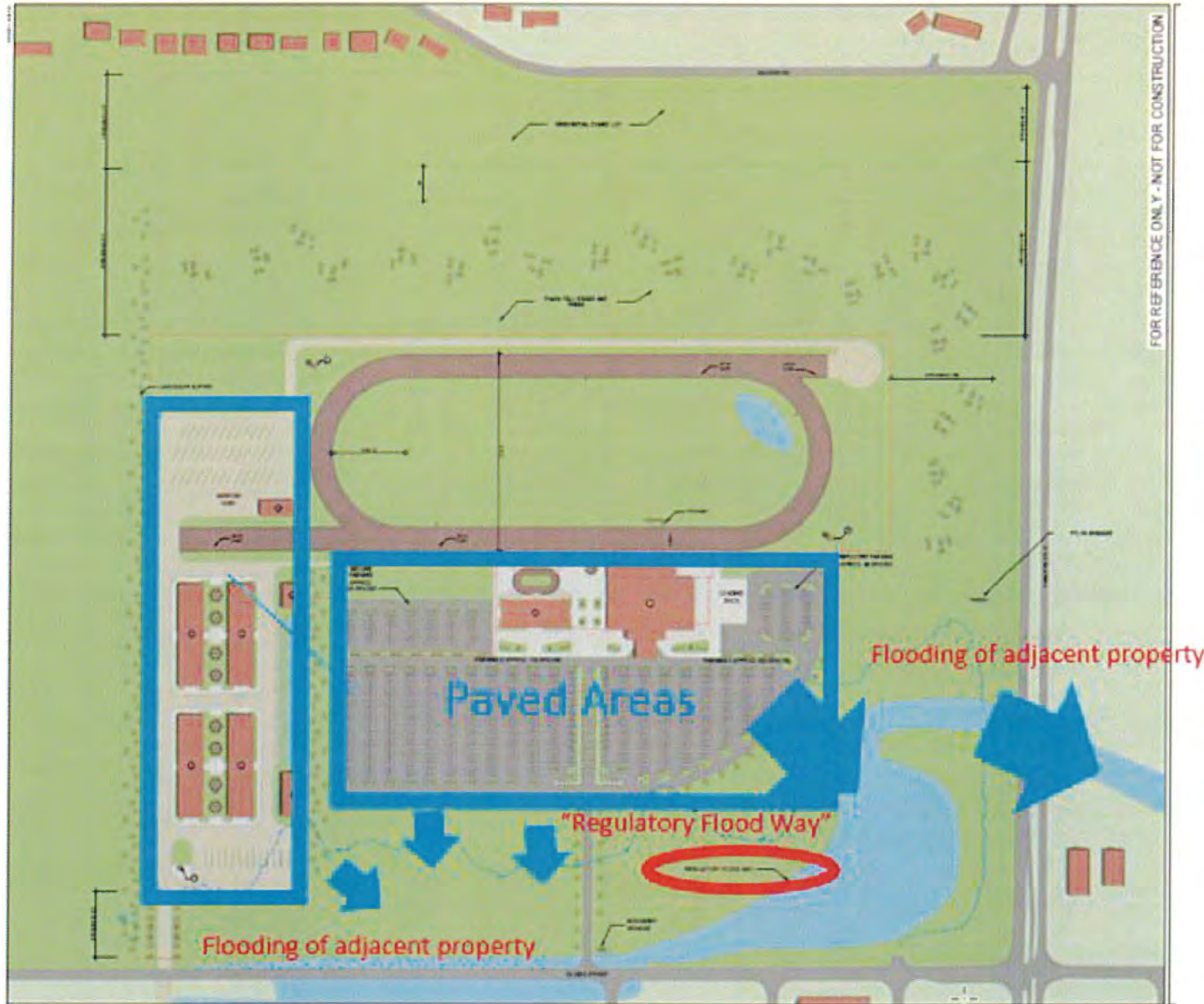
Economic Impact of Casinos on Home Prices Literature Survey and Issue Analysis NAR Research



Casinos are likely to have negative impacts on nearby home values. Commercial properties—such as casinos, shopping centers, and infrastructure projects-- can produce both positive and negative externalities. The positive externalities such as enhanced amenities and benefits need to be evaluated in relation to the negative externalities such as increased congestion, traffic, noise, etc. The overall impacts are site specific, generally negative near the casino.

"Casinos are an attractive nuisance, nuisances on home values," Jed Smith, of the National Association of Realtors, said when citing the "Economic Impact of Casinos on Home Prices Literature Survey and Issue Analysis." "The impacts are negative – the positive benefits are minimal but the negative impacts are substantial."

I ♥ HASTINGS!



- No state laws in force
- No codes in place
- Insufficient detail in application
- Enforcement via Development Agreement, really?

BUSINESS PROSPECTS

NO CASINO

GRAND ISLAND
CASINO RESORT

[Home](#) [Community](#) [About](#)



Welcome to the future home of Grand Island Casino Resort™

I ♥ HASTINGS!

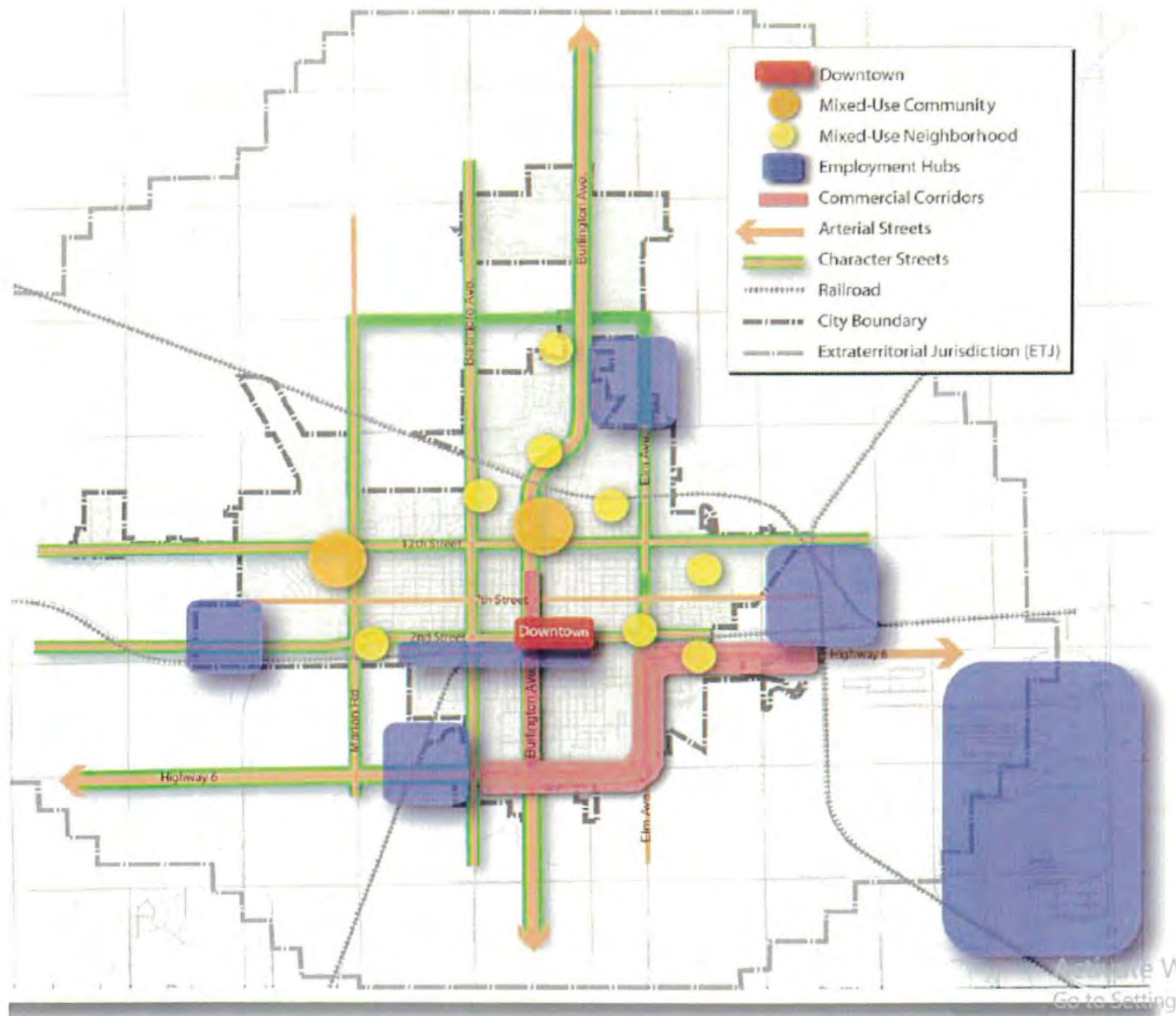
WHAT'S THE ESCAPE HATCH?

NO CASINO



ALTERNATIVE LOCATIONS

NO CASINO



Perhaps the right idea!

but the

WRONG LOCATION

I ♥ HASTINGS!

January 14, 2022

Development Service Office
220 N Hastings Avenue
Hastings, NE 68901

To Whom It May Concern:

Since graduating and moving away from Hastings, I have taken countless friends from all over the state and country back to Hastings to show them my home town. One of the main aspects that I try showing and emphasizing is the elegance we have as a small town but with a home feel to it in every sense. The people are a large aspect of what make this place feel like home and simply the culture of Hastings is just so welcoming to all.

If we were to install this race track and casino, the culture and quality of people who will be coming to Hastings and who it will be attracting will be very different and less value based than the current mentality we have in this community. By nature, gambling can bring on a lot of bad habits that are not very family friendly including gambling addictions, drunkenness, possibility of increase in violence and accidents, and overall, just a lack in morals that are beneficial for the community.

Adding this casino will not add true value to the town of Hastings. It will not add a sense of pride to the members of this town. It will not bring in people who have similar respect and understanding for small town culture and the importance of community.

In the logistics of it, Hastings is not a staycation type of town for tourists. People will not travel from other large states to come to this casino in Hastings. They will go to places with more that culture. We do not need to be that location for other people because that is simply not what we are about. If you want to bring in more genuine people to come, continue to fix what we have and make the improvements that increase the value of living in Hastings. Continue to remodel the downtown, continue to build businesses on Burlington, and continue to make new projects like renovating the old mall to the new amazing plans. Do not bring in these flashy attractions that might attract people on the weekends. We have good things now that don't need tarnished.

Drive around any area close to the field where it might be built. There are countless signs that are very much against the casino because everyone knows how much it can affect them directly through property costs, but also indirectly by the risk of what the casino could be bringing into this town. There are so many families in close proximity to the field who might not feel as safe as they do now.

Sincerely,

Jacob Brouillette Age 19

Jacob Brouillette
727 Madden Road
Hastings, NE 68901

Timothy J. and Carol Q. O'Keeffe

1809 North Elm Street

Hastings, NE 68901



January 14, 2022

Zoning and Planning Commission

City Council

Mayor

City Attorney

Development Services Staff

City of Hastings

Hand-Delivered

To Whom I May Concern:

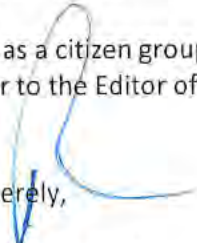
I am writing to object to the apparent yet again tabled application for a Conditional Use Permit and rezone of a land area north of Walmart for a casino and horse track. This matter either needs to be withdrawn entirely by the applicant, or heard and voted on. If this is tabled or held, we can expect yet more invested hours by all—which will be for nothing.

This matter continues to occupy staff and citizen time as the developer works to improve what was a poor-quality, poorly-conceived, and poorly executed application, atop our opinion and perhaps that of staff that thought this was a bad idea in the first place.

I hope you all consider the trust factor here—trust not in ethics, but trust in competence. This is incompetence by the developer and we demand a hearing now.

Thanks for your servitude to our community and we as a citizen group opposed to this location will continue to fight like hell. I am attaching a Letter to the Editor of the Hastings Tribune for your careful consideration.

Sincerely,



Timothy O'Keeffe

Enclosure:

Letter to Hastings Tribune

Timothy J. and Carol Q. O'Keeffe

1809 North Elm Street

Hastings, NE 68901



January 14, 2022

Hastings Daily Tribune
912 West Second Street
Hastings, NE 68901

Dear Editor:

I am writing to publically commend the convictions of the citizens of Hastings in regard to promoting and cultivating our culture and way of life in perhaps the best small town in Nebraska. One only has to drive downtown and see the many historic structures and vibrant redevelopment activity. We love our community.

I believe that part of the "secret sauce" that has yielded such a fine place is calculated restraint. I personally have had the opportunity to observe such restraint recently in my thorough and exhaustive review of the proposed casino and horse track north of Walmart. In addition to reviewing in detail the developer's application and supporting documentation, or perhaps better said, the absence of proper supporting documentation, I along with colleagues with personal interest in such matter have determined that this casino and horse track is a bad idea.

I learned today that as a result of our grass roots efforts to contest the proposal, that the developer has yet again asked to delay consideration. This request came on the heels of the publication of the official information packet for the January 18 Zoning and Planning Commission Meeting. That packet was noted by staff as possessing the highest number of citizen-driven documents in memory.

This is democracy in action. This is not anti-business. I predict that in the coming days the developers will suggest that we were misinformed. I predict that the developers will seek to meet in closed doors with sufficient numbers of City leaders to engage in influencing. That is normal, I suppose, but the problem is that our City leaders likely do not have the resources to research the data that the developer is presenting.

Based on public records and newspaper accounts, this same developer has made outlandish and entirely illogical projections and forecasts to the two other communities in which they have received zoning/conditional use approval for a casino and horse track. To wit:

- According to an article published November 15, 2021 by the Gering Courier, Sean Boyd of Global Gaming Nebraska stated at a public meeting at the Gering City Hall on November 9 that based on a "algorithmic gravity model", there were 1.03 million people living within a 125-mile radius of Gering. Fort Collins, Colorado (population 165,000) is 140 miles away; and Cheyenne, Wyoming (population 63,600) is 96 miles. North Platte is 175 miles. There is no way this number is true. Denver only has 700,000 people.

- According to an article published in the York News-Times on December 3, 2021, in North Platte at a public meeting on December 2 at the Prairie Arts Center, this same Sean Boyd noted a marketing study which "showed that the (North Platte) project could draw from a population of 260,000 in a 125-mile radius". North Platte has a population of 24,000. One could include Kearney (33,400), but why would Kearney citizens go to North Platte (100 miles), when they can go to Grand Island (50 miles)? The Grand Island facility will most likely be much nicer. There is no way that this number is true.

These are bogus numbers. I am concerned that bogus numbers in property tax relief and cash options to the City of Hastings and Adams County as forecasted using voodoo tools such as "algorithmic gravity models" will be used to influence our City leaders behind closed doors. I am concerned that not enough questions will be asked. I am concerned that yet once again, an entire swath of citizen volunteers will have to work diligently, even with day jobs, to educate themselves in the facts and then seek to educate our City leaders.

Restraint is warranted here. That is not anti-business. We need to scrutinize the numbers and these developments with care. The fact that the developer is delaying yet again as opposed to withdrawing speaks to motive.

To the citizens of Hastings, WATCH THIS CAREFULLY! And to people that call us misinformed, that is insulting. We love our small town and let's continue to curate it accordingly.



Sincerely,

Timothy O'Keeffe

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

Sent: Wednesday, January 26, 2022 11:07 AM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Daniel Sheehy

Address: 1132 Highland Drive

City: Hastings

State: NE

Zip: 68901

[REDACTED]

[REDACTED]

Message:

Dear Dave, First thank you for your time that you put in as a representative of our city, I truly appreciate it. I am writing this email in opposition to the proposed Casino and race track on the north end of Hastings. As a property owner in that area I am concerned that it will have a negative impact on my current property value, as well as other negative social

impacts so close to a residential area, (ie. crime, dui's, noise, just to mention a few). I feel there are plenty of other locations that would fulfill this opportunity better, the fairgrounds or east of the softball fields, just not the main entrance to our city impacting the prime real estate area for the Hastings area. Also, why in the world would they need stalls for 400-600 head of horses, imagine the aroma & flies in August, is that what you envision for our community. That's what they are proposing, under the CUP. Thank you for voting down this proposed location, should you like to visit further please don't hesitate to contact me. Sincerely, Daniel Sheehy 1132 Highland Drive Hastings, NE 68901 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

Sent: Wednesday, January 26, 2022 9:37 AM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Troy Curtis

Address: 3609 Lake Park Ln

City: Hastings

State: NE

Zip: 68901-2581

[REDACTED]

[REDACTED]

Message:

Dave, Hello, I am writing to you today to express my concern on the discussed casino proposal. I am not entirely against a casino in our area, my concern is the considered location. The entrance to our great city is not the proper location for such a venture. Building a horse track, which we already have at our fairgrounds and a casino smack dab in the middle of

two wonderful housing areas is absolutely the wrong place. I appreciate all that you do and I also appreciate your willingness to look to bring tax dollars and revenue and jobs to our city! I simply encourage you and your team to give this a very hard look as doing this the wrong way would cause damage for a great deal of this city's valuable and productive citizens. I have little doubt that you or anyone else that has to make these hard decisions would want to have the wonderful family neighborhood you live in construct a casino next door. I say this with all respect and the knowledge that you understand everything that comes along with this kind of business. I thank you for your time and appreciate your consideration of my thoughts and the thoughts of many in this community. Best regards, Troy Curtis

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

Sent: Wednesday, January 26, 2022 9:34 AM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by TIMOTHY O'KEEFFE

Address: P.O. BOX 152

City: Hastings

State: NE

Zip: 68902

[REDACTED]

[REDACTED]

Message:
I am writing to urge caution and care in assessment of developer proposals to build a race track and casino in Hastings. As you may be aware, I led a recent action to contest the rezoning and issuance of a conditional use permit at the entrance to our City at the northwest corner of 42nd Street and US 281. In my thorough research leading up to such

matter, I conducted careful review into the same developer's proposals in Gering and North Platte, noting that aside from the site plan, the documentation provided to planners in all three instances were nearly identical photocopies. That is sloppy work. Some other notes:

- According to an article published November 15, 2021 by the Gering Courier, Sean Boyd of Global Gaming Nebraska stated at a public meeting at the Gering City Hall on November 9 that based on a "algorithmic gravity model", there were 1.03 million people living within a 125-mile radius of Gering. Fort Collins, Colorado (population 165,000) is 140 miles away; and Cheyenne, Wyoming (population 63,600) is 96 miles. North Platte is 175 miles. There is no way this number is true. Denver only has 700,000 people.
- According to an article published in the York News-Times on December 3, 2021, in North Platte at a public meeting on December 2 at the Prairie Arts Center, this same Sean Boyd noted a marketing study which "showed that the (North Platte) project could draw from a population of 260,000 in a 125-mile radius". North Platte has a population of 24,000. One could include Kearney (33,400), but why would Kearney citizens go to North Platte (100 miles), when they can go to Grand Island (50 miles)? The Grand Island facility will most likely be much nicer. There is no way that this number is true. These are bogus numbers. I am concerned that bogus numbers in property tax relief and cash options to the City of Hastings and Adams County as forecasted using voodoo tools such as "algorithmic gravity models" will be used to influence our City leaders behind closed doors. I am concerned that not enough questions will be asked. Restraint is warranted here. That is not anti-business. We need to scrutinize the numbers and these developments with care. I am not opposed to gambling and enjoy the sports book during football. But I highly doubt that our community can support any casino and horse track with Grand Island's just up the road. I foresee that at best, we will end up with what is known as a "convenience casino", as you see in Oklahoma and South Dakota. These are small shops that only draw local gamers. Such model builds no economic value and instead sucks dollars out of the local bar, restaurant, and entertainment venues. It will not contribute to our quality of life. In short, please exercise care and I am happy to speak with you on the significant research and review that I have done. Quite frankly, I do not trust these developers and do not believe that destination-style casino gaming can work in Hastings.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

Sent: Wednesday, January 26, 2022 8:21 AM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Alan Robertson

Address: 4901 Osborne Drive West

City: Hastings

State: NE

Zip: 68901

[REDACTED]

[REDACTED]

Message:

Dear Mr. Ptak, I am writing to express my strongest opposition to the proposed re-zoning and subsequent CUP proposal for the land between 42nd street and Madden Road. First of all, that would be a serious blight to the entrance to our city. As people drive south on Highway 281, there are now several beautifully designed professional buildings which give

our city a very upscale, professional first impression. Placing a horse track and casino there would be a severe detriment to prospective citizens and businesses looking to locate here. Secondly, in spite of what a couple of local realtors have said, there would be a serious deterioration in adjacent property values. Families have spent considerable sums of money to build/create very nice residential neighborhoods adjacent to this property. Locating this eyesore in their "backyards" would be a serious insult. As a corollary to the above, locating this horse track/casino here would permanently remove what would eventually become a beautiful residential development. Now, what about the water drainage? What about the horse manure? What about the light pollution? The proposal calls for horse barns to potentially house up to several hundred horses. Think of the stench and the flies that would bring. Lastly, please do not be beguiled by the ridiculous over-the-rainbow financial numbers these people are throwing out; supposedly Fonner Park in Grand Island, which is just a short 20 miles to the north, is planning on spending \$100,000,000 on their facility. To think that this project in Hastings would be able to compete with that facility long term is fantasy. In conclusion, please understand that I am not anti-business nor anti-growth; this is just, quite frankly, not the location for this type of growth. Thank you. Alan L. Robertson, D.D.S.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent: Wednesday, January 26, 2022 11:17 AM
To: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Daniel Sheehy

Address: 1132 Highland Drive

City: Hastings

State: NE

Zip: 68901

[REDACTED]

[REDACTED]

Message:

Dear Lisa, First thank you for your time that you put in as a representative of our city, I truly appreciate it. I am writing this email in opposition to the proposed Casino and race track on the north end of Hastings. As a property owner in that

area I am concerned that it will have a negative impact on my current property value, as well as other negative social impacts so close to a residential area, (ie. crime, dui's, noise, just to mention a few). I feel there are plenty of other locations that would fulfill this opportunity better, the fairgrounds or east of the softball fields, just not the main entrance to our city impacting the prime real estate area for the Hastings area. Also, why in the world would they need stalls for 400-600 head of horses, imagine the aroma & flies in August, is that what you envision for our community. That's what they are proposing, under the CUP. Thank you for voting down this proposed location, should you like to visit further please don't hesitate to contact me. Sincerely, Daniel Sheehy 1132 Highland Drive Hastings, NE 68901 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

Sent: Wednesday, January 26, 2022 5:08 PM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Raul Franco

Address: 3812 Lake Park Ln.

City: Hastings

State: NE

Zip: 68901

Message:

I am writing you to object to the planned racetrack and casino. I've summarized my discontent in a letter my wife (Allison Kern) and I have written to the council. My family along with many others will oppose this development as long and as hard as necessary to protect our community and our way of life in Hastings, NE. Please consider our objections and please help keep the racetrack and casino out of our backyards. There are better locations and the proposed location is unacceptable. Thank you for your time and consideration. "I am writing this letter in protest of the rezoning and of the planned development of a horse racing track and casino North of 42nd St, East of Baltimore, West of Burlington, and South of Madden Dr. I am a small business owner, an Air Force veteran, a husband, and 11 months ago I became a father. Becoming a father is the proudest moment in my entire life. Never before have I had such a wholesome understanding of the importance of a foundation of family values. Before I moved to Hastings, I was slightly nervous because we had made a choice to settle in Hastings for a lifetime. Since then, I have never looked back or carried any regrets. This is because I began to realize what living in Hastings is all about. I began to uncover what this community means to the people that live here. I realized that Hastings is a home for good, family oriented, hardworking, common-sense people and is treated that way by those that live here. In a world where aspects of society are becoming completely unrecognizable from better days in the past, Hastings stands strong as a testament to what can be achieved by good people appreciating the simple things in life; the things that matter. In essence, it is a product of cherishing 'the good life'. Hastings is more than just a small town, it represents the last frontier of family, community, respect, tradition, and hard work. It is an unbreakable family beacon that stands dead center in the middle of the country. That is what makes Hastings so special. That is what we all are blessed to call home. When I was notified that there were plans of a casino in Hastings I immediately thought of my son and all the other families in this community. A casino will have terrible socioeconomic impacts on this community (especially in that location). It is proven time and time again in many cities around the country that allow these budget casinos to be built in the backyard of wonderful communities. The proposed area is one of the top areas of home growth and development left in this town. The casino would essentially kill that momentum and take some of the best real estate in Hastings. No one would ever want a casino built in their backyard and there are obvious reasons for that. There is noise pollution and light pollution. There is copious amounts of drinking and gambling. Casinos do not foster or reinforce family values and are not safe places for children to live around. Furthermore, there are evidenced based studies that show that casinos reduce neighboring property values in a radius of one mile by up to 10% and it could be more. Absolutely no one wants a casino in their backyard, so please do not put one in ours. Why would one allow a casino to be built in an area that is completely surrounded by residential homes? I imagine the answer to my question is money. I am certain that these planners/realtors/developers, etc. will tell you that this casino is going to bring in so much tax money for this city that we can build new schools, new roads, and perhaps even a new fire station. The numbers that they use are outlandish. For example, 650,000 visitors annually are suggested would visit the casino. If you do math, that amounts to just under 1800 visitors every single day for 365 days a year. This would be saying that this tiny budget casino in Hastings, NE will attract more visitors in a year than Memorial stadium does in a football season! Moreover, there will be a 110-million-dollar casino approximately 20 miles north of this proposed location that people will choose to go to instead. These are only two obvious reasons why this estimate is wishful thinking at the very least and near impossible at the very best. I would encourage that our leaders vote against rezoning one of the most valuable residential areas of our community to outsiders for the promise of money. The families of Hastings can find more effective and more family-oriented businesses or recreational ideas to produce revenue and experiences for our city and our community. The new YMCA Capital Campaign is a great example. With only a small number of donors (less than 300) our great community has been able to raise over \$11 million dollars and are on track to reach a goal well above \$13 million dollars. The new YMCA project offers an impactful and beneficial opportunity for this community that will contribute services for health and wellness to families in the area. We have the capacity to build great projects here when we work together and keep our core values centered in our projects. Let this

be an example of what we are capable of and let us find better ways to build upon the community development plan. A casino does not come close to satisfying what this wholesome community thinks is good for the future of our families. In fact, over time casinos become leeches on the communities that they sit in. They are places that attract transient populations, people struggling with addiction, and people who are encountering financial hardship. The casino does not provide positive effects on a community. In fact it does the exact opposite and it takes the largest toll on our most vulnerable populations. Another reason why one might be considering voting in favor of this project might be jobs. These developers claim they will bring 110 jobs and pay out \$2.5 million in salary money. This amounts to \$22,727 as an annual salary for 110 families. The annual salary in Nebraska that is considered to be the poverty line is approximately \$26,000. This means that this casino will be offering 110 families, salaries that fall below the poverty line. That is in no way good for our community. It is setting up families to be in a position where they can hardly support themselves. Our school systems currently have approximately 60% of students qualifying for free and reduced lunch. If you add another 110 families that will be well below the poverty line, it greatly stresses the systems in place to help those most in need. We can find other avenues that promote revenue and build families at the same time, while not breaking them or the systems that support them. It is easy to get caught up in the blue sky offers that these developers have mastered presenting. However, please keep in mind that the downside is so much worse than the upside. If you put a casino at the front door of our town, Hastings may be known as just another casino town. In 5 years when the paint starts to fade, and the lights start to burn out, and trash starts rolling across the parking lot... We will be left with a dump of a casino right in the entrance of our beautiful town. It will lie in waste right in between what could have been a thriving community of families and opportunity. The face of our entire family-oriented town will become defined by this casino that contradicts everything we stand for. Hastings is my home. Hastings is our home. Let's work together to keep it a hardworking, family-oriented town. Putting a casino dead center in the heart of our homes, goes against everything we believe in. No amount of money is worth that. Please think of all of our families when you consider your vote; The decency and character of Hastings is dependent on the family values that have kept this town head strong for over 100 years. Do not support the rezoning or the casino development, or this town will be changed for the worse, forever."



Sent: Wednesday, January 26, 2022 2:40 PM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Mike Butler

Address: 1505Highland Dr

City: Hastings

State: NE

Zip: 68901

Message:

I am opposed to the proposal for a Casino and Racetrack at the entrance to our beautiful city.



1

[REDACTED]

[REDACTED]

Message:

Mark and Cathy Phillips 1411 Highland Drive Hastings, NE 68901 01/27/22 Mr. Ptak, We are lifelong residents of Hastings, and are writing to inform you that we are completely opposed to the proposal to build a casino and horse racing track at the site of 42nd Street and Highway 281. This proposed location is at the “gateway” of our city. This is the wrong location for our town, our community values, and for the future growth and development of this beautiful, family-oriented city. The proposed site does not conform to the comprehensive city plan for development, nor do we believe that this type of business will be sustainable long term at this location. There has been a horse track in our community in the past. It did not last. Our neighbors 22 miles to the north are planning to build a \$100 million dollar hotel casino resort attached to an already existing and well-recognized horse racing operation. In the research we have done, and specifically, by the National Bureau of Economic Research, four years after this type of project is completed, bankruptcy rates, violent crime, auto thefts, and larceny are up 10% in counties with a casino. We are pro-business and pro-development for Hastings. This project appears to be a wolf in sheep’s clothing. Thank you for your time and detailed attention to this matter. We hope you will do the right thing for our community. Respectfully, Mark Phillips
Cathy Phillips

Timothy J. and Carol Q. O’Keeffe

1809 North Elm Street

Hastings, NE 68901



February 8, 2022

Zoning and Planning Commission
City of Hastings, Nebraska

Dear Commissioners:

Please find attached a slide deck and supporting documentation in regard to a brief presentation that I intend to make at the meeting on February 15 in regard to the proposed rezone to commercial and granting of a Conditional Use Permit (“CUP”) for a casino and horse track at northwest corner of US 281 and 42nd Street. My presentation will specifically address land use considerations and applicant practices that significantly support that notion that this is a bad idea for this parcel; it is a bad application; and the application should be denied.

The attachments consist of the following:

1. **Sections from Chapter 34 of City Code-Zoning Ordinances** that outline the Standards for Conditional Uses. Please note that Section 34-402 (1)(d) and (e) specifically call for rejection of CUP’s for *“maintenance of logical and efficient development patterns and land use mixtures”*; and *“maintenance of property values in accordance with established and permitted land uses”*.
2. **Real Estate Appraisal Letters** from the Listing Agents for the subject property that were included in the packet. The letters outrageously note that this development could increase surrounding property values.
3. **Official Documents in the record** obtained from the City of Gering and the City of North Platte, along with a snippet from an **article in the Gering Courier** dated November 15, 2021. Also included is a Wikipedia entry noting the population of Denver, Colorado.
4. **Slide Deck** that I will use to support the thesis that this is a proposal that destroys the already existing land development pattern in the community; violates the Comprehensive Plan; and will tender surrounding parcels as wastelands. Featured in the slide deck are Google Earth views taken on February 7, 2022 of all six Nebraska horse tracks and their surrounding developments.

Please note that this is the third month in a row that this developer has come to this threshold, and in the past two instances, has paused the application in an effort to modify the proposal. In each instance, staff and the community must invest a great deal of time, modify schedules, and prepare statements. If there ever was evidence of a person trying to jam a square peg in a round hole, this is it.

I have been reassured by staff that all of the many letters in opposition to this proposal that were filed last month will be presented to you. The neighbors in the vicinity on all four sides of this proposed development have mobilized because of fear that our property values will be destroyed and our quality of life will forever be altered in this area. There are other locations in our community and they are set forth in the Comprehensive Plan (see last slide).

I look forward to reviewing this matter efficiently on Tuesday so the general public can hear and understand just how bad of an idea this is. I urge you to vote “no” and thank you for your volunteering investment of time in this matter.

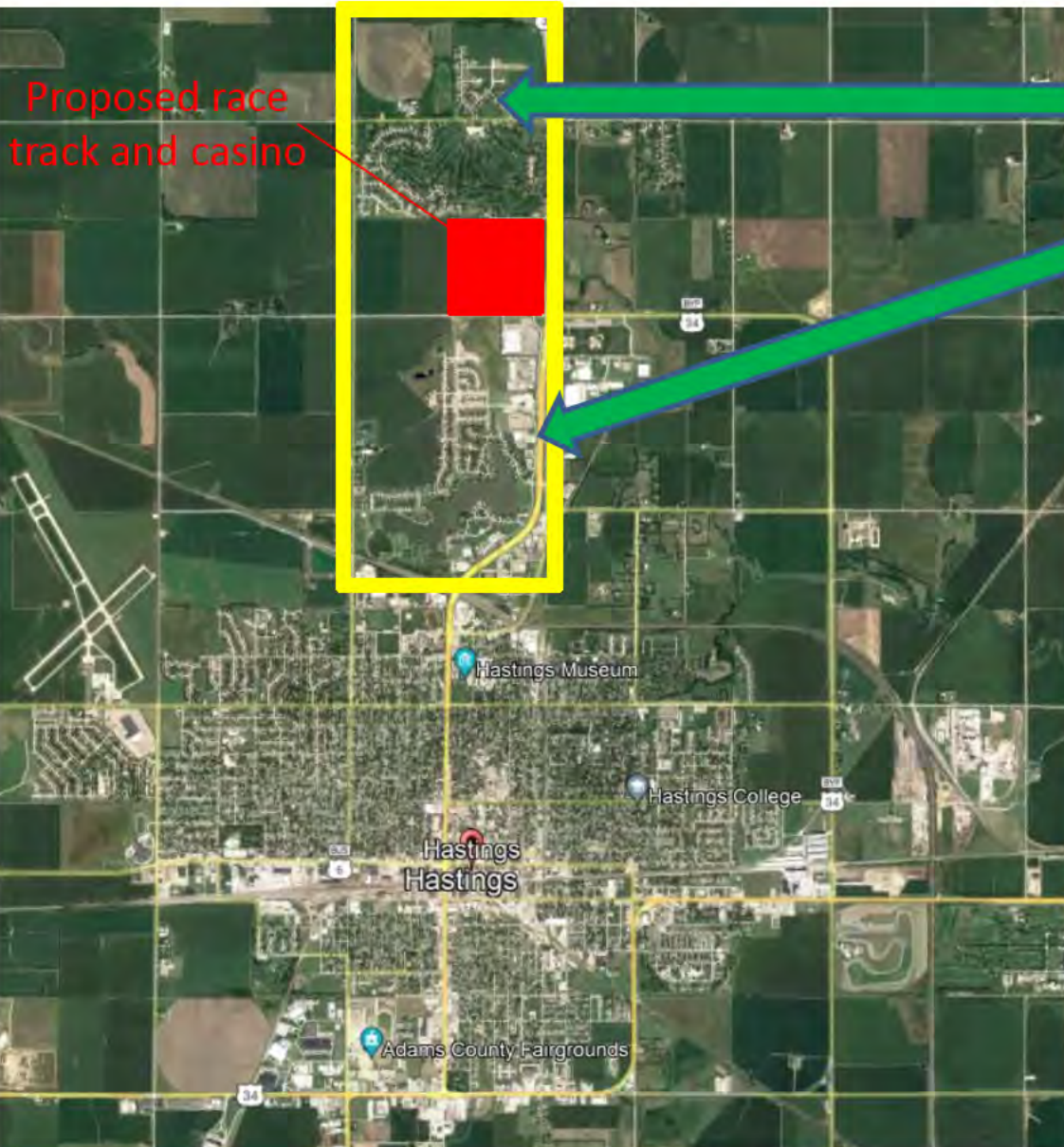
Sincerely,

Tim O’Keeffe

HASTINGS' GREEN FIELD

NO CASINO

Proposed race track and casino



According to preliminary data analysis of single family building permits issued in the past five years from an Official Information Request obtained from the City. In the designated area noted....

Appr. **70%**

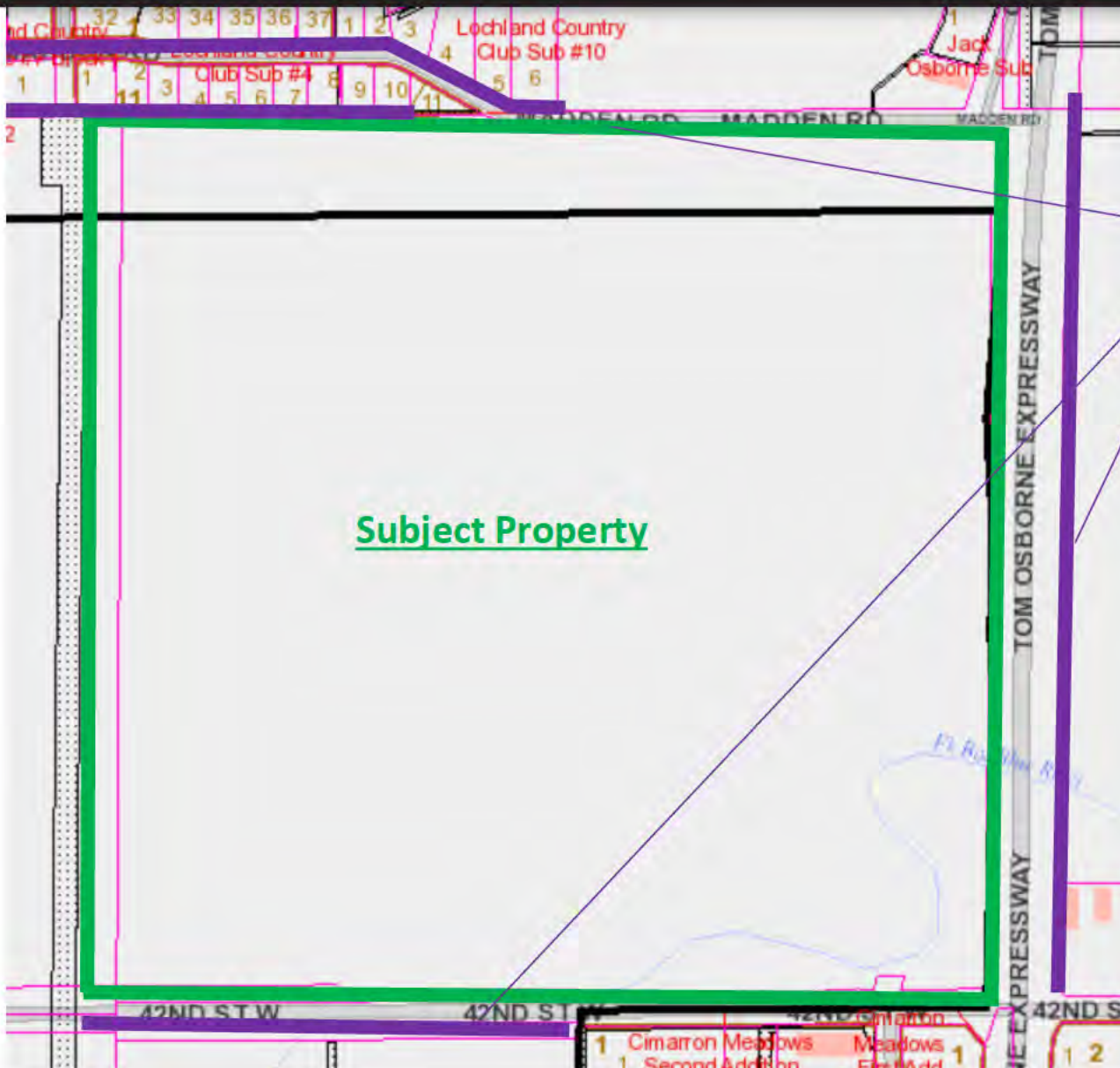
of single family new construction building permits were issued of the total of all such permits.... accounting for

Appr. **90%**

of estimated value **I ♥ HASTINGS!**

OFFICIAL PROTEST

NO CASINO

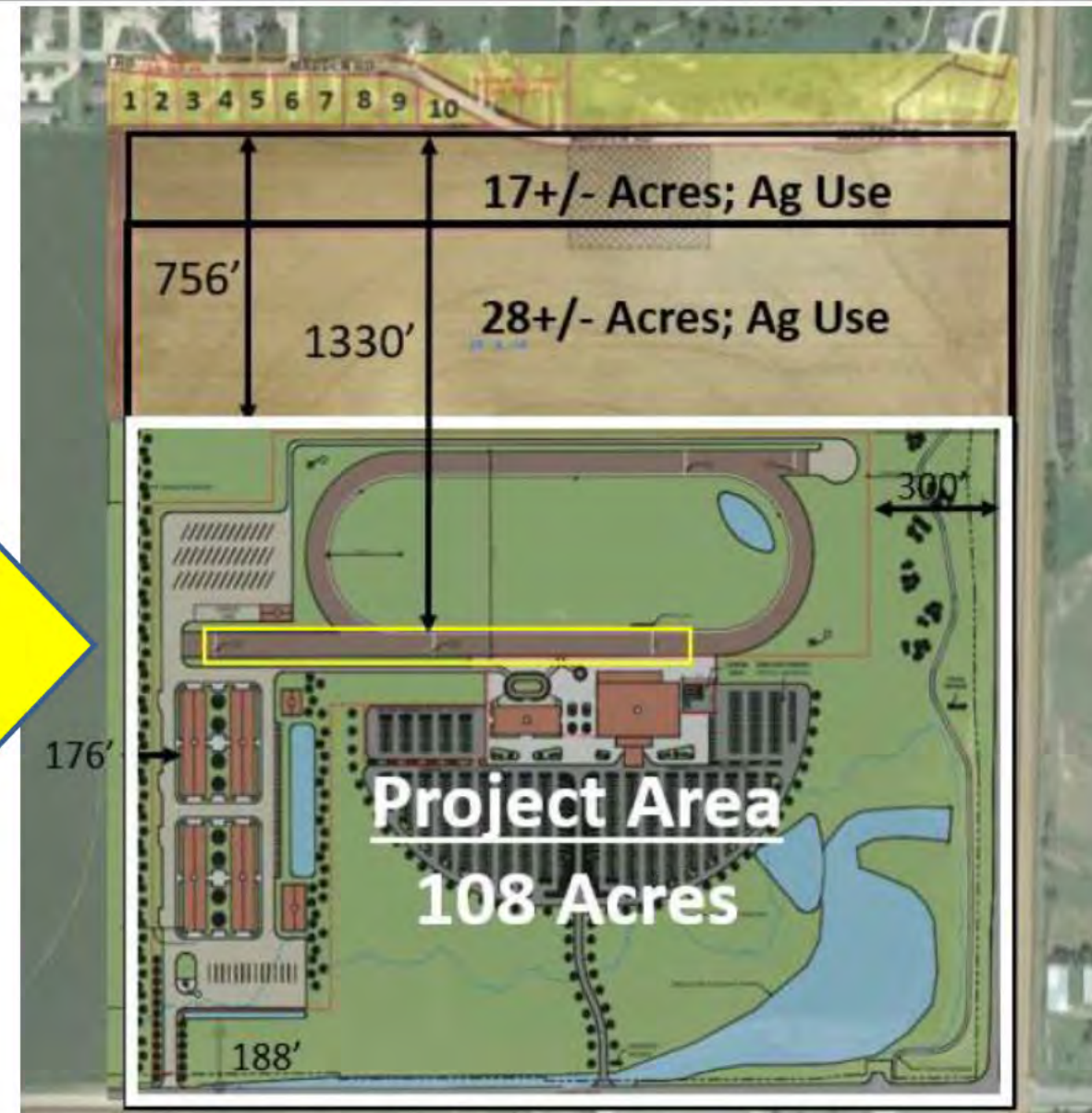


Official Property Owners Protest

Estimated 50% plus signees
versus 20% requirement
(Linear foot basis)

Numerically, about
a 90% protest rate

I ♥ HASTINGS!





- Kills land future land development potential
 - Ag use versus Comprehensive Plan for residential
 - Slides entire project south, further devaluing residential development potential in Cimarron and on south side of 42nd Street



Lights related to signage on the Casino itself will be located on the front of the building which is that side facing south toward 42nd Street and will not be visible by the residences to the north in Lochland.



Conceptual Plan to
get zoning....



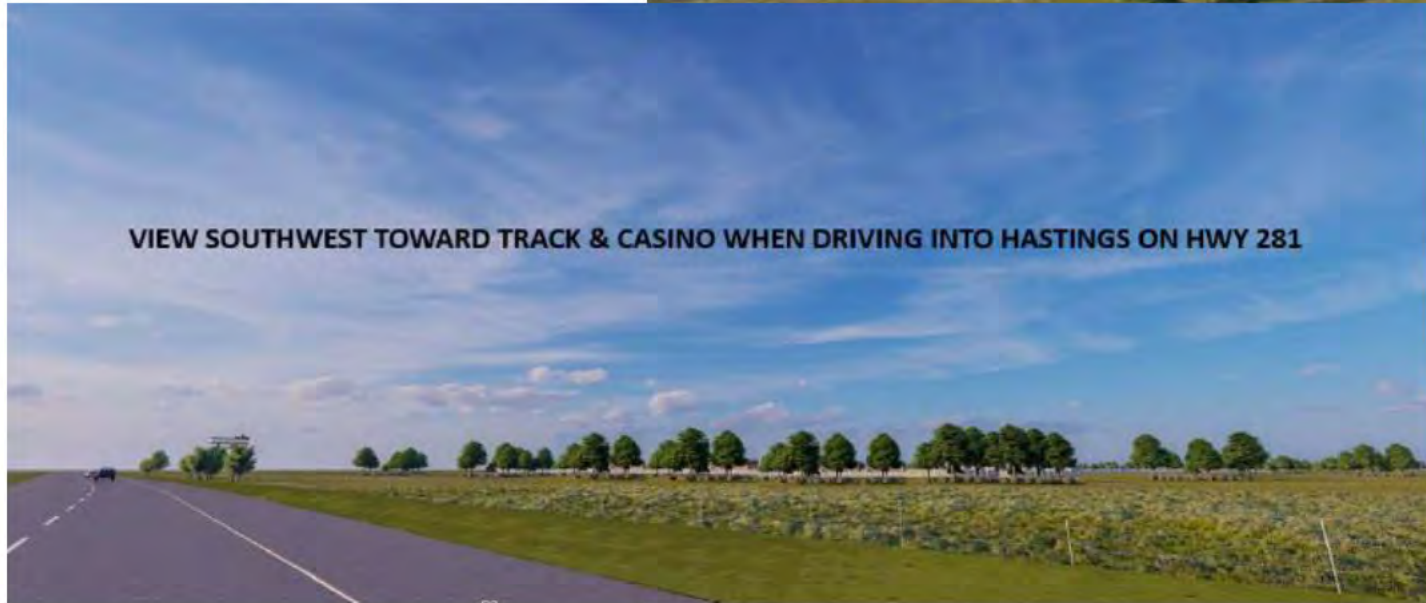
As built....



AERIAL VIEW WEST TOWARD TRACK & CASINO FROM HWY 281



VIEW SOUTHWEST TOWARD TRACK & CASINO WHEN DRIVING INTO HASTINGS ON HWY 281



ATTACHMENT #6 - REALTOR OPINION LETTER #1



December 20, 2021

City of Hastings Planning Commission
Attn: Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Re: Proposed Casino and Racetrack - 4555 W. Osborne Drive

Planning Commissioners:

I am a licensed real estate agent and have reviewed the materials presented to the Planning Commission regarding the proposed casino and racetrack development.

I am familiar with the property and the surrounding area.

After speaking with the developer, I have learned that the proposed casino and racetrack development is a significant project that will have a major impact on the surrounding area.

In fact, if the project is approved, it will be one of the most significant developments in the area in many years.

In other words, the project is a major development that will have a significant impact on the surrounding area.

The majority of the property in question is designated for commercial use and is located on a major thoroughfare. The project is a significant development that will have a major impact on the surrounding area.

Further researching the project and speaking to those in our community who are familiar with the area, I have learned that the project is a significant development that will have a major impact on the surrounding area.

A misconception about this project may be related to the amount of racing and the features of the racetrack. The project is a significant development that will have a major impact on the surrounding area.

the racetrack completion per year. It is a significant development that will have a major impact on the surrounding area.

It is a significant development that will have a major impact on the surrounding area.

being a professional real estate agent, I have learned that the project is a significant development that will have a major impact on the surrounding area.

Michael Engelhardt

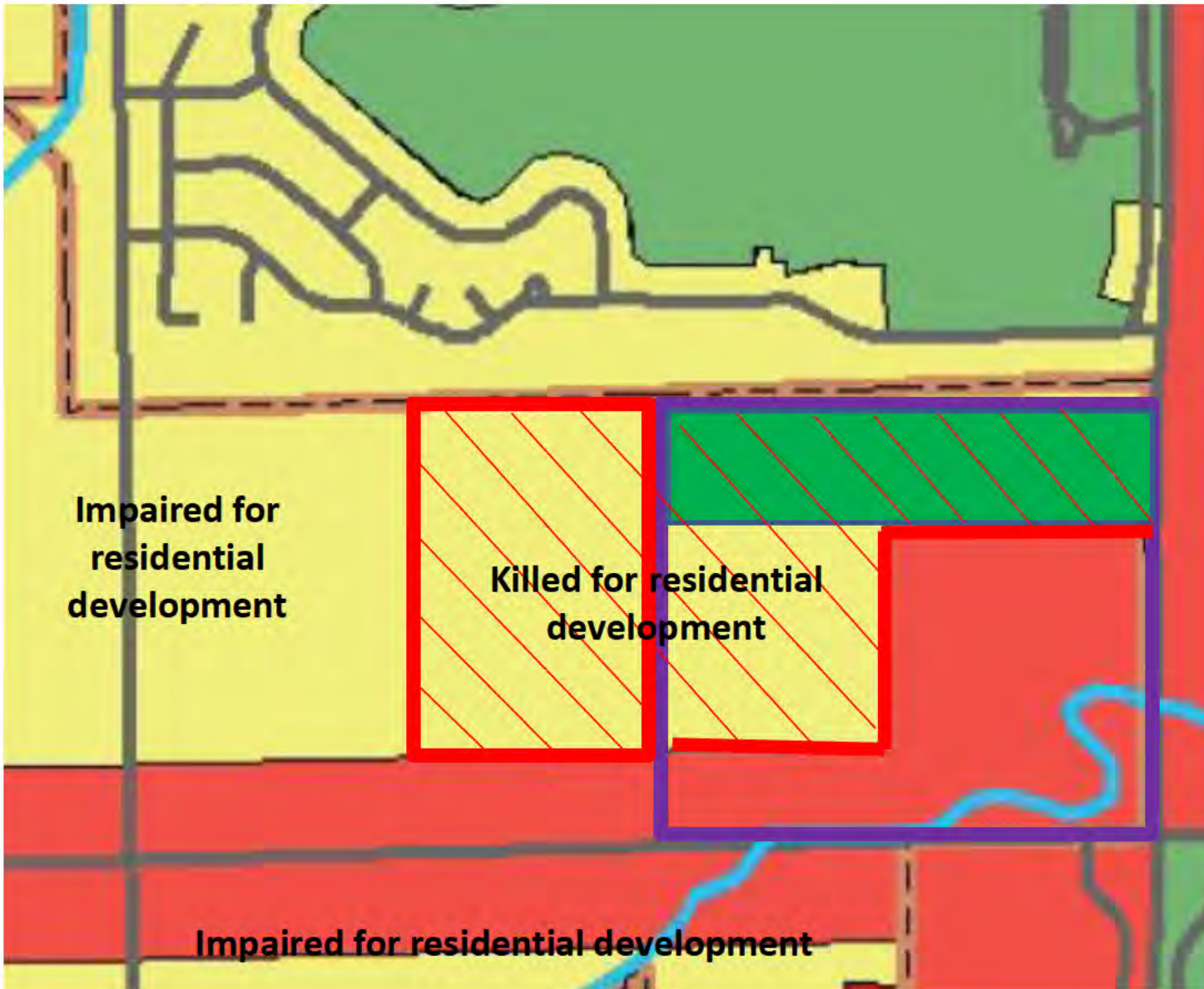
Nebraska Realty

Economic Impact of Casinos on Home Prices Literature Survey and Issue Analysis NAR Research



Casinos are likely to have negative impacts on nearby home values. Commercial properties—such as casinos, shopping centers, and infrastructure projects-- can produce both positive and negative externalities. The positive externalities such as enhanced amenities and benefits need to be evaluated in relation to the negative externalities such as increased congestion, traffic, noise, etc. The overall impacts are site specific, generally negative near the casino.

"Casinos are an attractive nuisance, nuisances on home values," Jed Smith, of the National Association of Realtors, said when citing the "Economic Impact of Casinos on Home Prices Literature Survey and Issue Analysis." "The impacts are negative – the positive benefits are minimal but the negative impacts are substantial."

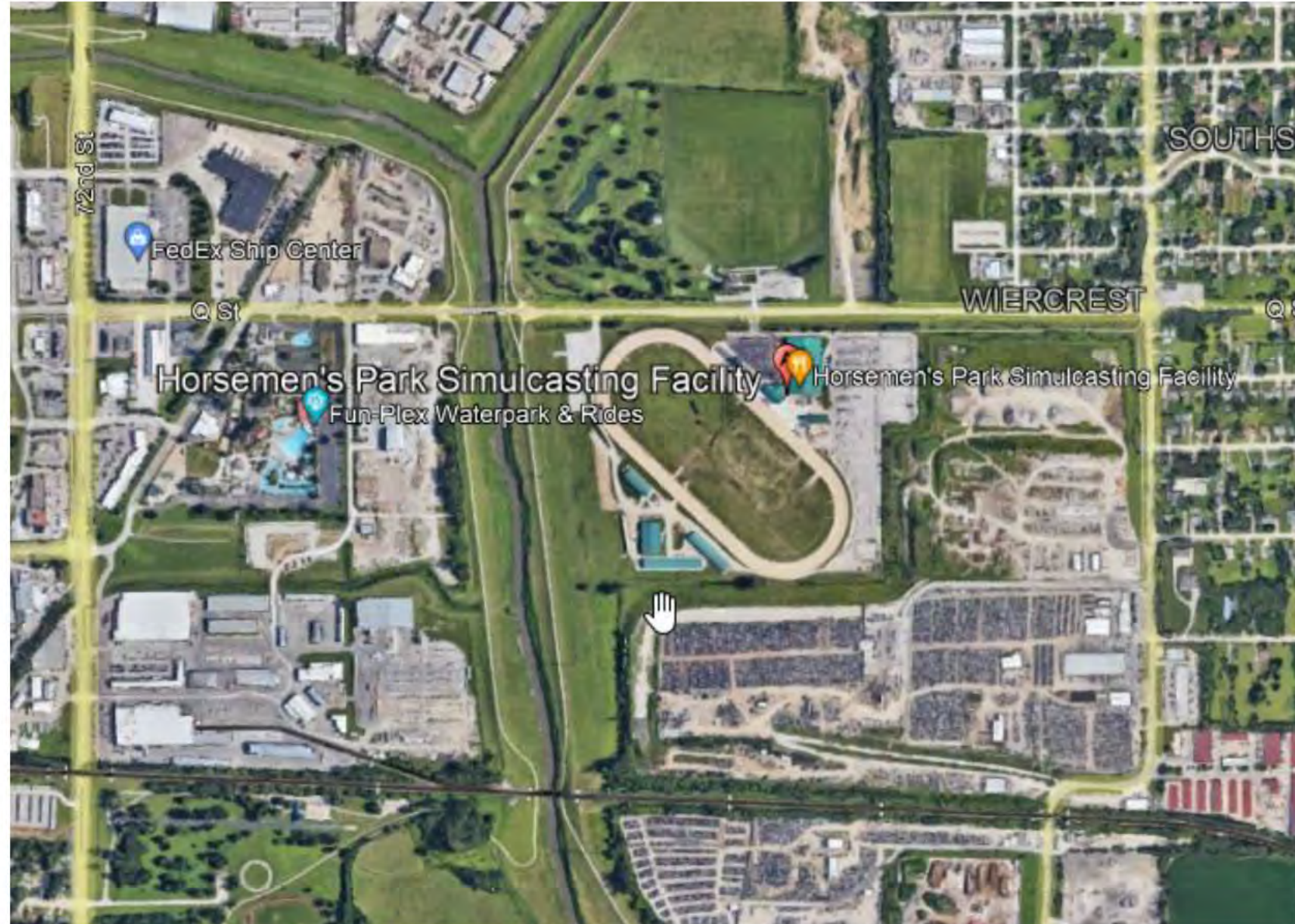


- With the presence of horse barns, a race track, and casino, including a parking lot, lands to the west will not be practically developed to residential, which was the intent of the Comp Plan
- Approval of this application destroys Hastings' most important and lucrative residential development corridor
- Approval of this application is not aligned to the Comp Plan

I ♥ HASTINGS!

RACE TRACKS KILL DEVELOPMENT **NO CASINO**

Omaha



RACE TRACKS KILL DEVELOPMENT **NO CASINO**

Lincoln



RACE TRACKS KILL DEVELOPMENT **NO CASINO**

South Sioux City



RACE TRACKS KILL DEVELOPMENT **NO CASINO**

Columbus



RACE TRACKS KILL DEVELOPMENT **NO CASINO**

Grand Island



RACE TRACKS KILL DEVELOPMENT **NO CASINO**

Hastings



BUSINESS PROSPECTS

NO CASINO

GRAND ISLAND
CASINO RESORT

[Home](#) [Community](#) [About](#)

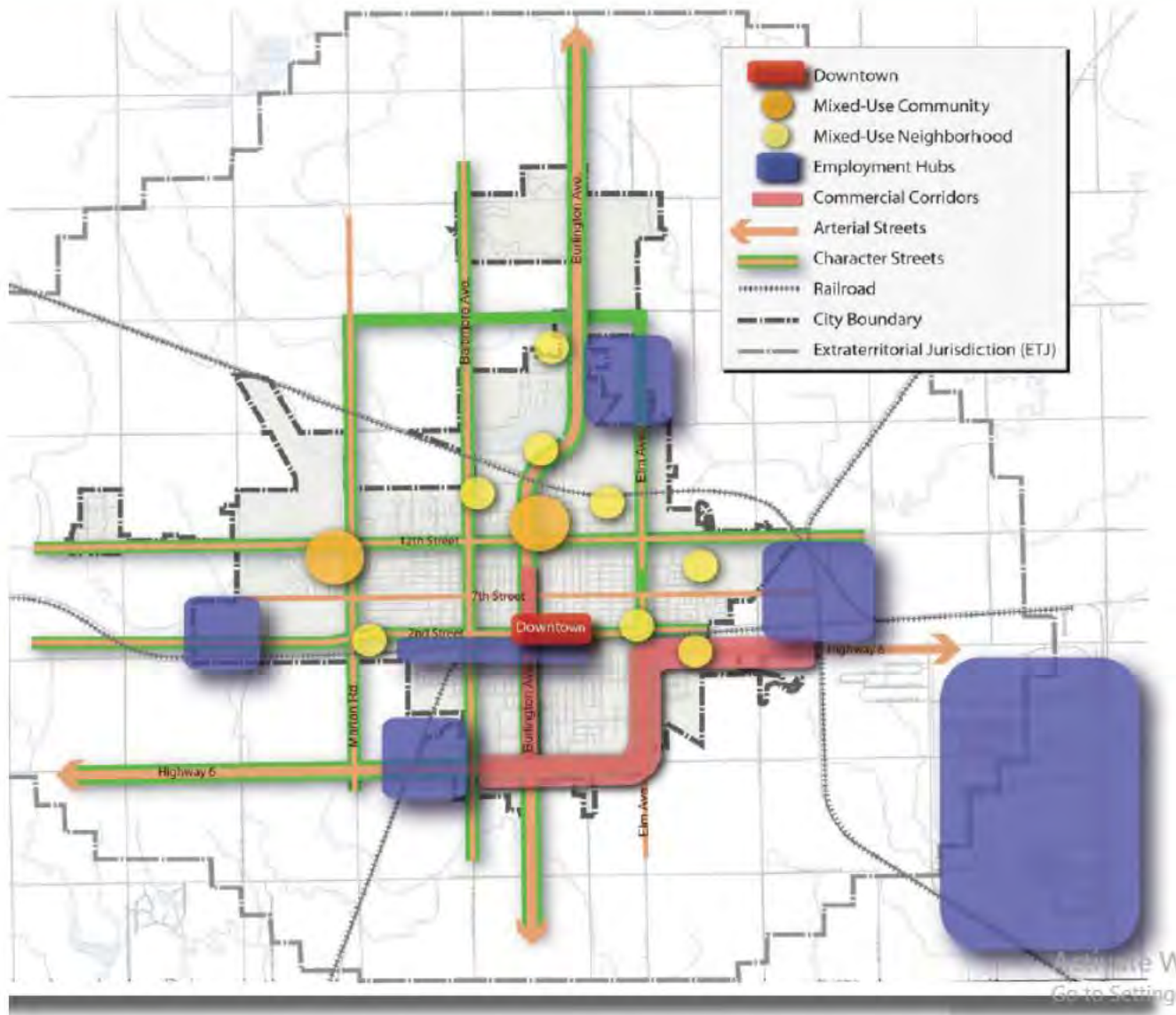


Welcome to the future home of Grand Island Casino Resort™

I ♥ HASTINGS!

WHAT'S THE ESCAPE HATCH? **NO CASINO**





Perhaps the right idea!

but the

WRONG LOCATION

ARTICLE IV. STANDARDS FOR CONDITIONAL USES

Sec. 34-401. Scope of article.

Conditional uses may be approved by the Hastings City Council following a public hearing and receipt of a recommendation from the Planning Commission in accordance with the required findings set forth in this Chapter and the additional standards set forth in this article. In considering an application for a conditional use, the Commission and the Council shall require the applicant to produce satisfactory evidence of compliance with both the general and applicable specific standards set forth in this Article. The Commission may recommend and the Council may impose any conditions they deem reasonable and necessary to further the purposes and intent of this Article, to protect the public health, safety and welfare, and to meet the planning goals set forth in the City's Comprehensive Plan.

(Ord. No. 4233-11/2009)

Sec. 34-402. General standards for all conditional uses.

- (1) The Planning Commission shall hold a public hearing to review the required submission documents of each application for a conditional use to assure that the proposed development will integrate compatibility with existing land uses and with permitted uses that may be established within any area to be affected by the proposed development. **No conditional use design may be approved which will have a permanent negative impact on those items listed below substantially greater than that anticipated from development permitted without a conditional use.** The Commission, following its public hearing, shall forward its recommendation on the application to the Hastings City Council, which shall have final authority following a public hearing to either approve the application, with or without conditions, or to reject the application:
 - (a) Pedestrian and vehicular traffic circulation and safety.
 - (b) Reasonable and economic extension of public utilities and facilities.
 - (c) Noise, fumes, dust or other environmental pollution.
 - (d) The maintenance of logical and efficient development patterns and land use mixtures.
 - (e) The maintenance of property values in accordance with established and permitted land uses.
- (2) Where the approval of a conditional use application would result in the interface of residential and non-residential uses, any approval of the conditional use shall impose conditions and design standards necessary to ensure the maintenance of residential property values and the safety, health, comfort and repose of residents.
- (3) **All standards contained in this Chapter are minimum standards.** More restrictive conditions may be recommended by the Planning Commission and imposed by the Hastings City Council where necessary to ensure compliance with the Comprehensive Plan or the purpose and intent of the zoning regulations.
- (4) Failure to observe and maintain the conditions and restrictions of the conditional use permit shall be considered a violation of this chapter subject to penalty as provided herein and shall be grounds for review of the conditional use permit. Review of a conditional use permit may be requested by the Zoning Official, the Planning Commission or by the City Council. In the event of the review of a conditional use permit as provided herein, a public hearing shall be held by the Planning Commission. Notice for such hearing shall be given in the manner provided for in Neb. Rev. Stat. § 19-904 and § 19-905, as the same may, from time to

time, be amended. Following said hearing, the Planning Commission may recommend to leave the conditional use permit unaltered, revoke the permit, or alter the permit by adding, deleting or modifying the conditions and restrictions contained in the permit. Any recommendation by the Planning Commission following a hearing shall be forwarded to the Hastings City Council, which shall have final authority following a public hearing to leave the conditional use permit unaltered, revoke the permit, or alter the permit by adding, deleting or modifying the conditions and restrictions contained in the permit.

(Ord. No. 4233-11/2009, 4598 -8/2019)

Sec. 34-403. Application requirements.

- (1) Applications for a conditional use permit shall be submitted to the Development Services Department at least three weeks prior to the Planning Commission's scheduled monthly meeting date. The application shall be signed by the property owner as indicated on the Adams County Register of Deeds Office records at the time of application. **The application shall be submitted on forms provided by the Development Services Department and shall be accompanied by the following, unless waived by the Department:**
 - (a) **A site plan drawn to scale indicating the property location, scale, north point, adjacent property for a distance of 300 feet, location of all buildings and uses within the site, access points and traffic circulation.**
 - (b) **Existing and proposed topographic contours.**
 - (c) **Detailed site development plans.**
 - (d) **Detailed building plans, including elevations.**
 - (e) **Site profiles and drainage plans.**
 - (f) **Detailed parking and landscaping plans.**
 - (g) **Detailed underground utility plans.**
 - (h) **Other graphic materials necessary to fully depict the proposed development.**
- (2) A detailed narrative statement shall be submitted with the application for the conditional use permit. Such narrative shall explain the intent of the project, the factors which make the project desirable to the general public and to the surrounding areas, the features and details of the project development, schedule and timing of the development program, and any material or information which the applicant believes to be relative to the case. **Where it deems necessary, the Commission or the City Council may require, in addition to the narrative statement:**
 - (a) **Marketability or economic feasibility studies.**
 - (b) **Geologic or soil boring and test.**
 - (c) **Traffic counts in the area.**
 - (d) **Other detailed technical material as necessary to fully explain the proposed development.**
- (3) Upon approval of the conditional use permit by the Hastings City Council, development shall be completely in accordance with the approving plan. Minor revisions to the plan may be approved by the Planning Commission following the public hearing.
 - (a) Major revisions to the plan are subject to the same public hearing requirements by the Planning Commission and the Hastings City Council as required for the original conditional use permit.

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- (4) The Council may require landscaping and planting as necessary to preserve compatibility with the surrounding area. If required, the conditional use permit shall contain provisions for permanent maintenance of the landscaping and/or planting.
- (5) **In any case where the Council determines that the design of a proposed structure may affect the compatibility of a proposed development with the area in which it is proposed to be located, the Council may require changes in the design or may reject the proposed development if no suitable correction can be made.**
- (6) All buildings, structures and activities, including permitted uses proposed within a conditional use permit development plan application, shall be analyzed with respect to minimum yard requirements maximum lot coverage, and maximum height limitations, in relationship to the development concept as a complete and functional unit. General requirements for each use should be based upon zoning districts where such uses are permitted as a matter of right. However, every use should comply with the general requirements of this Chapter, including but not limited to signs, off-street parking and loading.
- (7) The Hastings City Council in approving a conditional use permit development plan may at its option relax the minimum dimensional requirements of this Chapter, when the Council finds such variances are in the best interest of the total development plan, will not adversely affect adjacent property and the public health, safety and general welfare of the community are not compromised. The Council shall not allow a use under this section which is not permitted as a permitted principal use, a permitted accessory use or as a conditional use under the schedule of district regulations for the zoning district in which the property is located.
- (8) The Hastings City Council shall require adequate guarantee of compliance in approving all conditional use permits. Such guarantee may be a performance bond in the total amount necessary to assure compliance, such bond to be reduced as stages of construction are completed and the public liability for assuring compliance is correspondingly reduced. Alternatively or in concert with a bond, such guarantee may be a stipulation in the event of the applicant's failure to comply, authorizing the City to take the steps necessary to assure compliance, including performing the construction or maintenance itself, and charge all costs thereof as an assessment against the property.
- (9) The Development Services Department staff shall submit a written report to the Planning Commission and the Hastings City Council with findings as to how the application complies with the requirements of this Chapter. No permit should be approved until the Hastings City Council is satisfied all requirements of this Chapter have been met.
- (10) Concept tentative approval. Applications for a conditional use permit shall be for either concept approval or final approval. Applications for concept approval may be accompanied by schematic preliminary design plans rather than detailed final design construction plans.
- (a) Concept approval shall be valid for a period not to exceed 18 months unless otherwise extended after additional public hearings by both the Planning Commission and the Hastings City Council.
- (b) No construction shall take place on the site until final approval has been granted by the Hastings City Council unless expressly authorized by the Council at the time of concept approval. In which case said construction shall be limited to incidental site grading, not including excavation for building sites or water retention areas.

(Ord. No. 4233-11/2009)

Sec. 34-404. Specific standards for conditional uses.

- (1) *Hospitals, sanitariums, convalescent centers, nursing or rest homes, rehabilitation centers, correctional institutions, psychiatric institutions and similar institutions.*
 - (a) The site shall have direct access from a street or avenue of City arterial street or greater designation on the City's major thoroughfares plan depicted in the Comprehensive Plan. This standard may be waived by the Hastings City Council if the Council finds such waiver is in the best interest of the total development plan, will not adversely affect adjacent property and existing uses thereon, and does not compromise the public health, safety and general welfare of the community.
 - (b) A site plan, drawn to scale, shall be provided with the application for the conditional use permit. Such site plan shall show the location of all buildings and structures on the site, ingress and egress points, circulation patterns, parking areas, including the total number of parking spaces provided, and a general description of the building uses.
 - (c) Minimum lot size:
1—10 beds ½ acre (21,780 sq. ft.)
11—20 beds 1 acre (43,560 sq. ft.)
For each add'l ½ acre (or greater if ten beds required by the City Council)
 - (d) Minimum yard requirements—The City Council may specify such yard requirements as in its judgment will adequately protect the integrity of surrounding areas and uses.
 - (e) Maximum lot coverage by all buildings—20 percent.
 - (f) Maximum height of structures—Same as required for permitted uses in the zoning district where the site is located.
 - (g) Off-street parking—Adequate off-street parking shall be provided in connection with any permitted use. The minimum for each use to be as provided in Section 34-308(2) and Table 308-1 Required Automobile Parking.
 - (h) Landscaping—All areas of the site not devoted to buildings, structures, parking areas, walkways or driveways shall be covered with one or more of the following: asphaltic compound or concrete, lawn grass, natural or ornamental shrubbery, trees, or other approved landscaping material.
 - (i) Walls and screening—Where it deems necessary, the City Council may require that the site be fully enclosed by a wall or fence to prevent casual access to and from the site, or that the periphery of the site be suitably screened by evergreen planting or by other natural planting of sufficient height and density to provide and maintain a year-round visual screen. If the conditional use permit is granted, the wall or screening which is approved shall be fully constructed, inspected and approved by the Development Services Director prior to occupancy.
- (2) *Churches and other places of religious worship.*
 - (a) The site shall have direct access from a street or avenue of City arterial street or greater designation on the City's major thoroughfares plan depicted in the Comprehensive Plan.
 - (b) A site plan, drawn to scale, shall be provided with the application for the conditional use permit. Such site plan shall show the location of all buildings and structures on the site, ingress and egress points, circulation patterns and the total number of parking spaces provided.
 - (c) The minimum lot size for a church in any district where they are permitted as a conditional use shall be 14,000 square feet, minimum lot width shall be 100 feet.

-
- (d) Minimum yard requirements—The City Council may specify such yards as in its judgment will adequately protect the integrity of surrounding areas and uses, provided that no yard shall be less than required for the district in which the property is located.
 - (e) Maximum lot coverage—Same as is required for permitted uses in the zoning district where the site is to be located.
 - (f) Maximum height of structures—Same as is required for permitted uses in the zoning district where the site is located.
 - (g) Off-street parking—At least one parking space shall be provided for each three occupants based upon maximum seating capacity of the nave, or for each three occupants based upon the maximum seating capacity of all meeting areas in the structure exclusive of the nave (whichever is greater) as calculated under the latest edition of the International Building Code which has been adopted by the City. Parking spaces shall be at least eight and one-half feet by 20 feet in size, and all driveways, maneuvering areas and parking areas shall be covered with asphaltic or concrete pavement.
 - (h) Landscaping—All areas of the site not devoted to buildings, structures, parking areas, walkways or driveways shall be covered with one or more of the following: lawn grass, natural or ornamental shrubbery or trees or other approved landscaping materials.
 - (i) Accessory uses such as day nurseries and kindergartens must be approved in the original application or by subsequent amendment to the conditional use permit.
 - (j) Signs. Signage for churches shall be as permitted for a civic or commercial use in the district in which they are located. Any increase beyond that which is allowed within the district in which the church is located shall require specific approval through a conditional use permit application or amendment.
- (3) *Natural resource extraction.*
- (a) A site plan, drawn to scale, shall be submitted with any application for a conditional use permit. Such site plan shall show the following information:
 - (i) Graphic (and legal) description of the petition area.
 - (ii) Existing topographic contours (not less than ten foot contour intervals).
 - (iii) Finished topographic contours when extraction is completed (not less than ten foot contour intervals).
 - (iv) Existing and proposed buildings and structures on the site.
 - (v) Principal access points which will be used by trucks, and equipment including ingress and egress points and internal circulation.
 - (vi) Indication of the existing landscape features.
 - (vii) Location and nature of other operations, if any, which are proposed to take place on the site.
 - (b) A narrative statement shall also be submitted with the application for a conditional use. Such narrative shall set forth in detail the following definitive information.
 - (i) Method of drainage.
 - (ii) Method of fencing or barricading the petition area to prevent casual access.
 - (iii) Estimated amount of material to be removed from the site.
 - (iv) Estimated length of time necessary to complete the operation.

-
- (v) Description of operations or processing which will take place on the site during and after the time the material is extracted.
 - (vi) Plan or program of regrading and shaping the land for future use.
 - (vii) Proposed hours of operation.
 - (viii) Other pertinent information that may pertain to the particular site.
- (c) General requirements.
- (i) Principal access to the site shall minimize the use of residential streets, and access roads shall be treated in a manner so as to make them dust free; further, where access roads intersect arterial streets, suitable traffic controls shall be established.
 - (ii) A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public right-of-way. That periphery strip shall not be altered except for access points.
 - (iii) All banks shall be left with a slope ratio of no greater than 4:1 (25 percent slope) unless it can be shown to the Planning Commission's satisfaction that a greater slope is not detrimental to the beneficial future use of the subject property.
 - (iv) Sufficient attention should be paid to drainage of the site, both during the extraction period and after the site has been regraded. Where a finished grading plan indicates that surface water will be conducted from the site onto adjacent lands, the plan will be subject to the approval of the Public Works Department.
 - (v) During periods of inactivity, the owner of the pit shall take whatever precautions as are necessary to prevent the site from becoming an attractive nuisance.
- (4) *Junk yards.*
- (a) The term "junk yard" shall include, for the purposes of this section, the terms auto-wrecking yard and salvage or scrap yard.
 - (b) All junk yards, in addition to the conditions implied herein, shall comply with the provisions of Chapter 18 of the Hastings City Code.
 - (c) General requirements:
 - (i) The proposed site shall not be located within 500 feet of any school, hospital, public building, residential subdivision, or place of public assembly.
 - (ii) A site plan, drawn to scale, shall be provided with the application. Such site plan shall state the legal description of the property, the location of all buildings and structures on the site, access points, off-street parking areas, vehicular circulation and prominent topographical features, if any, of the site or adjacent lands within 300 feet of the site.
 - (iii) The minimum lot size for junk yard in any district where they are permitted as a conditional use shall be two acres. The minimum lot width shall be 150 feet.
 - (iv) The junk yard shall be completely enclosed and obscured from the public view by a solid fence or wall eight feet in height, by topography, and evergreen planting of sufficient height and density to provide and maintain a year-round visual screen. The specific type of screening shall be specified in the application. If the permit is granted, the screening which is approved shall be fully constructed, inspected and approved by the Development Services Director prior to the yard being utilized.

-
- (v) Failure to maintain the screen as specified shall be cause for the permit to be rescinded and the junk yard shall be removed at the cost of the owner of the land upon which it is located.
 - (vi) Provisions shall be made to prevent any contamination of the domestic water supply or excessive surface run-off from the property onto adjoining lands or streams. Where it deems necessary, the City Council may require the submission of a site drainage plan. A drainage plan which carries water off of the site shall be subject to the approval of the City Engineer.
 - (vii) Failure to prevent such contamination of the domestic water supply or to prevent excessive surface run-off from the site onto adjoining lands or streams shall be cause for the permit to be rescinded and the junk yard to be removed at the cost of the owner of the land upon which it is located.
- (5) *Storage of vehicles in impound yard.*
- (a) No dismantling, processing or salvaging of vehicles or repair work to vehicles may be performed in an impound yard.
 - (b) The minimum size of an impound yard shall be one acre.
 - (c) There shall not be stored in an impound yard at any time more than one vehicle for each (10 × 35) 350 square feet of available storage space in the impound yard.
 - (d) A fence, sufficient to control access to the impound yard, shall be constructed around the impound yard. The fence shall be not less than size six feet in height.
 - (e) The surface of the impound yard shall at all times be covered with concrete, asphalt or crushed rock.
 - (f) Weeds, grass and other bushes shall not be permitted to grow more than six inches above the ground at any time in an impound yard.
 - (g) Vehicles may not be stacked in an impound yard, but must at all times be stored directly upon the surface of the impound yard.
 - (h) Any lights on an impound yard must be cut off lighting, so as to not allow light to escape outside of the boundary of the impound yard.
 - (i) The impound yard may not be located closer than 250 feet from property which is zoned to allow residential use nor within 100 feet of a residence, except when such residence is located on a property zoned for industrial use and is being used as an accessory use to a proper industrial use on said property.
 - (j) Vehicles stored in an impound yard must be removed from the yard within nine months of the time when they are first placed therein; provided however, an impounded vehicle may, upon request of a prosecuting attorney, be kept in an impound yard for so long as such prosecuting attorney requests. To assist in the enforcement of this requirement, the operator of the impound yard shall at all-time do the following:
 - (i) The operator shall keep a book, listing all vehicles which arrive at the impound yard in the order in which they arrive; and the date of arrival, and include therein the name and address of the person from whom each vehicle is received, the name and address of the party controlling the disposition of the vehicle, the name of the manufacturer of the vehicle, the model and type number of the vehicle, and motor number and license number thereof. Said information shall be placed on the record book within 48 hours after a vehicle is placed in the impound yard.
 - (ii) Any person who shall make any false entry or statement concerning matters required to be set out in the record book shall be deemed guilty of a misdemeanor, and may be fined in the amount

of \$100.00 per violation. Each separate vehicle for which a false entry or not entry is made shall constitute a separate violation.

- (k) The provisions of subparagraph (i) shall not prohibit the use of property for residential purposes, when said use arises after the establishment of an impound yard in compliance with the provisions of this section. However, said residential use shall not affect the validity of the use of the impound yard, for so long as said impound yard shall remain in existence on the continuous basis.
- (6) *Off-street parking spaces and structures.*
- (a) A site plan, drawn to scale, shall be provided with the application. Such site plan shall show the location of the principal building or structure, the location of the proposed parking lot or structure, the dimensions of the lot, access points, circulation patterns, total number of parking spaces provided, and the details of the parking structure, if such is contemplated.
 - (b) The minimum lot size for any off-street parking structure in any district where they are permitted as a conditional Use shall be 10,000 square feet, minimum lot width shall be 80 feet.
 - (c) Minimum yard requirements—The City Council may specify such yards as in its judgment will adequately protect the integrity of surrounding areas and uses, and the safe and orderly flow of pedestrian and vehicle traffic.
 - (d) Maximum lot coverage—None.
 - (e) Maximum height of structures—Same as is required for a permitted use in the zoning district where the site is located.
 - (f) Landscaping—All areas not devoted to buildings, structures, drives, walks, parking areas or other authorized installations shall be covered with one or more of the following: lawn grass, natural or ornamental shrubbery or trees. Further, where any side yard abuts residential property, it shall be planted with mature evergreen shrubs of at least five feet in height or screened with privacy fencing at least five feet in height.
 - (g) Paving, drainage and parking stall size:
 - (i) The off-street parking area, including all ingress and egress points, shall be covered with asphaltic or concrete pavement.
 - (ii) Parking spaces shall be at least eight and one-half feet by 20 feet in size and shall be marked.
 - (iii) If the site plan indicates that surface drainage will be carried off the site, the plan will be subject to the approval of the City Engineer.
- (7) *Townhouses, row houses, and office buildings built to a common wall(s).*
- (a) A site plan, drawn to scale, shall be provided with the application. Such site plan shall show the location of all buildings and structures on the site, courts and open space areas, circulation patterns, ingress and egress points, parking areas (including the total number of parking spaces provided), and a general floor plan of the principal buildings.
 - (b) Minimum lot requirements.
 - Lot area—2,000 sq. ft.
 - Lot width—20 ft.
 - (c) Minimum yard requirements: Front yard—20 ft.
 - Side yard—at the common wall(s)—none.
 - Other—Ten ft. rear yard—Ten ft.

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- (d) Maximum lot coverage—Same as is required for permitted uses in the zoning district where the site is located.
 - (e) Maximum height of structure—Same as is required for permitted uses in the zoning district where the site is located.
 - (f) Off-street parking:
 - (i) Town houses, row houses—At least two parking spaces shall be provided for each dwelling unit.
 - (ii) Office buildings—Per use, the minimum to be as provided in Section 34-308(2) and Table 308-1 Required Automobile Parking. All parking spaces shall be at least eight and one-half feet by 20 feet in size, and all driveways, maneuvering areas and parking areas shall be covered with asphaltic or concrete pavement.
 - (g) Ground cover—All areas of the site not devoted to buildings, structures, parking areas, courts, walkways or drive-ways shall be covered with one or more of the following: lawn grass, shrubbery, trees or other approved landscaping materials.
 - (h) Building standards and agreements:
 - (i) The applicant or his agent shall provide with his application a property line wall(s) agreement for the land, building and development in question.
 - (ii) The City Council requires that the design and construction of the property line walls be reviewed by the Development Services Director and the Fire Department to insure compliance with pertinent Building and Fire Codes.
- (8) *Standards for mobile home parks.*
- (a) The minimum size of a proposed mobile home park shall be two acres, except as otherwise required for the pertinent use district.
 - (b) Proposed sites of five acres or less shall have adequate access to dedicated streets having a minimum right-of-way of 60 feet. All other sites shall have direct access to a collector street.
 - (c) Density for proposed mobile home parks shall not exceed eight units per gross acre.
 - (d) All areas not devoted to mobile home spaces, buildings, structures, drives, walks, off-street parking facilities, or other authorized installations, shall be covered with one or more of the following: lawn grass, shrubbery, trees, or other suitable ground cover materials. Where it deems necessary, the Planning Commission may require the site to be suitably screened from adjacent lands by evergreen planting or by other materials of sufficient height and density to provide and maintain a year-round visual screen.
 - (e) All mobile home parks shall meet the standards set forth in article V of this chapter.
- (9) *Standards for self-service storage facilities.*
- (a) Site plan:
 - (i) The plan shall be drawn at a scale of one inch equals 20 feet. Said plan shall include all building locations, drives, parking, fencing and signage. A landscape plan shall also be incorporated as part of the submittal and must be included as part of the site plan or submitted on a separate sheet. Building elevation shall also be included on the plan along with specification of the colors of buildings and materials to be used.
 - (ii) Site drainage shall be incorporated in the plan so that storm water run-off from the site will not increase as a result of the proposed development. The facility shall be designed to control the

storm water run-off from at least 25-year return frequency storm as certified by the City Engineer.

- (b) Minimum site areas: None.
- (c) Building setbacks shall be the same as in the C-3 District.
- (d) The site shall abut and have direct access to a city street.
- (e) Other requirements:
 - (i) The storage facility shall be enclosed by a six foot high, sight-proof fence whenever the site abuts residentially zoned or developed property. Said fence, when abutting any residential district, shall be solid or semi-solid and constructed to prevent the passage of debris or light, and constructed of either brick, stone, masonry units, wood or similar materials. Chain-link fence may be used so long as it has slats installed to prevent the passage of light through the unit. The side and rear of a building located upon the site may serve as fencing.
 - (ii) Landscaping shall be provided in the areas outside the fences between the fence and the property line.
 - (iii) Two parking spaces shall be provided, plus one additional space for each employee. Internal drives and parking shall comply with Section 34-308 of this chapter for paving requirements.
 - (iv) Building heights shall be limited to one story (not to exceed 14 feet at the eaves), unless waived for an existing building by the Planning Commission and the City Council.
 - (v) Buildings shall be separated a minimum of 30 feet from one another within self-service storage facilities. Storage bays within a single building shall not be interconnected by interior doors or other interior means providing access from one storage bay to another. The dimensions of any storage bay shall not exceed 22 feet in the narrowest dimension or 36 feet in the widest dimension.
 - (vi) A sign shall be limited to one ground pole sign at the entrance to the premises. Not more than 32 square feet in area shall be permitted with a maximum height of ten feet.
 - (vii) All exterior lighting shall be of cut-off type to prevent off-site glare. Each tenant storage space shall be provided with separate interior lighting.
 - (viii) All storage shall be kept within an enclosed building.
 - (ix) Loading docks shall be prohibited and loading areas to storage bays shall be at the same elevation as the means of vehicular access thereto.
- (f) Commercial activity: It shall be unlawful for any owner, operator or lessee of any self-service storage facility or portion thereof to offer for sale, or to sell any item of personal property or to conduct any type of commercial activity of any kind whatsoever, other than leasing of the storage units, or to permit same to occur upon any area designated as a self-service storage facility. Violation of this section shall be subject to the provisions of Section 34-804 of the Hastings City Code. Any violation may be cause for revocation of the conditional use permit by the City Council.
- (g) Repair, reconditioning and fabrication prohibited:
 - (i) Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture, and the storage of any propane or gasoline storage tank is prohibited within or outside any structure on a tract of land designated as a self-service storage facility.

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- (ii) This provision shall be posted and be included in the tenant lease agreement.
- (h) An approved plan shall be valid for a period of 24 months following the date of approval by the Council. If construction has not been started within said 24 month period, the plan shall be null and void unless the time for start of construction has been extended by the Council.
- (10) *Standards for detached dwelling, accessory.*
- (a) Accessory detached dwellings shall be limited in use to housing immediate family members who live in the principal detached dwelling located on the lot. Immediate family members shall mean either the parent(s) or child(ren) of the owner of the principal dwelling.
 - (b) Accessory detached dwellings shall be located only on lots having an area of five acres or greater.
 - (c) Accessory detached dwellings shall not be in a mobile home. Manufactured homes utilized for accessory detached dwellings shall meet the minimum requirements set forth in Hastings City Code 34-312.
 - (d) Accessory detached dwellings shall have a minimum habitable area of 850 sq. ft.
 - (e) Accessory detached dwellings shall have utility services shared with the principal detached dwelling located on the lot.
 - (f) Accessory detached dwellings shall not be larger than the principal dwelling on the lot.
 - (g) When an accessory detached dwellings is no longer utilized by an immediate family member as defined in this section, the conditional use permit shall become null and void. The conditional use permit holder shall notify the development services department in writing that the accessory detached dwellings is no longer being used within 30 days of cessation of use.
- (11) *Standards for construction and demolition waste landfill sites.*
- (a) The granting of a conditional use permit for a construction and demolition waste landfill shall constitute the City's approval of the construction and demolition waste landfill site as provided for in Neb. Rev. Stat. § 13-1701 et seq.
 - (b) The site for a construction and demolition waste landfill shall be located outside of the corporate limits of the City.
 - (c) The minimum site area for a construction and demolition waste landfill shall be 20 acres, unless, due to unusual circumstances, such area requirement is reduced by the City Council.
 - (d) No solid waste other than construction and demolition waste may be put in a construction and demolition waste landfill.
 - (e) A fence, sufficient to control access and prevent airborne debris from leaving the site, shall be constructed around each portion of the construction and demolition waste landfill site being used for construction and demolition waste activities.
 - (f) No construction and demolition waste landfill operations shall be conducted so that fill will be placed in streambeds or other areas where water courses would be obstructed or where erosion by the stream would remove cover material.
 - (g) Routes used by trucks to and from the construction and demolition waste landfill shall be approved by the Director of the Public Works Division, or his designee.
 - (h) When mud, dirt or spilled debris accumulates on streets from trucks or from construction and demolition waste landfill equipment, it shall be removed by the person holding the conditional use permit.

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- (i) The conditional use permit shall provide a date by which the construction and demolition waste landfill shall be terminated or the conditional use permit renewed.
 - (j) The conditional use permit shall require that when the construction and demolition waste landfill has been brought up to within 18 inches of the desired grade, it shall be covered and maintained with at least 18 inches of compacted dirt and seeded in such a manner so as to prevent erosion.
 - (k) Within 90 days following the granting of a conditional use permit, the applicant shall record with the Register of Deeds a permanent instrument notifying the public of the existence of a construction and demolition waste landfill at the site, the type, depth and location of the waste which is to be placed upon the property, as well as the existence of any monitoring systems thereon, and any restrictions on the use of the property which may be provided to protect the integrity of the final cover, liner, monitoring systems or any other components of the containment system.
 - (l) No site shall be approved except on a determination by the City Council that it complies with the provisions of Nebraska law, including the notice and public hearing requirements set forth in Neb. Rev. Stat. § 13-1701 et seq.
- (12) *Standards for recreational vehicle parks.*
- (a) The minimum size of a recreational vehicle park shall be two acres, except as otherwise required for the pertinent use district.
 - (b) Density for recreational vehicle parks shall not exceed 24 recreational vehicles per gross acre.
 - (c) All areas not devoted to recreational vehicle spaces, buildings, structures, drives, walks, off-street parking facilities, or other authorized installations, shall be covered with lawn grass, shrubbery, trees, or other suitable ground cover materials.
 - (d) The council may require suitable screening around all or any part of the site boundary.
 - (e) A recreational vehicle park operation shall have adequate solid waste collection facilities, which will be constructed and maintained in accordance with all municipal health regulations, and shall be designed to bar animals from access to the solid waste. Solid waste shall be removed from the park at least once a week.
 - (f) The recreational vehicle park shall be served by an on-site service building containing a public water supply and public toilet facilities, and by a storm shelter which, for the purposes of this section, shall mean a structure designed to withstand a 200 mile-per-hour wind, and which has a designed occupant load of no less than 20 square feet per recreational vehicle space.
 - (g) Recreational vehicle parks may have accessory uses and buildings including, but not limited to, restroom and shower facilities, convenience facilities, dump stations, playgrounds, and areas for tenting.
 - (h) Convenience facilities of a commercial nature may include, but not be limited to, stores and laundry facilities, and shall be subject to the following:
 - (i) The facilities and related parking shall not occupy more than ten percent of the recreational vehicle park.
 - (ii) The facilities shall be located, designed, and operated for the primary purpose of serving the trade or service needs of park patrons.
 - (iii) In agricultural and residential mobile home districts, the facilities and any signage shall present no visible evidence of their commercial character in a manner which is apparent from any public street.

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- (i) Recreational vehicle parks located in agricultural (A) may have signs subject to the requirements of Hastings City Code Section 34-309(5), and recreational vehicle parks located in Commercial Business Districts (C-3) and Light Industrial Districts (I-1) may have signs subject to the limitations of Hastings City Code Section 34-309(6).

(13) *Standards for kennels.*

- (a) All points on the perimeter of any kennel facility, dog run or exercise area shall be at least 100 feet from any property line.
- (b) Outdoor exercise areas, runs, or yards when provided for training or exercising, shall be restricted to use during daylight hours.
- (c) A site plan, drawn to scale shall be provided with the application showing all existing and proposed buildings and structures, fencing and landscaping.
- (d) A narrative statement shall be provided with the application describing:
 - (i) The maximum total number of animals to be kept on the premises at any time.
 - (ii) The expected male/female mix of animals at any time.
 - (iii) The type of kennel enclosure including the size of the enclosures.
 - (iv) The type and height of fencing.
 - (v) The type and size of year-round shelters.
 - (vi) The source and location of water supply.
 - (vii) The sanitary maintenance plan, including provision for collection and disposal of excrement and other waste solution or material.
 - (viii) Lighting.
 - (ix) Landscaping and other visual and noise barriers.
 - (x) Surface drainage.
 - (xi) Expected weekly traffic related to the keeping of animals.
 - (xii) Hours of operation.
- (e) The total number of animals on the premises at any one time will be established as part of the conditional use permit process.
- (f) The applicant must demonstrate that:
 - (i) The location and operation of the kennel is appropriate for housing multiple animals and will be consistent with the health and safety of the animals and of the neighbors.
 - (ii) The location of the kennel on the property will have no significant adverse effect on the peace and quiet or sanitary conditions of the neighborhood.
 - (iii) The kennel will be operated in a manner that it will cause no nuisance to the public.
 - (iv) The kennel will be operated in a safe, sanitary, and humane condition.

(14) *Standards for bed and breakfast establishments.*

- (a) *General requirements.*

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- (i) Each bed and breakfast shall be established, maintained and operated so as to preserve and compliment the residential character and integrity of the surrounding area when the facility is established in a residential zoning district.
 - (ii) The bed and breakfast shall be occupied and operated by the owner as their principal residence.
 - (iii) The single family dwelling used as a bed and breakfast shall have a minimum of 2,000 sq. ft. in living area.
 - (iv) The home shall not be used by the public or paying guests for the hosting of receptions, private parties or the like.
 - (v) Any meals provided and any amenities connected with the guest rooms, such as a swimming pool or tennis court shall be solely for the use of the owner, the owner's family and the owner's registered guest.
 - (vi) There shall be no separate or additional kitchen facility for the guests.
 - (vii) A person who does not reside at the home shall not be employed to assist in the conduct of a bed and breakfast except as usual for a single family residence (e.g., maid, housekeeper).
 - (viii) A bed and breakfast must comply with all other provisions of the zoning district in which it is located and must comply with all other ordinances of the City.
- (b) *Guest rooms.*
- (i) Rooms utilized for guest rooms shall be part of the single family dwelling unless specifically approved by the conditional use permit.
 - (ii) A guest room shall not be located in a basement.
 - (iii) No more than three occupants per guest room shall be allowed.
 - (iv) Each guest room shall be equipped with a properly installed and functioning smoke detector. Further, a smoke detector shall be properly installed and functioning on or near the ceiling in the room or hallway from which each guest room exits.
 - (v) A fire escape plan shall be developed and graphically displayed in each guest room.
- (c) *Parking.*
- (i) The bed and breakfast will provide two off-street parking spaces for the residence and one additional space per guest room.
 - (ii) Off street parking shall be developed in such a manner that the residential character of the property is preserved.
- (d) *Register.* Every person operating a bed and breakfast residence shall keep at all times a book, to be known as the register, in which it shall be required that every person to whom a room is let shall have his, her or their name or names and address registered there in ink, along with the date on which the room was let, the date it was vacated, the correct number or other designation of the room let, and the number of the occupants assigned to the room. No page of the register may be disposed of until two years after the date of the most-recent entry recorded on it. The register shall be available to Development Services on request.
- (e) *Signs.* Signage shall be limited to one non-illuminated wall-mounted sign not to exceed six square feet in area.
- (f) *Application.*
- (i) The application shall contain:

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- (1) The name, address and telephone number of the owner(s) and address of proposed bed and breakfast.
 - (2) A plan, drawn to scale showing the floor plan of the dwelling, together with any proposed changes, renovations and additions to the dwelling.
 - (3) A site plan drawn to scale and including the following information:
 - Title of the drawing
 - North arrow, scale and date
 - Boundaries of the project site
 - Location of all existing or proposed site improvements, including buildings, additions, expansions, driveways, parking area, streets, retaining walls, fences and hedges
 - Location of all existing and proposed access and egress drives
 - Location, design and size of all proposed signs and outdoor lighting facilities
 - Location of existing and proposed buffer and screen areas, structures and vegetation
 - (ii) Development Services may require such additional or supportive information as it deems necessary for a complete assessment of the proposed bed and breakfast.
- (g) *Permit.*
- (i) The owner shall not make any change, deviation, modification or variation from the application and site plan once the same is approved by the City Council.
 - (ii) Any amendments to an approved conditional use permit shall be reviewed by the Planning Commission and approved by the City Council if found to be consistent with these standards. Minor amendments to the permit may be approved by the Development Services Director. Such administrative approval shall be limited to parking lot and landscaping improvements, exterior facade changes and signs. An appeal of the Development Services Director's denial of a requested minor change may be taken to the Planning Commission. The procedure for such appeals shall be the same as provided for amendments under Section 34-801(2).
 - (iii) The use is subject to review at any time and may be revoked after a hearing by the City Council and a finding by the Council that the use has become detrimental to the neighborhood.
 - (iv) Upon the issuance of a permit for bed and breakfast establishment, an annual inspection and certificate of compliance for the bed and breakfast shall be issued by Development Services for continued operation.
 - (v) An application for a certificate of compliance shall be filed with Development Services with the inspection fee as set by the current fee schedule.
- (h) *Review considerations.* The City's review of the application and site plan shall include but not be limited to the following considerations:
- Adequacy and arrangement of vehicle traffic access and circulation
 - Location, arrangement, appearance and sufficiency of off street parking
 - Location, arrangement, size and design of lighting and signs
 - Relationship and compatibility of proposed use to uses of adjacent parcels together with their scale
 - Adequacy, type and arrangement of trees shrubs, fences and other landscaping or improvement constituting a visual or noise-deterring buffer between the site and adjacent or adjoining uses
 - Any other matter which may affect the health, welfare and safety of the community as a whole and the parcels in the immediate vicinity of the site.

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- (15) *Standards for livestock feeding operations.* For the purposes of this subsection, the term "animal unit (AU)" shall mean the relationship of various animals with regard to manure production based upon 1,000 pounds of animal(s) regardless of type. The following relationship with regard to manure production shall be as follows:

Type of Animal	Animal Unit(s)
Beef animal (500—1,200 pounds)	1.00
Beef or dairy calf (150—500 pounds)	0.50
Young dairy stock (500—1,000 pounds)	0.75
Replacement heifers	1.00
Dairy cow	1.40
Horse	2.00
Swine (55 pounds or heavier)	0.40
Swine (less than 55 pounds)	0.04
Swine (sow and litter)	0.50
Sow or boar	0.40
Sheep and goat	0.10
Chicken	0.01
Turkey	0.02
Ostrich	0.40
Llama or alpaca	0.50

- (a) The following setbacks and design standards are the minimum sanitation and odor practices for the City of Hastings. In addition, the Hastings City Council, when considering the health, safety, and general welfare of the public, may impose more restrictive requirements. These requirements should consider such things as:
- odor
 - dust,
 - lighting,
 - waste disposal and
 - dead livestock.
- (b) A conditional use permit may be approved after public notice has been given and public hearing is conducted as required by law.
- (c) Agricultural operations of 300 animal units (A.U., equaling one cow or cow-calf pair) and under are considered a farm as defined in these regulations and do not require a conditional use permit.
- (d) All existing livestock feeding operations (LFO's) that have been granted a conditional use permit may expand within their designated level; except for the 20,000 and above which requires a new conditional use permit for each expansion beyond 20,000 A.U.'s, as outlined in Table 404-1, without applying for another conditional use permit. All new livestock feeding operations and those expanding to the next level shall require a conditional use permit and shall be located no less than at a distance from non-farm residences or other residences not on an owner's property in any affected zoning district as hereafter described:

- (i) Livestock feeding operations will be categorized either as environmentally controlled housing operations or open lot operations. Livestock feeding operations having more than one type of feeding operation at one location shall be categorized according to the operation which constitutes the majority of the total operation, measured in A.U.'s. Each operation type shall be classified in one of four levels according to total number of animal units (A.U.) in the operation at any one time. Levels will include:

Class I facility = 301—1,000 animal units;

Class II facility = 1,001—5,000 animal units;

Class III facility = 5,001—20,000 animal units; and

Class IV facility = 20,001 or more animal units.

Livestock feeding operations having more than one type feeding operation at one location shall be categorized according to the total number of animal units.

TABLE 404-1: LFO SPACING AND DISTANCE (Distances given in feet)		
Size of Proposed LFO in Animal Units.		Non-farm or Other Residence and Other LFOs (feet)
Class I 301—1000	ECH	1,320
	OPEN	1,320
Class II 1001—5000	ECH	5,280
	OPEN	2,640
Class III 5001—20,000	ECH	5,280
	OPEN	2,640
Class IV 20,001 or more	ECH	7,920
	OPEN	3,960

ECH = Environmentally Controlled Housing OPEN = Open Lot Operations

- (ii) Livestock feeding operations having more than a 1,000 animal units shall also locate at a distance as specified under the environmentally controlled housing or open lots, in Table 1 from a platted residential area, public park, recreational area, church, cemetery, religious area, school, historical site, and residential district.
- (iii) All livestock feeding operations over 20,000 animal units shall be required to obtain a new conditional use permit prior to any expansion, unless it meets the standards of the exceptions in the exceptions section.
- (iv) The producer shall have a pre-submission meeting with the City of Hastings Development Services Director and City of Hastings Building Inspector to discuss tentative plans and layouts prior to formal submission of the conditional use permit for livestock feeding operations.
1. The applicant shall submit a proposed site plan and conditions or requirements of this regulation pending approval of application for a proposed operation and waste disposal plan from the Nebraska Department of Environment and Energy (NDEE) or any other applicable state agency.
 2. The applicant shall submit all pertinent materials and designs, as per the conditional use permit application for livestock feeding operations.

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3. The applicant shall file a copy of the proposed operation and maintenance plan and proposed manure management plan. The approved plans shall be submitted after NDEE approval if different from the proposed. Said plans shall be filed with the City of Hastings Development Services Director.
 4. The applicant shall also file a copy of all approved NDEE plans and permits with the City of Hastings Development Services Director within 30 days after they are issued by the NDEE.
 5. An annual manure management plan shall be submitted to the City of Hastings Development Services Director which shall follow "best possible management practices" as specified by NDEE in order to protect the environment, as well as the health, safety and general welfare of the public and their property values.
 6. If stockpiling of animal waste and/or composting of dead carcasses, as per state statutes, are part of the manure management plan, the waste shall be maintained in an area as outlined in Table 1 of this section. Said area shall also have located on the proposed site plan indicated in [Subsection] (a) above.
 7. All ground surfaces within outside livestock pens shall be maintained to insure proper drainage of animal waste and storm or surface runoff in such a manner as to minimize manure from being carried into any roadway ditch, drainage area or onto a neighbor's property.
 8. In no event shall any manure storage unit or system be constructed where the bottom of the unit or system is either in contact with or below the existing water table where the unit or system is to be constructed. Application of manure in flooded areas of standing water shall be prohibited.
 9. All runoff or waste generated by a livestock feeding operation facility shall be contained within the associated farming operation, or, on the premises upon which the confined feeding facility or feedlot is located. The applicant must verify that all runoff control ponds, lagoons, methods of manure disposal and dust control measures are designed to minimize odor and air pollution, and avoid surface or groundwater contamination as regulated by the State of Nebraska.
 10. The setbacks from a livestock feed operation to any non-farm dwelling, other residence or other livestock feeding operation are outlined in Table 404-1.

(e) Exceptions:

- (i) Any Class I Livestock Feeding Operation use in existence as of the effective date of this provision, and which is located within the minimum spacing distance in Table 1 to any church, school, public use, other livestock feeding operation or single-family dwelling within the current class or to the next class, may expand in animal units and/or land area under a conditional use permit, provided the proposed expansion complies with all of the following limitations:
 1. Such expansion will not decrease the distance from the livestock feeding operation use to any church, school, public use, other livestock feeding operation or single-family dwelling not of the same ownership and not on the same premises with said livestock feeding operation which is less than the minimum prescribed spacing distance.
 2. Any physical expansion of the existing livestock feeding operation shall be immediately contiguous with the facilities of the existing livestock feeding operation.
 3. Such expansion may occur in phases over time, but in no event shall such expansion(s) result in a livestock feeding operation that is more than 50 percent larger in animal units than the one-time capacity of the use which existed as of the effective date of this

provision. Any expansion beyond this limitation is prohibited unless a conditional use permit for expansion that meets all requirements is heard by the Planning Commission and authorized by the City Council.

4. If such expansion results in such livestock feeding operation being required to obtain a new construction permit from NDEE, introduction of additional animals shall be prohibited until said permit is issued by NDEE or other applicable or successor agency has been issued and such livestock feeding operation shall be operated at all times in a manner consistent with the requirements of said permit and applicable regulations of this provision.

(Ord. No. 3218-6/91, 3396-5/94, 3397-6/94, 3637-5/98, 3636-6/98, 3763-9/2000, 3852-3/2002, 3879-11/2002, 3947-4/2004, 4003-5/2005, 4053-12/2005, 4233-11/2009, 4294 -5/2011, 4347 -5/2013 and 4416 -11/2014; Ord. No. 4619 , § 1, 2-10-2020)

Secs. 34-405—34-500. Reserved.

ATTACHMENT #6 - REALTOR OPINION LETTER #1



December 20, 2021

City of Hastings Planning Commission
Attn: Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Re: Proposed Casino and Racetrack - 4555 W. Osborne Drive

Planning Commissioners:

I am a licensed realtor in good standing here in Hastings and have been representing buyers and sellers of all kinds of properties in Hastings and Adams County for over 20 years. I have been asked for an opinion related to a proposed development site located at 4555 W Osborne drive. I have been presented materials by the developers including site plan describing the project the project area and I've also seen building and property renderings showing the type of investment and equality construction proposed.

I am familiar with the surrounding properties including the residence is north of the subject property both bordering the Expressway and those bordering the northwest corner of the subject property.

After considering all the facts familiar to me my experience background and insight derive from speaking with thousands of property owners over the course of my career it is my opinion that the proposed \$30 million plus construction of a commercial structure and parking lot along with a 5/8-mile horse racetrack and associated buildings is not likely to have a negative impact on the values of these surrounding properties.

In fact, if anything it is my opinion that developing property in question consistent with the developers renderings and plans will more likely than not increase surrounding property values. This is true not only for the Lochland residences but also for the farmland located ⁽²⁾ the West. This project will be one of the most significant development projects but Hastings has seen in years. The developers have carefully analyzed the subject property and will be leaving proximately 45 acres agricultural land as it is today and as it has been since before any of the surrounding residences existed.

In other words, the surrounding existing residences will not have any change in the nature character of the property that currently borders their properties. Based on the site plan the casino will be facing South towards a commercial area including a large Walmart which is currently the view south from the existing Lochland residences.

The majority of the property in question is designated for commercial use which makes perfect sense given its orientation on the Expressway and the adjacent commercial properties.

Further researching the project and speaking to those in our community I have heard significant positive comments about the millions of dollars in tax revenue that will be generated including several million to go directly to property tax relief. From my years of experience I found that lower property taxes are one of the factors buyers used to differentiate between potential homes. One could argue that this project can only help reduce property taxes in our city and our county which would be a positive for all residences not only those north of the subject property.

A misconception about this project may be related to the amount of racing and the features of the racetrack. At the height of the racetrack activities which will take approximately four years after completion of construction to get to there will be approximately a maximum of 12 race days out of 365 per year. In speaking with the developer I've learned that there they do not plan to do night racing and they are not constructing any pole lighting or stadium lighting. Additionally, there will not be a grandstand of any kind.

It is my opinion that a project of this kind with all of the tax and financial benefits as well as the being a project will draw tourists and new dollars into our community to support our existing hotels motels restaurants and retail is a very positive opportunity that should be embraced by the Planning Commission, the City Council and the community. All my opinions are based on my education, experience, background, and review of information directly related to this project.



Michael Engelhardt
Nebraska Realty

ATTACHMENT #7 - REALTOR OPINION LETTER #2



December 20, 2021

City of Hastings Planning Commission
Attn: Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Re: Proposed Casino and Racetrack - 4555 W. Osborne Drive

Planning Commissioners:

I am a licensed realtor in good standing here in Hastings and have been representing buyers and sellers of all kinds of properties in Hastings and Adams County for over 20 years. I have been asked for an opinion related to a proposed development site located at 4555 W Osborne drive. I have been presented materials by the developers including site plan describing the project the project area and I've also seen building and property renderings showing the type of investment and equality construction proposed.

I am familiar with the surrounding properties including the residence is north of the subject property both bordering the Expressway and those bordering the northwest corner of the subject property.

After considering all the facts familiar to me my experience background and insight derive from speaking with thousands of property owners over the course of my career it is my opinion that the proposed \$30 million plus construction of a commercial structure and parking lot along with a 5/8-mile horse racetrack and associated buildings is not likely to have a negative impact on the values of these surrounding properties.

In fact, if anything it is my opinion that developing property in question consistent with the developers renderings and plans will more likely than not increase surrounding property values. This is true not only for the Lochland residences but also for the farmland located ¹² the West. This project will be one of the most significant development projects but Hastings has seen in years. The developers have carefully analyzed the subject property and will be leaving proximately 45 acres agricultural land as it is today and as it has been since before any of the surrounding residences existed.

In other words, the surrounding existing residences will not have any change in the nature character of the property that currently borders their properties. Based on the site plan the casino will be facing South towards a commercial area including a large Walmart which is currently the view south from the existing Lochland residences.

The majority of the property in question is designated for commercial use which makes perfect sense given its orientation on the Expressway and the adjacent commercial properties.

Further researching the project and speaking to those in our community I have heard significant positive comments about the millions of dollars in tax revenue that will be generated including several million to go directly to property tax relief. From my years of experience I found that lower property taxes are one of the factors buyers used to differentiate between potential homes. One could argue that this project can only help reduce property taxes in our city and our county which would be a positive for all residences not only those north of the subject property.

A misconception about this project may be related to the amount of racing and the features of the racetrack. At the height of the racetrack activities which will take approximately four years after completion of construction to get to there will be approximately a maximum of 12 race days out of 365 per year. In speaking with the developer I've learned that there they do not plan to do night racing and they are not constructing any pole lighting or stadium lighting. Additionally, there will not be a grandstand of any kind.

It is my opinion that a project of this kind with all of the tax and financial benefits as well as the being a project will draw tourists and new dollars into our community to support our existing hotels motels restaurants and retail is a very positive opportunity that should be embraced by the Planning Commission, the City Council and the community. All my opinions are based on my education, experience, background, and review of information directly related to this project.

Brent Parker



Nebraska Realty



HASTINGS EXPOSITION & RACING
AERIAL VIEW LOOKING NORTHWEST

POPULOUS



NORTH PLATTE EXHIBITION & RACING
FACILITY LOCATED IN NORTHWEST

POPULOUS

HASTINGS PARK

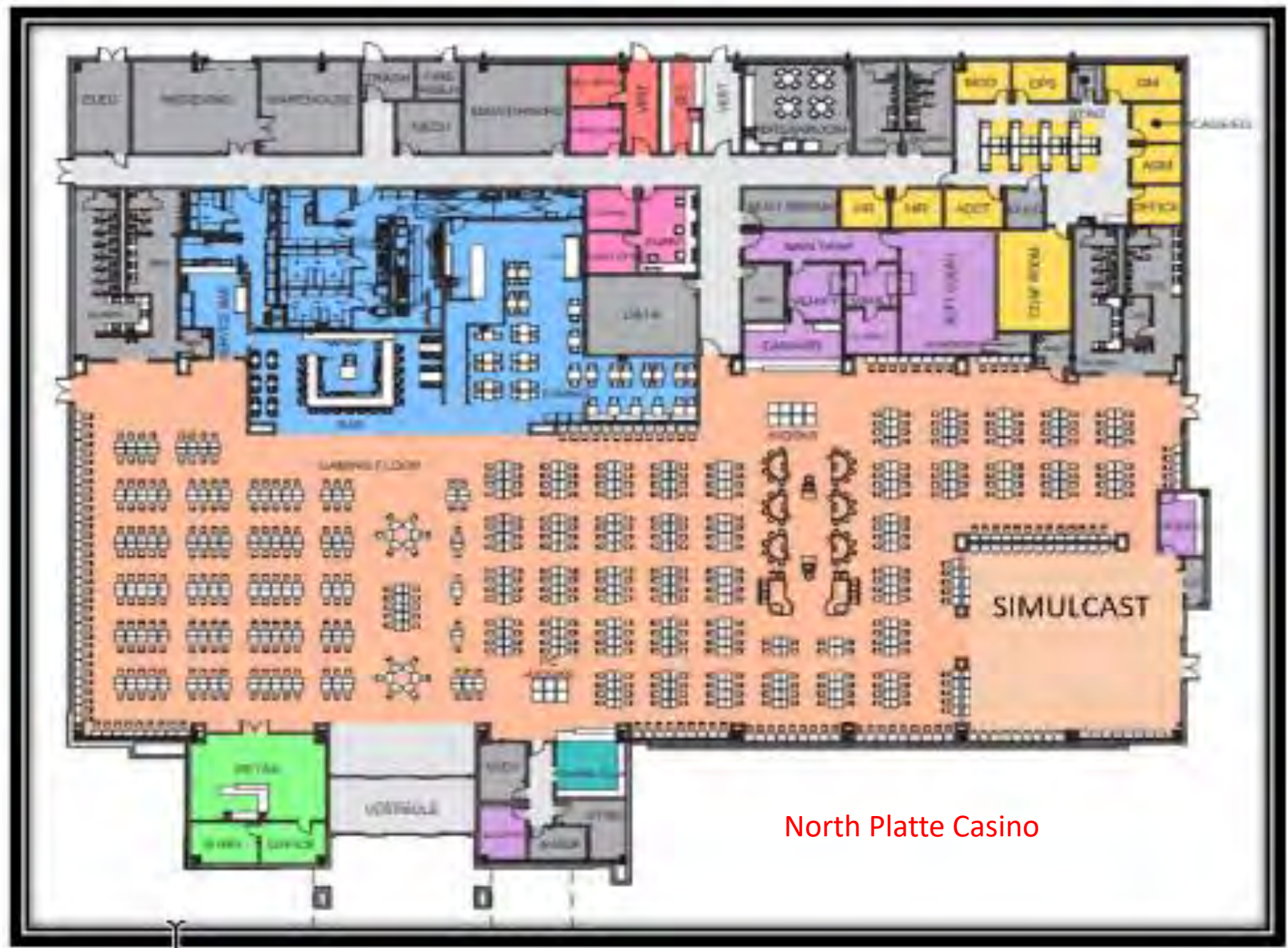


GERING PARK





Hastings Casino



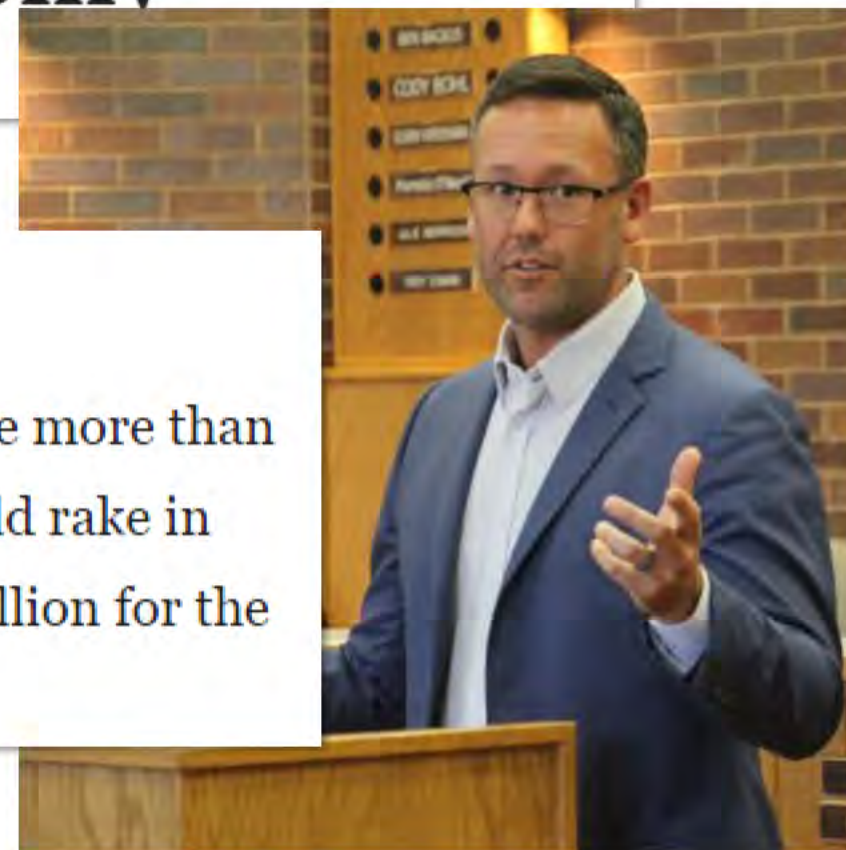


Developers: Casino could bring millions to Gering, county economy

Christopher Borro Nov 15, 2021 0

“We think transparency is critical to a project like this,” he said.

According to the presentation, the entertainment venue would create more than 150 jobs with a payroll of more than \$4.25 million. Boyd said it would rake in \$12.5 million in sales taxes for Gering. It would also bring in \$70 million for the Nebraska Property Tax Credit Cash Fund.



Developers: Casino could bring millions to Gering, county economy

Christopher Borro Nov 15, 2021 0

The group's algorithmic "gravity model" showed a market size of 1.03 million people living within a 125-mile radius of Gering.



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Denver

From Wikipedia, the free encyclopedia

This article is about the city and county in Colorado. For other uses, see [Denver \(disambiguation\)](#).

"Mile High City" redirects here. For the capital of Lesotho, see [Maseru](#). For other uses of "Mile High", see [Mile High](#).

Denver (/ˈdɛnvər/) is a consolidated city and county, the capital, and most populous city of the U.S. state of Colorado. Its population was 715,522 at the 2020 United States census, a 9.22% increase since the 2010 United States census.^[1] It is the 15th most populous city in the United States and the fifth most populous state capital. It is the principal city of the Denver–Aurora–Lakewood, CO Metropolitan Statistical Area and the first city of the Front Range Urban Corridor.



PROTEST AND OBJECTION

January 13, 2022

Hastings City Planning Commission
Development Services Department
220 N. Hastings Ave.
Hastings, NE 68901

Hastings City Council
220 N. Hastings Ave.
Hastings, NE 68901

RE: Protest of Permit #2021-071 / Rezoning and Conditional Use Permit
Request for the Property located at or near 4555 Osborne Drive West,
Hastings, Nebraska, 68901 (SE1/4 of Section 25, Township 8N, Range 10)

Dear Hastings City Planning Commission and Hastings City Council:

We, the undersigned property owners, hereby present this Protest and Objection in accordance with NEB. REV. STAT. § 19-905 and Hastings Municipal Code § 34-801. We submit and present this Protest and Objection to the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council.

We, the undersigned property owners, are the owners of certain real property that is immediately adjacent to that certain real property located at or near the Southeast Quarter of Section 25, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska, commonly described as 4555 Osborne Drive West, Hastings, Nebraska, 68901, Parcel Nos. 010000579 and 010000679 (hereafter, "Subject Property"). Together, our real property consists of more than 20% of the lots and real property that are immediately adjacent to the Subject Property. We have attached hereto as Exhibit 1 a description of our real property. We have also attached hereto as Exhibit 2 a true and correct copy of an aerial map that shows our real property in relation to the Subject Property.

We, the undersigned property owners, hereby object to and protest the application and request of West Fork, Inc., Gremco, Inc., and Prairie Thunder Hastings, LLC (collectively, "Applicants") to rezone, and obtain a conditional use permit for, the Subject Property. We, the undersigned property owners, hereby object to and protest the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, the undersigned

property owners, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

We, the undersigned property owners, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

Sincerely Yours,

The undersigned property owners

EXHIBIT 1

PROPERTY OWNERS **JOINING PROTEST** **AND DESCRIPTION OF** **THEIR REAL PROPERTY**

PARCEL #010015724
Timothy Russell and Ann Russell

We, Timothy Russell and Ann Russell, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 6, Lochland Country Club Subdivision No. 10, City of Hastings, Adams County, Nebraska, commonly described as 500 Madden Road, Hastings, Nebraska, 68901 (Parcel #010015724) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Timothy Russell and Ann Russell, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Timothy Russell and Ann Russell, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Timothy Russell and Ann Russell, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Timothy Russell and Ann Russell, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Timothy Russell, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Timothy Russell
Timothy Russell

1-12-2022
Date

STATE OF NEBRASKA)

) ss:

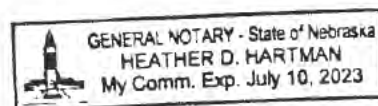
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Timothy Russell appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Timothy Russell was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Timothy Russell on the date identified above.

Heather D Hartman

Notary Public

My Commission expires: July 10, 2023



AFFIRMATION AND ACKNOWLEDGMENT

I, Ann Russell, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

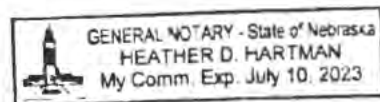

Ann Russell

1-12-22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Ann Russell appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Ann Russell was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Ann Russell on the date identified above.


Notary Public
My Commission expires: July 10, 2023



PARCEL #010000746
Duane R. Niemeyer and Linda M. Niemeyer

We, Duane R. Niemeyer and Linda M. Niemeyer, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 4, Lochland Country Club Subdivision No. 10, City of Hastings, Adams County, Nebraska, commonly described as 524 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000746) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Duane R. Niemeyer and Linda M. Niemeyer, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Duane R. Niemeyer and Linda M. Niemeyer, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Duane R. Niemeyer and Linda M. Niemeyer, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Duane R. Niemeyer and Linda M. Niemeyer, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Duane R. Niemeyer, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Duane R. Niemeyer
Duane R. Niemeyer

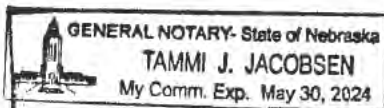
Jan. 13, 2022
Date

STATE OF NEBRASKA)

) ss:

COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Duane R. Niemeyer appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Duane R. Niemeyer was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Duane R. Niemeyer on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires:

AFFIRMATION AND ACKNOWLEDGMENT

I, Linda M. Niemeyer, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Linda M. Niemeyer
Linda M. Niemeyer

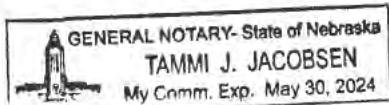
1/13/22
Date

STATE OF NEBRASKA)

) ss:

COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Linda M. Niemeyer appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Linda M. Niemeyer was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Linda M. Niemeyer on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires

PARCEL #010000782
The Kathryn Ann Adams Revocable Trust

The Kathryn Ann Adams Revocable Trust is the titled and legal owner of that certain real property having the following approximate legal description: Parts of Lots 10 and 11, Block Eleven, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 531 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000782) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

The Kathryn Ann Adams Revocable Trust has read and hereby joins the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). The Kathryn Ann Adams Revocable Trust also hereby objects to and protests the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, The Kathryn Ann Adams Revocable Trust believes the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

The Kathryn Ann Adams Revocable Trust objects to and protests any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. The Kathryn Ann Adams Revocable Trust, therefore, requests that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Roxanne K. Janeke, being first duly sworn upon oath, state that I am the Successor Trustee of The Kathryn Ann Adams Revocable Trust; that I am duly authorized to act on behalf of The Kathryn Ann Adams Revocable Trust; and that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

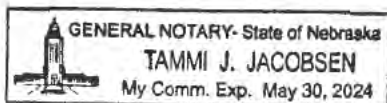
The Kathryn Ann Adams Revocable Trust

Roxanne K. Janeke, Successor Trustee
Roxanne K. Janeke, Successor Trustee

1-13-2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Roxanne K. Janeke, Successor Trustee of The Kathryn Ann Adams Revocable Trust, appeared before me and acknowledged before me that she executed the foregoing Protest and Objection on behalf of the said Trust and that I had satisfactory evidence that Roxanne K. Janeke was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Roxanne K. Janeke, Successor Trustee of The Kathryn Ann Adams Revocable Trust, on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires: May 30, 2024

PARCEL #010000781
Christopher M. Uridil and Amy S. Uridil

We, Christopher M. Uridil and Amy S. Uridil, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 9, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 603 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000781) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Christopher M. Uridil and Amy S. Uridil, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Christopher M. Uridil and Amy S. Uridil, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Christopher M. Uridil and Amy S. Uridil, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Christopher M. Uridil and Amy S. Uridil, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Christopher M. Uridil, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.



Christopher M. Uridil

1-13-22

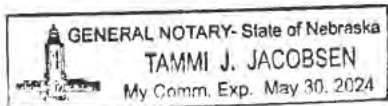
Date

STATE OF NEBRASKA)

) ss:

COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Christopher M. Uridil appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Christopher M. Uridil was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Christopher M. Uridil on the date identified above.





Notary Public

My Commission expires:

AFFIRMATION AND ACKNOWLEDGMENT

I, Amy S. Uridil, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.



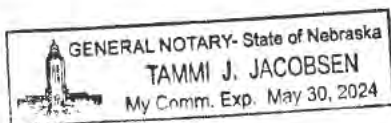
Amy S. Uridil

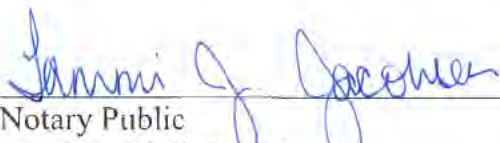
1/13/22

Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Amy S. Uridil appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Amy S. Uridil was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Amy S. Uridil on the date identified above.





Notary Public
My Commission expires.

PARCEL #010000779
Jordan A. Kohtz and Alexa J. Kohtz

We, Jordan A. Kohtz and Alexa J. Kohtz, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 7, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 627 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000779) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Jordan A. Kohtz and Alexa J. Kohtz, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Jordan A. Kohtz and Alexa J. Kohtz, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Jordan A. Kohtz and Alexa J. Kohtz, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Jordan A. Kohtz and Alexa J. Kohtz, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Jordan A. Kohtz, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Jordan A. Kohtz
Jordan A. Kohtz

1/12/2022
Date

STATE OF NEBRASKA)

) ss:

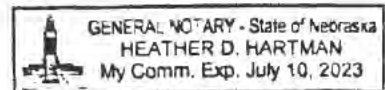
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Jordan A. Kohtz appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Jordan A. Kohtz was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Jordan A. Kohtz on the date identified above.

Heather D. Hartman

Notary Public

My Commission expires: July 10, 2023



AFFIRMATION AND ACKNOWLEDGMENT

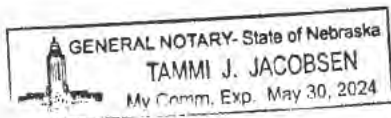
I, Alexa J. Kohtz, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Alexa J. Kohtz
Alexa J. Kohtz

1-13-22
Date

STATE OF NEBRASKA)
) ss;
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Alexa J. Kohtz appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Alexa J. Kohtz was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Alexa J. Kohtz on the date identified above.



Tammi J. Jacobsen
Notary Public
My Commission expires:

PARCEL #010000777

Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio

We, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, are the titled and legal owners of that certain real property having the following approximate legal description: The East 88 feet of Lot 5, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 703 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000777) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Anthony L. Nicassio a/k/a Tony Nicassio and Colleen Velasquez-Nicassio, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

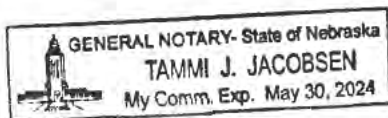
AFFIRMATION AND ACKNOWLEDGMENT

I, Colleen Velasquez-Nicassio, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Colleen Velasquez-Nicasio 1/12/2022

STATE OF NEBRASKA)
COUNTY OF ADAMS) ss:

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Colleen Velasquez-Nicassio appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Colleen Velasquez-Nicassio was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Colleen Velasquez-Nicassio on the date identified above.



Lammi J. Jacobsen
Notary Public
My Commission expires:

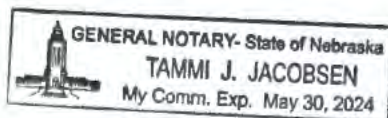
AFFIRMATION AND ACKNOWLEDGMENT

I, Anthony L. Nicassio a/k/a Tony Nicassio, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Anthony L. Nicassio a/k/a Tony Nicassio 1-13-2022
Date

STATE OF NEBRASKA)
COUNTY OF ADAMS) ss:

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Anthony L. Nicassio a/k/a Tony Nicassio appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Anthony L. Nicassio a/k/a Tony Nicassio was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Anthony L. Nicassio a/k/a Tony Nicassio on the date identified above.



Lamoni J. Jacobson
Notary Public
My Commission expires:

PARCEL #010000776
Micah McCaffery and Katie L. Crowe

We, Micah McCaffery and Katie L. Crowe, are the titled and legal owners of that certain real property having the following approximate legal description: Lot 4 and the West Two Feet of Lot 5, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 719 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000776) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

We, Micah McCaffery and Katie L. Crowe, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). We, Micah McCaffery and Katie L. Crowe, also hereby object to and protest the Applicants' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, we, Micah McCaffery and Katie L. Crowe, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

We, Micah McCaffery and Katie L. Crowe, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Micah McCaffery, being first duly sworn upon oath, state that I have read the foregoing Protest and Objection herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.



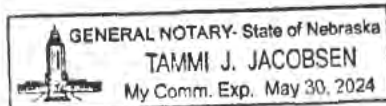
Micah McCaffery

13 JAN 2022

Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Tammi J. Jacobsen, the undersigned notary public, hereby certify that on the 13th day of January, 2022, Micah McCaffery appeared before me and acknowledged before me that he executed the foregoing Protest and Objection and that I had satisfactory evidence that Micah McCaffery was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Micah McCaffery on the date identified above.





Notary Public
My Commission expires: May 30, 2024

AFFIRMATION AND ACKNOWLEDGMENT

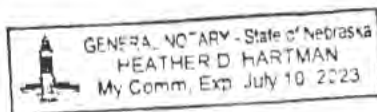
I, Katie L. Crowe, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Katie L. Crowe
Katie L. Crowe

1-12-2022
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Katie L. Crowe appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Katie L. Crowe was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Katie L. Crowe on the date identified above.



Heather D. Hartman
Notary Public
My Commission expires: July 10, 2023

PARCEL #010000775
Carol A. Brouillette

I, Carol A. Brouillette, am the titled and legal owner of that certain real property having the following approximate legal description: Lot 3, Block 11, Lochland Country Club Subdivision No. 4, City of Hastings, Adams County, Nebraska, commonly described as 727 Madden Road, Hastings, Nebraska, 68901 (Parcel #010000775) (hereafter, "My Property"). My Property is directly north of, and immediately adjacent to, the Subject Property.

I, Carol A. Brouillette, have read and hereby join the aforementioned Protest and Objection to the Applicants' application and request to rezone any part of the Subject Property, including, but not limited to, the Applicants' application and request to rezone the Subject Property from Agricultural District (A) to Commercial District (C-3). I, Carol A. Brouillette, also hereby object to and protest the Applications' application and request to obtain a conditional use permit on any part of the Subject Property, including, but not limited to, the Applicants' application and request to obtain a conditional use permit to operate a horse racetrack on the Subject Property.

Among other things, I, Carol A. Brouillette, believe the Applicants' application and request to rezone and obtain a conditional use permit on the Subject Property (including, but not limited to, the Applicants' plan to build a horse racetrack and a casino on the Subject Property) will negatively affect and decrease My Property's value, as well as the value of the properties adjacent to and surrounding the Subject Property; does not promote the health and general welfare of the public; does not align with the anticipated long-range future growth and development patterns of Hastings; is not a logical or efficient use of the Subject Property or of land use mixtures; will create unwanted noise, fumes, dust, and/or other environmental pollution; and will create unwanted dangers and nuisances.

I, Carol A. Brouillette, object to and protest any amendment, revision, or change to the zoning map or comprehensive plan for any part of the Subject Property. We, therefore, request that the Hastings City Planning Commission, the Hastings Development Services Department, and the Hastings City Council deny the Applicants' request to rezone, and obtain a conditional use permit on, any part of the Subject Property.

AFFIRMATION AND ACKNOWLEDGMENT

I, Carol A. Brouillette, being first duly sworn upon oath, state that I have read the foregoing instrument/document herein and know the contents thereof and that the facts and information stated therein are true and correct to the best of my knowledge.

Carol A. Brouillette
Carol A. Brouillette

1-12-22
Date

STATE OF NEBRASKA)
) ss:
COUNTY OF ADAMS)

I, Heather D. Hartman, the undersigned notary public, hereby certify that on the 12th day of January, 2022, Carol A. Brouillette appeared before me and acknowledged before me that she executed the foregoing Protest and Objection and that I had satisfactory evidence that Carol A. Brouillette was the person described in and who executed the foregoing Protest and Objection. The foregoing Protest and Objection was subscribed, acknowledged, and sworn to and signed before me by Carol A. Brouillette on the date identified above.

Heather D. Hartman
Notary Public
My Commission expires: July 10, 2023

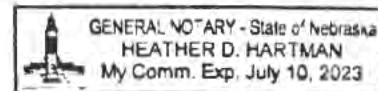


EXHIBIT 2

AERIAL MAP
SHOWING PROPERTY
OWNERS' PARCELS



February 14, 2022

TO: HASTINGS PLANNING COMMISSION
PUBLIC HEARING MEETING AT 4:00 PM, TUESDAY, FEBRUARY 15, 2022.
CITY BUILDING, 220 NORTH HASTINGS AVENUE, HASTINGS, NE

FROM: LOCHLAND VILLAGE ASSOCIATION
GEORGE HASLEY, 9 VILLAGE DR HASTINGS NE. 68901
Vice President of Lochland Village Association, representing 19 Residential Units.

SUBJECT: LOCHLAND VILLAGE ASSOCIATION REQUEST THIS DOCUMENT BE INCLUDED IN ABOVE REFERENCED HEARING.

On December 16, 2021, the Lochland Village Association met at their annual meeting and voted unanimously to oppose the horse Racetrack and Casino that is being proposed at a location north of Walmart, south of Madden Road and West of the Osborne expressway, US HWY 281. The nineteen (19) resident units at Lochland Village Drive ask the Hastings Planning Commission to deny the Racetrack and Casino rezoning and Conditional Use Permit.

We have studied the most recent Casino and Racetrack proposal which is before the Commission. The Prairie Thunder Hastings, LLC ("PTF") and Gremco, Inc., proposal translates between fiction, oversight, exaggeration, salesmanship and-or deception.

This is the second plan provided in just over a months' time by Prairie Thunder and Gremco, Inc., HER. No matter, future changes are forthcoming after the Commission and City Council either approves or denies the request. The old proverb, "Once the camel gets his nose in the tent," applies here.

Do not be deceived when the proponents say, "We estimate 650,000+ in annual visitors to the proposed facility". These are visitors to their site, their Casino, not people coming to visit Hastings from outside Adams County. Do not be deceived when they say, "We expect to average a total of 1,629 vehicles visiting in any given 24- hour period." If you go by simple averages, they will only need sixty-eight (68) parking places not 1134 parking spaces and less than one hundred (100) slot machines. Based on the projected traffic, the City will require a sidewalk and a frontage road along Osborne Drive to Madden Road which will then necessitate the City, at taxpayer expense, to install new traffic signals at Madden Road. This means Racetrack and Casino traffic will be dumped onto residential Madden Road.

Reality is the expected projected traffic to the Casino and Racetrack is from Hastings and residents South of Adams County. Grand Island to the North is building a much larger more luxurious Casino with hotel rooms, which will be closer to I-80 and thus capturing visitors from the East, West and North.

ECONOMIC BENEFITS:

"PTH, HER and Gremco estimates new job creation from 125 to 150 employees with total annual salaries of between \$3.7 million to \$4.5 million plus (undefined) benefits". This is a million-dollar change from last month's proposal. Last month they predicted 110 to 150 and salaries between \$2.75 million and \$3.25 million plus benefits. Their printed story changes with the stroke of a pen and will continue to change to fit the occasion.

Truth is not all employees will be full time employees and in fact, post likely most employees will be part time employees without Medical Insurance benefits. Hastings already has more job openings than employee applicants. Hastings may have the lowest unemployment rate in the entire United States. Hastings real problem is the lack of housing. The Hastings labor shortage is so serious that contractors can't find employees to build houses. There is hardly a business in Hastings that is not trying to hire employees.

Last month's proposal stated they would be investing \$30 plus millions on a 35,000 sq. ft. Casino. This month they propose a \$40 million investment on 40,000 sq. ft Casino. That computes to \$1000 per square foot which is an extravagant square foot cost. However, it is an understandable number when you compute the cost of bringing in 500 to 650 slot machines at \$20,000 and \$40,000 each. This alone amounts to \$10 million to \$20 million of the investment. Our Association did not compute the cost of the four hundred (400) horse stalls that would be installed on the property.

Our computations and that of others, did however negate the tens of millions of dollars in new tax revenues that is purported to come to Hastings as pure fiction. The vast majority of the traffic is from Hastings's residents which means the money the City and County collects will supposedly collect is from its own residents after the money is filtered thru the Casino. Most of the money taken in at the Casino will leave Hastings for the benefit of Casino owners in Oklahoma. See attachment Casino Cannibalize.

When it comes to taxes, we draw attention with emphasis to the fact that Hastings Exposition and Racing, Inc ("HER") is a **Nebraska Non-Profit corporation that holds the Race License.** Non-profits avoid paying taxes.

HASTINGS RESIDENTS

The proposal states "only ten existing residences share a property line with the Subject Property." Those "only ten" residents are teachers, hospital, and medical employees etc. and they are families that have invested in their homes. Lochland Village Association and all other residents north of Madden Road are also affected and our home values will be devalued. This reduction in property value will harm not only the resident home owner citizens but reduce the property tax income of the City, County and Schools. Demeaning the residents who will lose home asset value for the nonresident opportunity to profit gives new meaning to the concept of win-lose.

So here we have a situation where we have two competing economic bodies. The Casino owners and the landowners plan to profit on one side at the expense of the homeowners. You can't blame the landowners for trying to make a profit and probably reinvesting elsewhere in the community. However, have no doubt the Casino will be taking money out of the community which is the same money that could and should be spent by residents on food, clothing, utilities, and shelter. Please reread the attachment Casino Cannibalize.

RACETRACK

Hastings already has a horse Racetrack. The present Racetrack is surrounded by commercial property. Grand Island has a Racetrack and likewise it too is surrounded by commercial property. Keep your eyes open and assume this Racetrack is a proposal with no Casino. Under what circumstance would you allow this Racetrack to be installed at this residential location? The answer is simply you would not.

To the south of 42nd street, residential homes are being built towards the north. To the north just west of Lochland CC the area lots are nearly filled, and residential homes are being built towards the south. The center gap is open for continued residential growth. Allow the Racetrack and you not only financially injure the current resident homeowners, but you kill the future residential expansion. This residential death site is true unless the Commission knows people and banks that are likely to invest in homes next to a Racetrack and Casino.

The proposal submits "The Subject Property, is the ideal location for the proposed Racetrack and Casino." That "ideal" in this case is in the eyes of the out-of-state investors that plan to fill the four hundred (400) horse stalls and profit from the Casino (last month this was 400 to 600 stalls). Shall we ignore the fact that if this were four hundred (400) cows, the proponents would be applying for a feed lot license. Would the Commission approve a feed lot at this location? Would you like a Racetrack and gambling Casino in your backyard?

ALTERNATIVE

PTH, Gremco and HER, whoever is in charge, has a fantastic opportunity to invest in the Racetrack located at the location of the Adams County Fair Grounds. The Hastings Keno building, formerly Lorain's Restaurant, and the former Bernardo's Restaurant are available for a reasonable offer. These properties are available in a commercial zone and directly beside the Adams County Fair Ground where PTH already has a Racetrack License. Money talks and connecting to the fair ground with easements may not require CUP or Zoning changes. With a little effort the Casino could accelerate the project and have a grand opening in matter of few months. This would take an honest offer, not some pittance offer, and it would save the investors millions of dollars and accommodate the players coming from the South of Hastings.

According to the proposal there are six (6) Racetracks in Nebraska. Not stated is that none of these Nebraska Racetracks are profitable. To this the proposal states "North Platte and Gering have both approved our plans similar to what is proposed here." That will make for eight (8) nonprofitable Nebraska Racetracks. With the "camel's nose in the tent" the non-profitable Racetracks will come back to the Commission with future requests asking for permission to have tractor pulls, and lights, and KAM car races and so on.

The residents of Hastings Village Association plead the Hastings Planning Commission and thereafter the Hastings City Council, to deny the petitioned Rezoning and Conditional Use Permit.



George E. Hasley, VP
Lochland Village Association
9 VILLAGE DRIVE
Hastings NE 68901
402.984.1545

PD: Planned District
PTH: Prairie Thunder Hastings, LLC
FLU: Future Land Use
HER: Hastings Exposition and Racing, Inc.
CUP: Conditional Use Permit
CP: Comprehensive Plan

Cc: Lochland Association Residents

Casinos cannibalize local economies

PAT LOONTJER

Ho-Chunk CEO Lance Morgan (World-Herald, Dec. 16, 2021) expresses concern about new horse track casinos in Nebraska "cannibalizing and weakening existing facilities." By "facilities," he means several planned Ho-Chunk casinos at existing Nebraska horse tracks.

Morgan's cannibalization concern is exactly right but far too narrow.

The secret truth Nebraskans failed to hear during the campaign on the 2020 casino ballot initiative is that nearly all casinos in America cannibalize their local economies. They bring little money from outside. Rather, they pull most of it from spending at existing businesses.

Morgan is understandably worried about his own profits, but disappointingly silent about everyone else's.

The economic impact and jobs casinos claim are not in addition to existing local economic activity but in place of it. Gambling dollars do not drop from the sky. They come from local gamblers whose spending patterns change when slot machines move in, at the expense of local business receipts.

Even for Omaha, "Keep the money in Nebraska" was always a lie. A 2004 Omaha Chamber of Commerce study found that building a casino in Omaha would actually increase, not decrease, Nebraska gambling losses in Council

Bluffs casinos because it would result in more Nebraskans gambling.

It's not a secret that more casinos mean more gambling. It shouldn't be a secret that more gambling means less money spent on other things.

Lincoln? Grand Island? Columbus? Forget about economic development. Your casinos are going to cannibalize your businesses, as will the potential Bellevue and York casinos Morgan worries about. More casinos mean more cannibalization. That's you, too, Norfolk. It's the casino business model.

And now Oklahoma's Global Gaming Solutions (GGS) is pushing for casinos in Gering and North Platte, with flowery economic impact projections that, as usual, simply ignore their casinos' cannibalization effects. GGS knows that most casino revenue comes from within 35 miles of a casino, with a smaller secondary market within 80 miles. Nonetheless, GGS claims gamblers will come from 125 to 150 miles away to gambling in western Nebraska. Get real.

The last thing Nebraska's rural business community needs is another revenue drain.

If you own or manage a business in Nebraska, Morgan's concern that his business will lose money to other casinos in Nebraska should be your concern, too. Only pawn shops and payday lending operations consis-

tently get more business when casinos move in. Once the dust settles at casino construction sites, other businesses see their receipts suffer.

Morgan has proven adept at protecting his own profits. Ho-Chunk and affiliates together make up one of Nebraska's biggest beneficiaries of the congressional Paycheck Protection Program. And it got taxpayers to foot some of the bill for its Omaha casino through tax increment financing — an ironic step for an initiative that promised tax relief.

Also ironic is Morgan's claim that additional Nebraska casinos will cannibalize Ho-Chunk profits — accompanied by his silence about the same effect that Ho-Chunk casinos will have on Nebraska's broader business community.

Odder yet is that the one man perhaps most responsible for Nebraska's existing casino law is now complaining about others taking advantage of it. If Morgan didn't want casinos outside of existing tracks, why didn't he write that into the petition effort to begin with? Or is the horse racing community pulling a fast one on Ho-Chunk?

Pat Loontjer is executive director of Gambling with the Good Life, Nebraska's voice against gambling expansion since 1995.

Dear members of City Planning and Zoning Committee,

2/14/2022

I am strongly opposed to a Casino/Racetrack development north of Walmart in Hastings. Is there any legitimate reason to undermine the development of lovely residential neighborhoods between Lake Hastings and Lochland which have been moving north steadily from 25th Street to 33rd Street, and almost to 42nd Street over the past 20 years?

I live at 710 Dockside Cove, just north of the Lake Hastings. I have been impressed that a cornfield behind my house has become populated with numerous streets stretching almost 10 blocks to the north. These are beautiful neighborhoods which should be allowed to eventually continue to move beyond 42nd street to Lochland uninterrupted by a racetrack. I would consider a casino/racetrack north of 42nd street to still be in my neighborhood.

It seemed to me that the city's master plan should be to continue expanding residential neighborhoods to connect 42nd Street to Madden Road, which would beautify our city and make it attractive to new families. Do you realize that all of the houses north of 35th street will have to look out from their hillside over this proposed racetrack facility and barns? The best vision for the cornfield north of 42nd would be to develop 80-90% residential/10-20% light commercial—definitely NOT 80-90% casino and race track, etc. Have you no prior master plan for development of that area? A casino there certainly shows lack of vision.

Placing a racetrack, horse barns and a casino on the major portion of that cornfield between 42nd Street and Madden Road will kill residential development in that area. It also will sabotage the families and developers that have already invested in the housing established north and south of this particular land parcel. If they ever suspected that you would allow the moving of horse barns and race track, akin to moving the County Fairgrounds into their neighborhoods, they would never have dreamed of building north of 35th Street, or in much of Lochland subdivision. We do not need a "Fairgrounds North." Keep it all at the south end—racetrack, animal pens, etc. --where there is much less residential development to disturb.

You may feel that a casino is a good investment for Hastings, but I contend that it will harm the downtown businesses and our present restaurant investments. The discretionary spending in our redeveloped downtown and local eating establishments will be seriously dried up by the sucking of extra household dollars out of our community by the casino. Local and out-of-town people may still prefer to make their bets at the grander casinos in Grand Island, and elsewhere. You may find that there will be an offset of tax revenue from the casino with reduced sales tax income locally, because of the casino drain of available Hastings dollars. Property taxes may then make no improvements or more likely worsen.

Regardless of the merits of a casino in Hastings, the worst possible location, from a residential standpoint, is at the north entrance to our city. If you aim to allow a casino, move it near the fairgrounds or away from our residential areas. Would you want the casino in your back yard or in your neighborhood?

Richard French M.D.
710 Dockside Cove
Hastings, NE

RD French
2/14/2022

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

Sent: Friday, February 18, 2022 8:45 AM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Kelly Utecht

Address: 1242 Eastside blvd

City: Hastings

State: NE

Zip: 68901

[REDACTED]

[REDACTED]

Mesage:

I support the casino/ racetrack in Hastings. Let Hastings GROW!! Keep the money here instead of sending all of us to GI to spend our money!!



[REDACTED]

Sent: Friday, February 18, 2022 9:56 AM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Kelly Bramble

Address:

City: Hastings

State: NE

Zip: 68901

[REDACTED]

[REDACTED]

Message:

Please do not allow a race track and casino to be built between Walmart and Madden road. I am not opposed to the idea. But there are plenty of other areas east and south of the city that it could be built as to still help out our community but with less interruption to residential areas which includes noise, trash, traffic and crime. Thank you.

[REDACTED]

[REDACTED]



[REDACTED]

Sent: Friday, February 18, 2022 3:34 PM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Logan Kershner

Address: 5595 N 1st ave

City: Hastings

State: NE

Zip: 68901

[REDACTED]

[REDACTED]

Mesage:

Id love to see the number on how many young people leave our city solely based on the lack of opportunities. I attended the meeting last night. Both approving and disapproving parties of the racino had great points. I know hastings lives by the title small town and believes strongly in small town culture, but that same belief is what drives the younger generation out. No new opportunity. No pull or motivation to come back here after they go off for education. Hastings population has been very steady at 23-25xxx since 1960. We have to stop giving all our towns business to the towns surrounding us and figure out a way to bring it here. This may or may not be the last chance. We have turned down business after business. All i ask is for both parties to really just consider what keeping this town like it is, is going to do to the young people looking for new opportunities.

[REDACTED]

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]
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[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]



Sent: Sunday, February 27, 2022 10:48 AM
To: David Ptak <dptak@cityofhastings.org>
Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Gloriann Peddicord

Address: 112 E 14Th St

City: Hastings

State: NE

Zip: 68901

Message:

Vote yes for the Casino! They are not asking for a dime from the city...that should be enough of a reason. Jobs bringing money to our area. 12 days of racing....people can deal with it.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]:

On Tuesday, March 1, 2022, 9:44 AM, [REDACTED]

Hi,

Just wanted to give you my two cents on the racino. I am one of the members of the planning commission who voted yes.

The commission was very split at 4-3 so I wanted to give you some of my personal observations. The meeting was well attended however the average age of those opposed was easily 70 plus. I did see three people that were in their 40s/50s but also a few in their 90s. So I'm not sure this "vocal" group of 47 people is representative of Hastings. The three members who voted yes were the younger members of the commission. It was very much age split.

Personally I hate gambling. I can sympathize with those who don't want it in the community for those reasons. I think they said as a whole Hastings wanted The ability to build these type of facilities based on a state vote about gambling though.

Selfishly I don't want that part of town to grow because we work hard to let those softball families know there isn't much to do in Hastings between games so they can come to our shop and have a team building activity. We fill our store every weekend of state with families who make T-shirts and shop. Joe Patterson will not allow our company to bid out the T-shirts for the tournaments as he would rather work with a company out of Norfolk so this is our way to capitalize on those kids coming to town. Because we sell at tournaments throughout the year in other towns and have a good relationship with coaches and teams across the state we do a good job of marketing to these people to come downtown. The last thing I want is for something right across the street that they can do instead of going downtown. Plus growth creates more growth and I would rather see it downtown than more retail out that way.

However I grew up close to Fonner Park in Grand Island and having a race track close by was never an issue. They have a golf course just to the south, neighborhoods to the north, retail to the west and a farm to the east. Before the state fair came they had softball fields right across the parking lot, very similar to Hastings. When the fair came they had to be torn down for parking.

One of my biggest issues with the Lochland crew is so many of them say I don't see why they can't put it out at the fairground. And I'm about over the not in my neighborhood argument as it seems to be a reoccurring theme at the planning commission. If it's good enough right by Lincoln Elementary School and low income housing, then it's good enough by Walmart and an empty field north of town.

Personally I was really excited to hear that we would have landscaping and a bike trail to go through. The plans seem pretty to me. Prettier than the fences falling over across the road.

And if they are coming to Hastings I think we give them the best chance to succeed. Location matters and visibility matter. Our business sold right at a million dollars last year after moving to a visible location. That is significantly more than we did hidden back on first street. So I can understand why the racino crew picked the location they did and need to be visible to succeed.

So anyways, I think this would be a good thing for Hastings. My vote is yes, even though I think personally my family will benefit more from a no vote.

Thanks for all you do and your time!
Jacque Cranson

[Sent from Yahoo Mail for iPhone](#)

**HASTINGS KENO, INC.
MICHAEL J. NEVRIVY-PRESIDENT
P.O. BOX 1001
HASTINGS, NE 68902-1001**

March 1, 2022

Letter to: Mayor Stutte and Members of the Hastings City Council

From: Mike Nevriy

Dear Mayor and Council Members,

As you know, I am fortunate to have been the City's Keno Operator for almost 30 years now. Keno has provided millions of dollars of revenue for the City of Hastings for Community Betterment projects since its inception in the early 90's, and has done so very consistently and with very minimal negative consequences. In addition, it has provided numerous jobs and much needed revenue for local bars and restaurants where keno is located, and each location receives a monthly percentage of their local keno sales.

I am sending you a note to express my opposition to the request by Global Gaming Nebraska to have the City annex and rezone the north location in Hastings, between 42nd Street and the Lochland area at the main entrance to our proud community, to build their horsetrack/casino project, and here are several reasons why.

Obviously, if casino gambling comes to Hastings, it will have a devastating effect on the City's keno sales, and in turn cannibalize the jobs and revenue the restaurants bars earn, and ultimately the revenue the City of Hastings receives from its keno lottery. However, the citizens of the State of Nebraska voted in favor of the initiatives, and therefore it shall come to be. But this is not the issue being considered at the March 14th council meeting.

The issue is whether or not City Council will annex and rezone the land located at the north entrance of our great community, and allow Global Gaming Nebraska to build there. I feel rezoning that land to allow a horsetrack/casino to be put up will have detrimental consequences in many ways to Hastings, which has grown to be one of the finest communities for our population size for states around.

I have lived in Hastings since 1978 and started and operated several businesses here. I have never seen our community moving forward more positively than it is today. Growth does not necessarily mean large increases in population, but more importantly the quality of life we are fortunate to enjoy here. I am not concerned with how it will affect my home's property value, but rather how it will hurt our community's value!

I am deeply concerned that the revenue that is being promised to the City by Global Gaming Nebraska is being greatly overstated, which may falsely sway a decision to rezone for the horsetrack/casino, when future uses for that property may bring greater and consistent revenue to the City of Hastings for years to come, while enhancing the entrance to our wonderful community.

One of the issues that I have heard from other parimutuel license holders, is that the Racing and Gaming Commission has told them that they will not issue a casino license to a horse racing company if the license holder does not have community support. At this point in time it is quite clear that there is much opposition to the horsetrack/casino, especially located on the north property being considered for rezoning. Global Gaming may find more acceptance from the community by proposing other possible locations in Hastings, of which there are several.

I operated Hastings Keno Sports Bar and Grill at 1216 West J Street in south Hastings for many years. My reason for bringing this up is that, for years the City of Hastings has been investing, quite wisely in the north part of town, which has brought substantial, positive growth to the area, but at the expense of the south entrance to our community.

There are other great locations that are available to Global Gaming Nebraska in the south part of town that would be a great boost to that area. Casinos are a destination business, and by locating in south Hastings, that would put them farther from the much larger and far better equipped casino that will be built at Fonner Park in Grand Island.

I am sure that the Council has heard that there has been discussion that Global Gaming Nebraska would much rather be located on the Interstate in North Platte. I believe that is true not just for Global Gaming, but for the other parimutual license holders and potential casinos on the State. In fact, they requested and received both North Platte Planning and Zoning approval and North Platte City Council approval some time ago, and have a pending sale on property on the south of Interstate 80 in North Platte, an area, and by the way far from any residential properties. This was done long before they even talked with the City of Hastings. I understand the plans submitted to Hastings for the north location here were actually the same plans that they prepared and submitted earlier to North Platte.

I understand a study was conducted that recommended that the Hastings horsetrack/casino license should be moved to western Nebraska in North Platte, due to the extended distance from Fonner Park and proximity to the Interstate. I believe

that Global Gaming would rather locate their casino in North Platte as well, but are just going through the motions here in Hastings to get a casino license tied to Mr. Becker's parimutuel license, which is at this point in time, is licensed at Fair Play Park located at the Adams County Fairgrounds. However, it appears Global Gaming has failed to come to an agreement with the Ag Society to locate there, where a horse track already exists!

I followed closely the City Council's methodical and well thought out discussions regarding the Comprehensive Plan for Hastings, which included the north property being considered for rezoning along highway 281. The best use for that property was determined to be residential and commercial development, not a horse track, hundreds of horse barns and a small casino.

Casinos in any community are indeed a destination location. If a person chooses to visit the casino, they will find the casino. By having the horsetrack/casino located in the south part of town, it would benefit this part of our community which needs such an attraction.

I thank you all for the hard work and effort you put into making our City the best it can be. I will indeed support whatever decision the Council makes regarding this property. And I will work my hardest to try to keep Hastings Keno viable and running as well as possible if and when Global Gaming Nebraska moves in.

Pease reach out to me if you have any questions or concerns.

Respectfully yours,

Mike

Michael Nevriy
President-Hastings Keno, Inc.
Proud Hastings Citizen

Hastings Mayor and City Council:

When the State voted to allow casinos at existing race tracks, this doesn't mean let us just put one anywhere in town! There are many rules in question as well as to how the dollars will be allowed. 100% will not come to our city.

I feel the \$\$\$\$ are the only thing our City Council is hearing. And of course those are based on very skewed figures. The group pushing for a Zoning Change so they can have their RACINO has used the same figures at all of the locations they are pushing for their track/casinos. If you split the numbers between 3 locations and realize there aren't that many adults in Nebraska and Eastern Colorado to support all of them, much less any one of them.

Years ago I served on the Fund Raising Committee for the IMAX (now Super Screen) theatre. We were sold a project that would bring in big \$\$\$ and many visitors to the museum. That didn't happen. A promise from IMAX that we would have the only theatre between Denver and Chicago was thrown to the wayside as soon as we raised the money and the project began. They then allowed the Zoo in Omaha to build an IMAX theatre. Guess what? We never had the numbers!

People living in Lincoln or Omaha are NOT going to drive out to Hastings for a Rinky Dink RACINO when they can exit off I-80 on South Locust and go to the real thing a race track and casino.

Maybe you remember the promises made to Kearney that the Archway Museum would bring in big \$\$\$ and visitors. That didn't happen and the city bailed them out!

You may also remember how the city just had to annex Lochland Area to get the property tax dollars. By negotiation with the existing properties on the east side of HWY 281 they were able to get to Lochland. They made sure that there would only be 1 animal per acre for those properties. Now the RACINO wants 400 horse stalls! Seems like that is more than 1 per acre. My suspicion is that they want so many stalls so that they can have a Quarter Horse breeding operation out there!!!

A speaker at the Planning and Zoning presentation spoke out about the problem of Human Trafficking that goes along with RACINOS. I hope you can live with yourselves if this becomes a reality!

This RACINO will end up being a huge failure for our community and an eventual eye sore just like the mall. While Grand Island's Casino/Race Track thrives, our little RACINO will wither!

Lets keep our Gateway to Hastings beautiful and family friendly. Vote AGAINST CHANGING THE ZONING to accommodate a losing proposition.

Thank you. Catherine J. Pershing

**HASTINGS KENO, INC.
MICHAEL J. NEVRIVY-PRESIDENT
P.O. BOX 1001
HASTINGS, NE 68902-1001**

March 7, 2022

Letter to: Mayor Stutte and Members of the Hastings City Council

From: Mike Nevriy

Dear Mayor and Council Members,

I am sending a second letter because a couple of legislative issues have come up that I feel you all should be aware of as you prepare for the City Council meeting on March 14th.

As I understand, according to the Nebraska Examiner, the General Affairs Committee held a closed-door discussion on Monday, February 28, 2022 to discuss Amendments (AM2090), to Legislative Bill (LB 876), which is a General Affairs Committee Priority Bill which purpose is to improve some of the Nebraska Racetrack Gaming Act. Such closed-door meetings are closed to the public, but the press is allowed to attend and report on the proceeding. The Nebraska Examiner was the only media present.

On February 28, 2022, the Nebraska Examiner sent an email to subscribers to report that, among other amendments considered, Senator Tom Briese of Albion, the chairman of the General Affairs Committee, circulated an amendment that would allow the existing racetracks in the state to relocate. The Examiner reported, "That would clear the way for a discussed move of the state's only quarter horse track, now located in Hastings, to North Platte".

I have attached a copy of the Nebraska Examiner's report of February 28, 2022, and I have highlighted the paragraphs referring to this discussion.

I have also attached a copy of AM2090, "Amendments to LB876", and have highlighted this amendment which is on page 2 of the "Amendments to LB876".

As you know from my first letter, I am opposed to the annexation and rezoning of the property north of 42nd Street and south of the Lochland area for several reasons. But after learning of the proposed amendments to LB876, I am very concerned that

Council may vote to annex and rezone that property, and Global Gaming Nebraska may decide to not come to Hastings, which decision would be made much easier for them should LB876 be passed by the Legislature.

Once again, I thank you for all you do and especially for all the time and thought you are putting into this important decision on March 14th.

Respectfully yours,

Mike

Michael Nevriy
President-Hastings Keno, Inc.
Proud Hastings Citizen

Nebraska Examiner

GOVERNMENT &
POLITICS

ENVIRONMENT &
AGRICULTURE

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Legislative committee still divided over how many gambling casinos to allow

Proposed amendment would place moratorium on new tracks for three years

BY: **PAUL HAMMEL** - FEBRUARY 28, 2022 6:24 PM





© Slot machines on the casino floor at the Seminole Hard Rock Casino in Tampa, Florida. Five Nebraska communities want permission to build casinos, in addition to the state's six horse-racing tracks. (Octavio Jones/Getty Images)

LINCOLN – A state legislative committee remains divided over how many gambling casinos should be allowed in the state, and where they should be located, after a closed-door discussion Monday.

The Legislature's General Affairs Committee discussed amendments to a casino proposal that would, among other things, bar any new horse racetracks with casinos – known as “racinos” – from being licensed in the state prior to January 2025.

But such a three-year moratorium brought some opposition within the eight-senator committee during the executive session. Such closed-door meetings are closed to the public, but the press is allowed to attend

and report on the proceeding. The Nebraska Examiner was the only media present.

No limits

State Sen. Justin Wayne of Omaha said the constitutional amendment approved by voters in



📷 Sen. Tom Brieze of Albion (Rebecca S. Gratz for the Nebraska Examiner)

November that legalizes casinos at licensed racetracks put no limits on the number. He said there was no reason to “stifle” the gambling industry.

“Really?” responded Papillion Sen. John Arch.

He said that he felt that voters approved casinos only at “racetracks,” meaning the existing six tracks in Omaha, Lincoln, Columbus, Grand Island, South Sioux City and Hastings.

North Platte Sen. Mike Jacobson, who was just appointed to the Legislature last week after the sudden resignation of Sen. Mike Groene, spoke up for a proposed racino in his community.

No casinos west of Grand Island

He said that with no existing racetracks west of Grand Island, residents of western Nebraska will have no outlet to gamble in a casino.

One amendment circulated by Albion Sen. Tom Brieze,

the chairman of the General Affairs Committee, would allow the existing racetracks in the state to relocate.

* That would clear the way for a discussed move of the state's only quarter horse track, now located in Hastings, to North Platte.

Briese's amendment would also require an extensive study before the State Racing Commission could approve new racinos. Such a study would include the "feasibility and sustainability" of a new racetrack/casino and its impact on the local economy and horseracing.



State Sen. Justin Wayne of Omaha (Rebecca S. Gratz for the Nebraska Examiner)

The amendment also would establish a minimum number of racing days at the existing and new tracks. Currently, racetracks have to hold only one

race a year, which has sparked criticism that it doesn't help rebuild the state's ailing Thoroughbred industry, which was a main argument in legalizing casino betting at racetracks.

Briese's amendment would require existing tracks to hold a minimum of five racing days and 50 live horse races annually beginning in 2026. By 2031, existing tracks would have to hold at least 15 race days and 120 horse races a year. The proposal also sets minimums for new racetracks, as well as raising the licensing fee for casinos from \$1 million to \$5 million.

Kearney Sen. John Lowe urged caution, saying that California – a state with about 20 times the population of Nebraska – has only six racetracks.

Are six tracks enough?

He asked whether more than six tracks in Nebraska could be viable and attract enough racehorses.

Senators said they were getting a lot of lobbying to approve new racinos in places like North Platte, Ogallala, Gering, Norfolk and Bellevue. Some said they expected a filibuster against any bill they advance, meaning that votes of 33 of 49 senators would be required to advance a proposal.

Briese said he called Monday's executive session to get more input on proposed amendments. He did not say when the General Affairs Committee might meet again to ponder whether to advance a casino bill for debate by the full Legislature.

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PAUL HAMMEL



Senior Reporter Paul Hammel has covered the Nebraska Legislature and Nebraska state government for decades. He started his career reporting for the Omaha Sun and was named editor of the Papillion Times in 1982. He later worked as a sports enterprise reporter at the Lincoln Journal-Star. He joined the Omaha World-Herald in 1990, working as a legislative reporter, then roving state reporter and finally Lincoln bureau chief. Paul has won awards from organizations including Great Plains Journalism, the Associated Press and Suburban Newspapers of America. A native of Ralston, Nebraska, he is vice president of the John G. Neihardt Foundation and secretary of the Nebraska Hop Growers.

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AMENDMENTS TO LB876

Introduced by

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 2-1205, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 2-1205 (1) If the commission is satisfied that its rules and
6 regulations and all provisions of sections 2-1201 to 2-1218 have been and
7 will be complied with, it may issue a license for a period of not more
8 than five years ~~one year~~. The license shall set forth the name of the
9 licensee, the place where the races or race meetings are to be held, and
10 the time and number of days during which racing may be conducted by such
11 licensee. Any such license issued shall not be transferable or
12 assignable. The commission shall have the power to revoke any license
13 issued at any time for good cause upon reasonable notice and hearing. No
14 license shall be granted to any corporation or association except upon
15 the express condition that it shall not, by any lease, contract,
16 understanding, or arrangement of whatever kind or nature, grant, assign,
17 or turn over to any person, corporation, or association the operation or
18 management of any racing or race meeting licensed under such sections or
19 of the parimutuel system of wagering described in section 2-1207 or in
20 any manner permit any person, corporation, or association other than the
21 licensee to have any share, percentage, or proportion of the money
22 received for admissions to the racing or race meeting or from the
23 operation of the parimutuel system; and any violation of such conditions
24 shall authorize and require the commission immediately to revoke such
25 license.

26 (2)(a) Any racetrack for which a licensee is issued a license to
27 conduct a race or race meeting under sections 2-1201 to 2-1218 which is

1 in existence and operational as of the effective date of this act shall:
2 (i) Hold a minimum of five live racing meet days and fifty live
3 horseraces annually beginning January 1, 2026, through December 31, 2030;
4 and
5 (ii) Beginning January 1, 2031, hold a minimum of fifteen live
6 racing meet days and one hundred twenty live horseraces annually.
7 (b) Any racetrack for which a licensee is issued a license to
8 conduct a race or race meeting under sections 2-1201 to 2-1218 which is
9 not in existence and operational until after the effective date of this
10 act shall:
11 (i) Hold a minimum of one live racing meet day annually for the
12 first three years of operation;
13 (ii) Hold a minimum of five live racing meet days annually for the
14 fourth year of operation through the seventh year of operation; and
15 (iii) Beginning with the eighth year of operation, hold a minimum of
16 fifteen live racing meet days and one hundred twenty live horseraces
17 annually.
18 (c) A racetrack that fails to meet the minimum requirements under
19 this subsection is subject to discipline by the commission, including
20 revocation of the license issued under sections 2-1201 to 2-1218.
21 (3) Racetracks for which a licensee is issued a license to conduct a
22 race or race meeting under sections 2-1201 to 2-1218 in existence on
23 November 1, 2020, which is located in the counties of Adams, Dakota,
24 Douglas, Hall, Lancaster, and Platte, ^{*} may move such racetrack location
25 within such county or to another county in Nebraska that does not have a
26 racetrack pursuant to commission policy.

27 Sec. 2. Section 9-1101, Revised Statutes Supplement, 2021, is
28 amended to read:

29 9-1101 Sections 9-1101 to 9-1116 and sections 5, 6, and 7 of this
30 act shall be known and may be cited as the Nebraska Racetrack Gaming Act.

31 Sec. 3. Section 9-1104, Revised Statutes Supplement, 2021, is

1 amended to read:

2 9-1104 (1) The operation of games of chance at a licensed racetrack
3 enclosure may be conducted by an authorized gaming operator who holds an
4 authorized gaming operator license.

5 (2) No more than one authorized gaming operator license shall be
6 granted for each licensed racetrack enclosure within the state. ~~It is~~
7 ~~provided that, it~~ shall not be a requirement that the person or entity
8 applying for or to be granted such authorized gaming operator license
9 hold a racing license or be the same person or entity who operates the
10 licensed racetrack enclosure at which such authorized gaming operator
11 license shall be granted.

12 (3) Gaming devices, limited gaming devices, and all other games of
13 chance may be operated by authorized gaming operators at a licensed
14 racetrack enclosure.

15 (4) No person younger than twenty-one years of age shall play or
16 participate in any way in any game of chance or use any gaming device or
17 limited gaming device at a licensed racetrack enclosure.

18 (5) No authorized gaming operator shall permit an individual younger
19 than twenty-one years of age to play or participate in any game of chance
20 or use any gaming device or limited gaming device conducted or operated
21 pursuant to the Nebraska Racetrack Gaming Act.

22 (6) If the licensed racetrack enclosure at which such authorized
23 gaming operator conducts games of chance does not hold the minimum number
24 of live race meets required under section 2-1205, the authorized gaming
25 operator shall be required to cease operating games of chance at such
26 licensed racetrack enclosure until such time as the commission determines
27 the deficiency has been corrected.

28 Sec. 4. Section 9-1106, Revised Statutes Supplement, 2021, is
29 amended to read:

30 9-1106 The commission shall:

31 (1) License and regulate authorized gaming operators for the

1 operation of all games of chance authorized pursuant to the Nebraska
2 Racetrack Gaming Act, including adopting, promulgating, and enforcing
3 rules and regulations governing such authorized gaming operators
4 consistent with the act;

5 (2) Regulate the operation of games of chance in order to prevent
6 and eliminate corrupt practices and fraudulent behavior, and thereby
7 promote integrity, security, and honest administration in, and accurate
8 accounting of, the operation of games of chance which are subject to the
9 act;

10 (3) Establish criteria to license applicants for authorized gaming
11 operator licenses and all other types of gaming licenses for other
12 positions and functions incident to the operation of games of chance,
13 including adopting, promulgating, and enforcing rules, regulations, and
14 eligibility standards for such authorized gaming operator licenses,
15 gaming licenses, and positions and functions incident to the operation of
16 games of chance;

17 (4) Charge fees for applications for licenses and for the issuance
18 of authorized gaming operator licenses and all other types of gaming
19 licenses to successful applicants which shall be payable to the
20 commission;

21 (5) Charge fees to authorized gaming operators in an amount
22 necessary to offset the cost of oversight and regulatory services to be
23 provided which shall be payable to the commission;

24 (6) Impose a one-time authorized gaming operator license fee of five
25 ~~one~~ million dollars on each authorized gaming operator for each licensed
26 racetrack enclosure payable to the commission. The license fee may be
27 paid over a period of five years with one million dollars due at the time
28 the license is issued;

29 (7) Grant, deny, revoke, and suspend authorized gaming operator
30 licenses and all other types of gaming licenses based upon reasonable
31 criteria and procedures established by the commission to facilitate the

1 integrity, productivity, and lawful conduct of gaming within the state;

2 (8) Grant or deny for cause applications for authorized gaming
3 operator licenses of not less than twenty years in duration, subject to
4 an annual review by the commission and receipt by the commission of a
5 fifty-thousand-dollar annual review fee, with no more than one such
6 authorized gaming operator license granted for any licensed racetrack
7 enclosure within the state;

8 (9) Conduct background investigations of applicants for authorized
9 gaming operator licenses and all other types of gaming licenses;

10 (10) Adopt and promulgate rules and regulations for the standards of
11 manufacture of gaming equipment;

12 (11) Inspect the operation of any authorized gaming operator
13 conducting games of chance for the purpose of certifying the revenue
14 thereof and receiving complaints from the public;

15 (12) Issue subpoenas for the attendance of witnesses or the
16 production of any records, books, memoranda, documents, or other papers
17 or things at or prior to any hearing as is necessary to enable the
18 commission to effectively discharge its duties;

19 (13) Administer oaths or affirmations as necessary to carry out the
20 act;

21 (14) Have the authority to impose, subject to judicial review,
22 appropriate administrative fines and penalties not to exceed twenty-five
23 thousand dollars for each violation of the act or any rules and
24 regulations adopted and promulgated pursuant to the act in an amount not
25 to exceed: ÷

26 (a) For any licensed racetrack enclosure operational for one year or
27 less, fifty thousand dollars per violation; or

28 (b) For any licensed racetrack enclosure operational for more than
29 one year, three times the highest daily amount of gross receipts derived
30 from wagering on games of chance during the twelve months preceding the
31 violation at such licensed racetrack enclosure gaming facility per

1 violation;

2 (15) Collect and remit administrative fines and penalties collected
3 under this section to the State Treasurer for distribution in accordance
4 with Article VII, section 5, of the Constitution of Nebraska;

5 (16) Adopt and promulgate rules and regulations for any gaming taxes
6 assessed to authorized gaming operators;

7 (17) Collect and account for any gaming taxes assessed to authorized
8 gaming operators and remit such taxes to the State Treasurer or county
9 treasurer as required by Nebraska law;

10 (18) Promote treatment of gaming-related behavioral disorders;

11 (19) Establish procedures for the governance of the commission;

12 (20) Acquire necessary offices, facilities, counsel, and staff;

13 (21) Establish procedures for an applicant for a staff position to
14 disclose conflicts of interest as part of the application for employment;

15 (22) Establish a process to allow a person to be voluntarily
16 excluded from wagering in any game of chance under the act in accordance
17 with section 5 of this act;

18 (23) Remit all license and application fees collected under the
19 Nebraska Racetrack Gaming Act to the State Treasurer for credit to the
20 Racing and Gaming Commission's Racetrack Gaming Fund;~~and~~

21 (24) Conduct or cause to be conducted a statewide horseracing market
22 analysis to study the racing market that exists across the state and the
23 locations in Nebraska of the racetracks in Adams, Dakota, Douglas, Hall,
24 Lancaster, and Platte counties as of the date of the market analysis.
25 Such market analysis shall be completed by January 1, 2025, and every
26 five years thereafter and shall be submitted electronically to the
27 General Affairs Committee of the Legislature and to the Governor. Such
28 market analysis shall examine the market potential and make
29 recommendations involving:

30 (a) The number of live racing days per track, number of races run,
31 and number of horses that should be entered per race;

1 (b) The number of Nebraska-bred horses available in the market for
2 running races, including foals dropped in the state for the past three
3 years at the time of the market analysis;

4 (c) The circuit scheduled in the state and if any overlapping dates
5 would be beneficial to the circuit and market as a whole;

6 (d) The total number of horses available for the total annual
7 schedule, with separate analysis for thoroughbred races and quarterhorse
8 races;

9 (e) The purse money available per race and per track;

10 (f) The strength of the potential and ongoing simulcast market;

11 (g) The staffing patterns and problems that exist at each track,
12 including unfilled positions;

13 (h) The positive and negative effects, including financial, on each
14 existing racetrack at the time of the market analysis in the event the
15 commission approves a new racetrack application;

16 (i) The potential to attract new owners and horses from other
17 states; and

18 (j) Any other data and analysis required by the commission;

19 (25) Conduct or cause to be conducted a statewide casino gaming
20 market analysis study across the state and within each location of a
21 racetrack in Adams, Dakota, Douglas, Hall, Lancaster, and Platte
22 counties. Such market analysis study shall be completed by January 1,
23 2025, and every five years thereafter and shall be submitted
24 electronically to the General Affairs Committee of the Legislature and to
25 the Governor. The market analysis study shall include:

26 (a) A comprehensive assessment of casino gaming market conditions;

27 (b) An evaluation of the effects on the Nebraska market from
28 competitive casino gaming locations outside of the state;

29 (c) Information identifying underperforming or underserved markets
30 within Nebraska;

31 (d) A comprehensive study of potential casino gaming revenue in

1 Nebraska; and

2 (e) Any other data and analysis required by the commission;

3 (26) Conduct or cause to be conducted a statewide socioeconomic-
4 impact study of horseracing and casino gaming across the state and at
5 each licensed racetrack enclosure and gaming facility in Adams, Dakota,
6 Douglas, Hall, Lancaster, and Platte counties. Such socioeconomic-impact
7 study shall be completed by January 1, 2025, and shall be submitted
8 electronically to the General Affairs Committee of the Legislature and to
9 the Governor. The study shall include:

10 (a) Information on financial and societal impacts of horseracing and
11 casino gaming, including crime and local businesses;

12 (b) An analysis of problem gambling within the state; and

13 (c) A comparison of the economy of counties which contain a licensed
14 racetrack enclosure operating games of chance and counties which do not
15 contain such a licensed racetrack enclosure as of the date of the study,
16 which comparison shall include:

17 (i) The population of such counties;

18 (ii) Jobs created by each licensed racetrack enclosure operating
19 games of chance in such counties;

20 (iii) Unemployment rates in such counties;

21 (iv) Information on family and household income in such counties;

22 (v) Retail sales in such counties;

23 (vi) Property values in such counties;

24 (vii) An analysis of the impact on community services, including
25 police protection expenditures, fire protection expenditures, road,
26 bridge, and sidewalk expenditures, and capital project expenditures in
27 such counties;

28 (viii) Impact on community health in such counties;

29 (ix) Divorce rates in such counties;

30 (x) Information on available education and education levels in such
31 counties;

1 (xi) Life expectancy in such counties;
2 (xii) Homelessness in such counties; and
3 (xiii) Any other data and analysis required by the commission; and
4 (27) ~~(24)~~ Do all things necessary and proper to carry out its powers
5 and duties under the Nebraska Racetrack Gaming Act, including the
6 adoption and promulgation of rules and regulations and such other actions
7 as permitted by the Administrative Procedure Act.

8 Sec. 5. (1) The commission shall establish a list of persons self-
9 excluded from licensed racetrack enclosures in Nebraska. A person may
10 request such person's name to be placed on the list of self-excluded
11 persons by filing an application with the commission, on forms prescribed
12 by the commission, requesting to be self-excluded and agreeing to take
13 personal responsibility for not visiting licensed racetrack enclosures in
14 Nebraska. The application shall specify that, by applying to be a person
15 self-excluded from licensed racetrack enclosures, the applicant agrees
16 that during any period of voluntary exclusion the person is not eligible
17 to collect any winnings or recover any losses resulting from any gaming
18 activity at a licensed racetrack enclosure or be present at a licensed
19 racetrack enclosure.

20 (2) The commission shall adopt and promulgate rules and regulations
21 for the list of self-excluded persons, including:

22 (a) Procedures for placement on the list;

23 (b) The terms for self-removal from the list;

24 (c) Procedures for providing the list to licensed racetrack
25 enclosures; and

26 (d) Other such procedures the commission determines are necessary
27 for the effective and efficient administration of the list.

28 (3) The commission may revoke, limit, condition, suspend, or fine an
29 authorized gaming operator or any officer, employee, or agent of the
30 operator if such licensee knowingly or recklessly fails to exclude or
31 eject from its premises any person on the list of self-excluded persons.

1 (4) An authorized gaming operator or the officers, agents, and
2 employees of the operator shall not market directly to any person on any
3 list of self-excluded persons. An authorized gaming operator shall deny
4 access to complimentary check-cashing privileges, club programs, and
5 other similar benefits to any person on the list of self-excluded
6 persons.

7 (5) The list of self-excluded persons shall not be open to public
8 inspection. Nothing in this section shall prohibit an authorized gaming
9 operator from disclosing the identity of any person on the list of self-
10 excluded persons to any affiliated gaming facility operator or other
11 jurisdiction for the limited purpose of assisting in the proper
12 administration of responsible gaming programs in Nebraska or as
13 authorized by law in another jurisdiction.

14 (6) A person placed on the list of self-excluded persons is
15 prohibited from entering a licensed racetrack enclosure in Nebraska and
16 is ineligible to place a legal wager in Nebraska at such licensed
17 racetrack enclosure. A person on the list of self-excluded persons shall
18 not collect any winnings or recover losses resulting from prohibited
19 gaming activity, and such winnings shall be forfeited to the commission
20 to be used for problem gambling treatment, prevention, and education
21 programs.

22 Sec. 6. The commission shall not approve a license to conduct live
23 race meets pursuant to sections 2-1201 to 2-1218 before January 1, 2025,
24 for a licensed racetrack enclosure that was not in existence on the
25 effective date of this act. The commission shall not approve a license to
26 operate games of chance inside a licensed racetrack enclosure before
27 January 1, 2025, for an authorized gaming operator at a licensed
28 racetrack enclosure which was not in existence on the effective date of
29 this act.

30 Sec. 7. (1) Any applicant for an authorized gaming operator license
31 shall include in the application to the commission the following:

1 (a) A market assessment that includes the feasibility and
2 sustainability of the proposed licensed racetrack enclosure for operating
3 games of chance in such proposed location as part of the market in
4 Nebraska at the time of the application, including a study of the impact
5 of such facility on both horseracing and the operation of games of chance
6 in the state;

7 (b) An analysis of the anticipated impact on infrastructure,
8 including water, electricity, natural gas, roads, and public safety,
9 including police and fire departments;

10 (c) Zoning and initial planning approval from the city nearest the
11 site of the proposed licensed racetrack enclosure;

12 (d) A full disclosure of the applicant's record as a racetrack and
13 games of chance operator, including multi-jurisdictional experience;

14 (e) Evidence of how the proposed licensed racetrack enclosure will
15 improve and give back in a meaningful and sustained way to the community
16 in which the applicant is proposing to build such facility; and

17 (f) Any other information required by the commission.

18 (2) The commission may reject an application that does not meet the
19 requirements of this section.

20 Sec. 8. Section 9-1107, Revised Statutes Supplement, 2021, is
21 amended to read:

22 9-1107 The Racing and Gaming Commission's Racetrack Gaming Fund is
23 created. The fund shall consist of all license, ~~and application, and~~
24 ~~other~~ fees collected under the Nebraska Racetrack Gaming Act. The fund
25 shall be used for administration of the Nebraska Racetrack Gaming Act.
26 Any money in the Racing and Gaming Commission's Racetrack Gaming Fund
27 available for investment shall be invested by the state investment
28 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
29 State Funds Investment Act.

30 Sec. 9. Section 9-1110, Revised Statutes Supplement, 2021, is
31 amended to read:

1 9-1110 (1) The commission may permit an authorized gaming operator
2 to conduct sports wagering. Any sports wager shall be placed in person or
3 at a wagering kiosk in the designated sports wagering area at the
4 licensed racetrack enclosure. A parimutuel wager in accordance with
5 sections 2-1201 to 2-1218 may be placed in the designated sports wagering
6 area at the licensed racetrack enclosure.

7 (2) A floor plan identifying the designated sports wagering area,
8 including the location of any wagering kiosks, shall be filed with the
9 commission for review and approval. Modification to a previously approved
10 plan must be submitted for approval at least ten days prior to
11 implementation. The area shall not be accessible to persons under twenty-
12 one years of age and shall have a sign posted to restrict access.
13 Exceptions to this subsection must be approved in writing by the
14 commission.

15 (3) The authorized gaming operator shall submit controls for
16 approval by the commission, that include the following for operating the
17 designated sports wagering area:

18 (a) Specific procedures and technology partners to fulfill the
19 requirements set forth by the commission;

20 (b) Other specific controls as designated by the commission;

21 (c) A process to easily and prominently impose limitations or
22 notification for wagering parameters, including, but not limited to,
23 deposits and wagers; and

24 (d) An easy and obvious method for a player to make a complaint and
25 to enable the player to notify the commission if such complaint has not
26 been or cannot be addressed by the sports wagering operator.

27 (4) The commission shall develop policies and procedures to ensure a
28 prohibited participant is unable to place a sports wager or parimutuel
29 wager.

30 Sec. 10. Section 9-1114, Revised Statutes Supplement, 2021, is
31 amended to read:

1 9-1114 A person who, in an application, book, or record required to
2 be maintained or in a report required to be submitted by the Nebraska
3 Racetrack Gaming Act or a rule or regulation adopted and promulgated by
4 the commission, knowingly makes a statement or entry that is false or
5 misleading or fails to maintain or make an entry the person knows is
6 required to be maintained or made is guilty of a Class IV felony ~~I~~
7 ~~misdemeanor~~.

8 Sec. 11. Section 9-1205, Revised Statutes Supplement, 2021, is
9 amended to read:

10 9-1205 Every authorized gaming operator subject to taxation as set
11 forth in sections 9-1201 to 9-1209 shall pay such tax by the fifteenth of
12 each month to the gaming commission and make report thereof to the gaming
13 commission under such rules and regulations as may be prescribed by the
14 gaming commission.

15 Sec. 12. Section 9-1206, Revised Statutes Supplement, 2021, is
16 amended to read:

17 9-1206 If the tax provided for in sections 9-1201 to 9-1209 is not
18 paid within such time as provided in section 9-1205 or as may be
19 prescribed for payment thereof by rules and regulations prescribed by the
20 gaming commission, the same shall become delinquent and a penalty of ten
21 percent shall be added thereto, together with interest at the rate
22 specified in section 45-104.02, as such rate may from time to time be
23 adjusted, until paid.

24 Sec. 13. Section 9-1207, Revised Statutes Supplement, 2021, is
25 amended to read:

26 9-1207 Any authorized gaming operator that willfully fails,
27 neglects, or refuses to make any report required by sections 9-1201 to
28 9-1209, or by rules and regulations adopted and promulgated under
29 sections 9-1201 to 9-1209, or that knowingly makes any false statement in
30 any such report, is guilty of a Class IV felony ~~I-misdemeanor~~.

31 Sec. 14. Section 84-712.05, Revised Statutes Supplement, 2021, is

1 amended to read:

2 84-712.05 The following records, unless publicly disclosed in an
3 open court, open administrative proceeding, or open meeting or disclosed
4 by a public entity pursuant to its duties, may be withheld from the
5 public by the lawful custodian of the records:

6 (1) Personal information in records regarding a student, prospective
7 student, or former student of any educational institution or exempt
8 school that has effectuated an election not to meet state approval or
9 accreditation requirements pursuant to section 79-1601 when such records
10 are maintained by and in the possession of a public entity, other than
11 routine directory information specified and made public consistent with
12 20 U.S.C. 1232g, as such section existed on February 1, 2013, and
13 regulations adopted thereunder;

14 (2) Medical records, other than records of births and deaths and
15 except as provided in subdivision (5) of this section, in any form
16 concerning any person; records of elections filed under section 44-2821;
17 and patient safety work product under the Patient Safety Improvement Act;

18 (3) Trade secrets, academic and scientific research work which is in
19 progress and unpublished, and other proprietary or commercial information
20 which if released would give advantage to business competitors and serve
21 no public purpose;

22 (4) Records which represent the work product of an attorney and the
23 public body involved which are related to preparation for litigation,
24 labor negotiations, or claims made by or against the public body or which
25 are confidential communications as defined in section 27-503;

26 (5) Records developed or received by law enforcement agencies and
27 other public bodies charged with duties of investigation or examination
28 of persons, institutions, or businesses, when the records constitute a
29 part of the examination, investigation, intelligence information, citizen
30 complaints or inquiries, informant identification, or strategic or
31 tactical information used in law enforcement training, except that this

1 subdivision shall not apply to records so developed or received:

2 (a) Relating to the presence of and amount or concentration of
3 alcohol or drugs in any body fluid of any person; or

4 (b) Relating to the cause of or circumstances surrounding the death
5 of an employee arising from or related to his or her employment if, after
6 an investigation is concluded, a family member of the deceased employee
7 makes a request for access to or copies of such records. This subdivision
8 does not require access to or copies of informant identification, the
9 names or identifying information of citizens making complaints or
10 inquiries, other information which would compromise an ongoing criminal
11 investigation, or information which may be withheld from the public under
12 another provision of law. For purposes of this subdivision, family member
13 means a spouse, child, parent, sibling, grandchild, or grandparent by
14 blood, marriage, or adoption;

15 (6) Appraisals or appraisal information and negotiation records
16 concerning the purchase or sale, by a public body, of any interest in
17 real or personal property, prior to completion of the purchase or sale;

18 (7) Personal information in records regarding personnel of public
19 bodies other than salaries and routine directory information;

20 (8) Information solely pertaining to protection of the security of
21 public property and persons on or within public property, such as
22 specific, unique vulnerability assessments or specific, unique response
23 plans, either of which is intended to prevent or mitigate criminal acts
24 the public disclosure of which would create a substantial likelihood of
25 endangering public safety or property; computer or communications network
26 schema, passwords, and user identification names; guard schedules; lock
27 combinations; or public utility infrastructure specifications or design
28 drawings the public disclosure of which would create a substantial
29 likelihood of endangering public safety or property, unless otherwise
30 provided by state or federal law;

31 (9) Information that relates details of physical and cyber assets of

1 critical energy infrastructure or critical electric infrastructure,
2 including (a) specific engineering, vulnerability, or detailed design
3 information about proposed or existing critical energy infrastructure or
4 critical electric infrastructure that (i) relates details about the
5 production, generation, transportation, transmission, or distribution of
6 energy, (ii) could be useful to a person in planning an attack on such
7 critical infrastructure, and (iii) does not simply give the general
8 location of the critical infrastructure and (b) the identity of personnel
9 whose primary job function makes such personnel responsible for (i)
10 providing or granting individuals access to physical or cyber assets or
11 (ii) operating and maintaining physical or cyber assets, if a reasonable
12 person, knowledgeable of the electric utility or energy industry, would
13 conclude that the public disclosure of such identity could create a
14 substantial likelihood of risk to such physical or cyber assets.
15 Subdivision (9)(b) of this section shall not apply to the identity of a
16 chief executive officer, general manager, vice president, or board member
17 of a public entity that manages critical energy infrastructure or
18 critical electric infrastructure. The lawful custodian of the records
19 must provide a detailed job description for any personnel whose identity
20 is withheld pursuant to subdivision (9)(b) of this section. For purposes
21 of subdivision (9) of this section, critical energy infrastructure and
22 critical electric infrastructure mean existing and proposed systems and
23 assets, including a system or asset of the bulk-power system, whether
24 physical or virtual, the incapacity or destruction of which would
25 negatively affect security, economic security, public health or safety,
26 or any combination of such matters;

27 (10) The security standards, procedures, policies, plans,
28 specifications, diagrams, access lists, and other security-related
29 records of the Lottery Division of the Department of Revenue and those
30 persons or entities with which the division has entered into contractual
31 relationships. Nothing in this subdivision shall allow the division to

1 withhold from the public any information relating to amounts paid persons
2 or entities with which the division has entered into contractual
3 relationships, amounts of prizes paid, the name of the prize winner, and
4 the city, village, or county where the prize winner resides;

5 (11) With respect to public utilities and except as provided in
6 sections 43-512.06 and 70-101, personally identified private citizen
7 account payment and customer use information, credit information on
8 others supplied in confidence, and customer lists;

9 (12) Records or portions of records kept by a publicly funded
10 library which, when examined with or without other records, reveal the
11 identity of any library patron using the library's materials or services;

12 (13) Correspondence, memoranda, and records of telephone calls
13 related to the performance of duties by a member of the Legislature in
14 whatever form. The lawful custodian of the correspondence, memoranda, and
15 records of telephone calls, upon approval of the Executive Board of the
16 Legislative Council, shall release the correspondence, memoranda, and
17 records of telephone calls which are not designated as sensitive or
18 confidential in nature to any person performing an audit of the
19 Legislature. A member's correspondence, memoranda, and records of
20 confidential telephone calls related to the performance of his or her
21 legislative duties shall only be released to any other person with the
22 explicit approval of the member;

23 (14) Records or portions of records kept by public bodies which
24 would reveal the location, character, or ownership of any known
25 archaeological, historical, or paleontological site in Nebraska when
26 necessary to protect the site from a reasonably held fear of theft,
27 vandalism, or trespass. This section shall not apply to the release of
28 information for the purpose of scholarly research, examination by other
29 public bodies for the protection of the resource or by recognized tribes,
30 the Unmarked Human Burial Sites and Skeletal Remains Protection Act, or
31 the federal Native American Graves Protection and Repatriation Act;

1 (15) Records or portions of records kept by public bodies which
2 maintain collections of archaeological, historical, or paleontological
3 significance which reveal the names and addresses of donors of such
4 articles of archaeological, historical, or paleontological significance
5 unless the donor approves disclosure, except as the records or portions
6 thereof may be needed to carry out the purposes of the Unmarked Human
7 Burial Sites and Skeletal Remains Protection Act or the federal Native
8 American Graves Protection and Repatriation Act;

9 (16) Library, archive, and museum materials acquired from
10 nongovernmental entities and preserved solely for reference, research, or
11 exhibition purposes, for the duration specified in subdivision (16)(b) of
12 this section, if:_____

13 (a) Such materials are received by the public custodian as a gift,
14 purchase, bequest, or transfer; and

15 (b) The donor, seller, testator, or transferor conditions such gift,
16 purchase, bequest, or transfer on the materials being kept confidential
17 for a specified period of time;

18 (17) Job application materials submitted by applicants, other than
19 finalists or a priority candidate for a position described in section
20 85-106.06 selected using the enhanced public scrutiny process in section
21 85-106.06, who have applied for employment by any public body as defined
22 in section 84-1409. For purposes of this subdivision, (a) job application
23 materials means employment applications, resumes, reference letters, and
24 school transcripts and (b) finalist means any applicant who is not an
25 applicant for a position described in section 85-106.06 and (i) who
26 reaches the final pool of applicants, numbering four or more, from which
27 the successful applicant is to be selected, (ii) who is an original
28 applicant when the final pool of applicants numbers less than four, or
29 (iii) who is an original applicant and there are four or fewer original
30 applicants;

31 (18)(a) Records obtained by the Public Employees Retirement Board

1 pursuant to section 84-1512 and (b) records maintained by the board of
2 education of a Class V school district and obtained by the board of
3 trustees or the Public Employees Retirement Board for the administration
4 of a retirement system provided for under the Class V School Employees
5 Retirement Act pursuant to section 79-989;

6 (19) Social security numbers; credit card, charge card, or debit
7 card numbers and expiration dates; and financial account numbers supplied
8 to state and local governments by citizens;

9 (20) Information exchanged between a jurisdictional utility and city
10 pursuant to section 66-1867;

11 (21) Draft records obtained by the Nebraska Retirement Systems
12 Committee of the Legislature and the Governor from Nebraska Public
13 Employees Retirement Systems pursuant to subsection (4) of section
14 84-1503;

15 (22) All prescription drug information submitted pursuant to section
16 71-2454, all data contained in the prescription drug monitoring system,
17 and any report obtained from data contained in the prescription drug
18 monitoring system; ~~and~~

19 (23) Information obtained by any government entity, whether federal,
20 state, county, or local, regarding firearm registration, possession,
21 sale, or use that is obtained for purposes of an application permitted or
22 required by law or contained in a permit or license issued by such
23 entity. Such information shall be available upon request to any federal,
24 state, county, or local law enforcement agency; ~~and -~~

25 (24) The security standards, procedures, policies, plans,
26 specifications, diagrams, and access lists and other security-related
27 records of the State Racing and Gaming Commission, those persons or
28 entities with which the commission has entered into contractual
29 relationships, and the names of any individuals placed on the list of
30 self-excluded persons with the commission as provided in section 5 of
31 this act. Nothing in this subdivision shall allow the commission to

1 withhold from the public any information relating to the amount paid any
2 person or entity with which the commission has entered into a contractual
3 relationship, the amount of any prize paid, the name of the prize winner,
4 and the city, village, or county where the prize winner resides.

5 Sec. 15. Original section 2-1205, Reissue Revised Statutes of
6 Nebraska, and sections 9-1101, 9-1104, 9-1106, 9-1107, 9-1110, 9-1114,
7 9-1205, 9-1206, 9-1207, and 84-712.05, Revised Statutes Supplement, 2021,
8 are repealed.

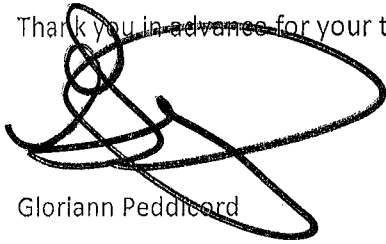
9 Sec. 16. Since an emergency exists, this act takes effect when
10 passed and approved according to law.

3-7-2022

I gathered these letters for the casino in a matter of minutes. If I were to put any effort into this issue at all I could have over a hundred.

These letters of support are from various wards.

Thank you in advance for your time and this opportunity,

A handwritten signature in black ink, appearing to be 'Gloriann Peddicord', written over the printed name.

Gloriann Peddicord

112 E 14th

Hastings NE 68901

LISA PARNELL-ROWE

3-3-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

Matt Fong

220 N Hastings Ave
Hastings NE 68901

RE: Casino in Favor

This development group wants NO money from Hastings. They believe in our community to make their business a success. That should be reason enough.

New tax revenue projected by the casino is estimated at \$1,162,500 to Adams County, \$1,162,500 to the City of Hastings, and \$6,900,000 for property tax relief – each on an annual and recurring basis. (Page 3 from Prairie Thunder proposal)

The races will be in the daytime. They will last approximately 13 seconds. Eight races a day up to 12 race days a year approximately 104 seconds of total race time. There will be a 4-year plan to get to this point.

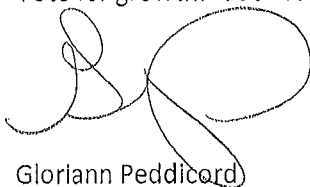
No lighting because there will be daytime racing.

45-acre buffer area to remain agricultural.

A manure management system that is approved through a state agency. If necessary, they are willing to construct a berm so that the 10 residences would not be able to see the race track from their home.

There are too many positives not to say yes!

Vote for growth. Vote for the opportunity. Vote for the tax relief this would give the citizens.



Gloriann Peddicord
112 East 14th
Hastings NE 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

Hopefully use the money to decrease our property taxes and create more jobs for our community. The plans I've seen are going to create a nice use of the area, and not have to be financed by the citizens of Hastings like many other projects that have been approved by the city.

Thank you for your time,

Jeffy Wilson
2714 W 7th
Hastings NE.

Jeff
Anderson

Hastings, NE 68901

3-2-2022

Corey Stutte

Dave Ptak

Lisa Parnell-Rowe

City Council Members

Ted Schroeder

Jeniffer Beahm

Ginny Skutnik

Butch Eley

Joy Huffaker

Chuck Rosenberg

Shawn Hartman

Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

It would bring money into Hastings
so when softball tournament is in town
people have something to do.

Thank you for your time,

Hastings, NE 68901

Ken Krueger
1219 N. Burlington
Hastings Ne 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

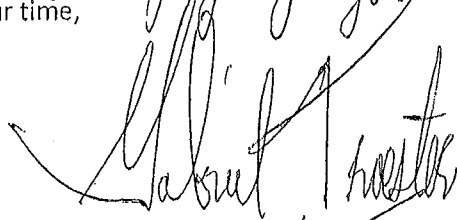
Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

I believe that it will make a positive economic impact for our city of Hastings. It will provide ~~many~~ new well paying jobs and opportunities.

Thank you for your time,



Hastings, NE 68901

Gabriel Troester

1010 East 8th #102

Hastings, Nebraska 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

I'm tired of seeing all the money that Iowa and South Dakota receive from their casinos. Fixing roads, infrastructure, etc. It would be great to see the community keep money here, lowering taxes, and more revenue coming in.

Thank you for your time,

Colin Davison

Colin Davison

201 N. Bellevue Ave. #3

Hastings, NE 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

Hastings needs property tax relief — new business opportunities, & something to keep others in Hastings — not just drive thru.

Thank you for your time,

Lori Wright / Lori Wright
707N Briggs Ave
Hastings, NE 68901

Hastings, NE 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

The revenue it will bring in from Western Nebraska. To all of surrounding
Hastings, ~~from the surrounding~~ Job and Population Growth. Plus entertainment.
Not to mention the possibility for more entertainment growth.
i.e. concerts, other bands, comedians and other, and quite possibly the convention
center the city has been trying to purchase on the backs of the tax paying citizens
of Hastings.

Thank you for your time,

Scott Semak

601 W. 22nd APT 205

Hastings, NE 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

City revenue
County revenue
More jobs
Entertainment

Thank you for your time,

 **Brian Cost**
2645 North Liberty Ave.
Juniata, NE 68955

Hastings, NE 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

Keep the money in town instead of Iowa
I will still go gaming no matter where it is

Thank you for your time,

Alice Anderson

Alice Anderson

1719 W 7th Street

Hastings NE 68901

Hastings, NE 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

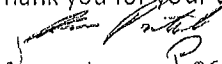
Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

Something new and new People in our community.

Thank you for your time,


Jennica Porterfield
1328 W. F Street
Hastings NE
68901

Hastings, NE 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnlk

Shawn Hartman

City Council Members

Butch Eley

Matt Fong

RE: Casino In Favor

I would like you to vote In favor of the proposed casino because:

to be relieved of property taxes.

Thank you for your time,

Tiffany Parsons
839 N. Kansas

Hastings, NE 68901

3-2-2022

Corey Stutte

Ted Schroeder

Joy Huffaker

Dave Ptak

Jeniffer Beahm

Chuck Rosenberg

Lisa Parnell-Rowe

Ginny Skutnik

Shawn Hartman

City Council Members

Butch Eley

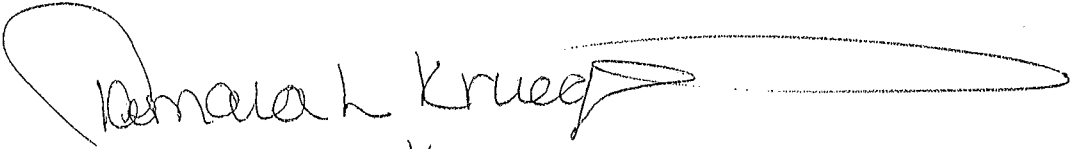
Matt Fong

RE: Casino In Favor

I would like you to vote in favor of the proposed casino because:

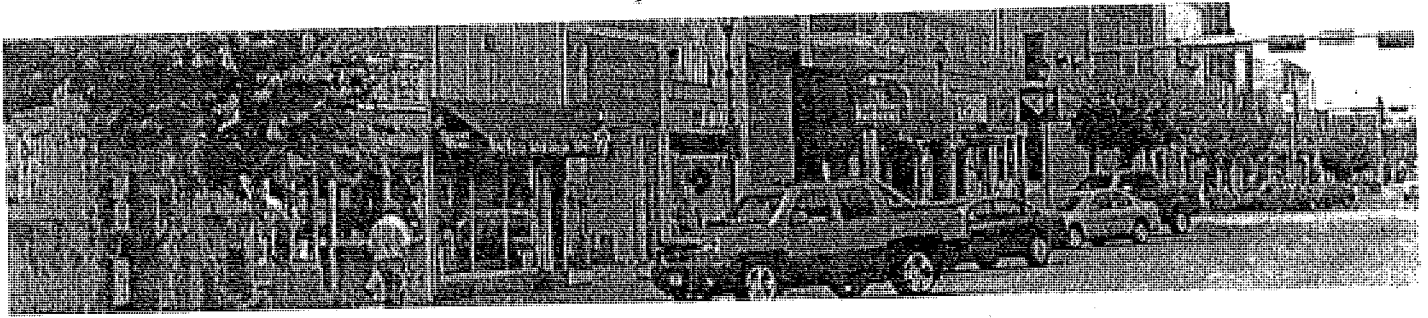
property tax relief

Thank you for your time,



Tamara L. Krueger

Tamara L. Krueger
1219 W Burlington Ave
Hastings, NE 68901



Staff Contact Form

City Hall, 1st Floor • 220 North Hastings Avenue (402) 461-2302

 Facebook  Twitter

Staff Contact Form

Hastings, Nebraska

All Fields Marked () Required - Phone OR Email Required*

Incorrect answer!

Recipient *

Lisa Parnell-Rowe, Director of Development Services

First Name *

Alan

Last Name *

Anderson

Address

701 North Shore Dr

City *

Hastings

State *

Nebraska

Zip

68901

Phone *

[REDACTED]

Email *

Message *

i support the casino. As a developer i cannot see any other business buying that location due to flood plain and lost acres unless the city were to gif the whole project. 20 plus million tax base or a -5 year TiF. This town protests everything including Duncan Donuts.

Anti-spam Check *

Solve the equation to prove you're human:

9 plus 2?

Incorrect answer!

Send Message

Hastings Mayor and City Council:

When the State voted to allow casinos at existing race tracks, this doesn't mean let us just put one anywhere in town! There are many rules in question as well as to how the dollars will be allowed. 100% will not come to our city.

I feel the \$\$\$\$ are the only thing our City Council is hearing. And of course those are based on very skewed figures. The group pushing for a Zoning Change so they can have their RACINO has used the same figures at all of the locations they are pushing for their track/casinos. If you split the numbers between 3 locations and realize there aren't that many adults in Nebraska and Eastern Colorado to support all of them, much less any one of them.

Years ago I served on the Fund Raising Committee for the IMAX (now Super Screen) theatre. We were sold a project that would bring in big \$\$\$ and many visitors to the museum. That didn't happen. A promise from IMAX that we would have the only theatre between Denver and Chicago was thrown to the wayside as soon as we raised the money and the project began. They then allowed the Zoo in Omaha to build an IMAX theatre. Guess what? We never had the numbers!

People living in Lincoln or Omaha are NOT going to drive out to Hastings for a Rinky Dink RACINO when they can exit off I-80 on South Locust and go to the real thing a race track and casino.

Maybe you remember the promises made to Kearney that the Archway Museum would bring in big \$\$\$ and visitors. That didn't happen and the city bailed them out!

You may also remember how the city just had to annex Lochland Area to get the property tax dollars. By negotiation with the existing properties on the east side of HWY 281 they were able to get to Lochland. They made sure that there would only be 1 animal per acre for those properties. Now the RACINO wants 400 horse stalls! Seems like that is more than 1 per acre. My suspicion is that they want so many stalls so that they can have a Quarter Horse breeding operation out there!!!

A speaker at the Planning and Zoning presentation spoke out about the problem of Human Trafficking that goes along with RACINOS. I hope you can live with yourselves if this becomes a reality!

This RACINO will end up being a huge failure for our community and an eventual eye sore just like the mall. While Grand Island's Casino/Race Track thrives, our little RACINO will wither!

Lets keep our Gateway to Hastings beautiful and family friendly. Vote AGAINST CHANGING THE ZONING to accommodate a losing proposition.

Thank you. Catherine J. Pershing

12:37 PM

Subject: City of Hastings, NE - Staff Contact Form

New Staff Contact Form Submitted by Edward Ziemba

Address: 2505 South Deer Trail

City: Hastings, NE

State: NE

Zip: 68901

Message:

March 8, 2022 David Ptak; CITY ADMINISTRATOR, My name is Ed Ziemba, I live at 2505 South Deer Trail, Idlewilde Acres, Hastings, NE, and am President of the Nebraska Quarter Horse Racing Association. Due to previous out-of-state commitments, I am unable to attend the upcoming council meeting to speak in support of the racetrack/casino plans for Hastings, as I have done previously to the Planning/Zoning commission and Nebraska legislature members. Nebraska is centered in one of the most concentrated Quarter Horse regions of the world. Nebraska, along with the neighboring states of Colorado, Iowa, Kansas, Missouri, South Dakota and Wyoming are home to 110,000 owners of approximately 528,000 registered Quarter Horses. American Quarter Horse Association Statistics AQHA Registered Quarter Horse Owners by State Nebraska 13,569 Surrounding States Colorado 22,199 Iowa 14,268 Kansas 15,624 Missouri 22,546 South Dakota 10,929 Wyoming 10,765 Top AQHA Registered Quarter Horse States 1. Texas 422,539 2. Oklahoma 162,539 3. California 110,977 4. Missouri 93,627 5. Montana 87,366 6. South Dakota 80,956 7. Colorado 80,377 8. Nebraska 79,428 9. Kansas 70,938 10. Iowa 62,967 11. Idaho 61,639 12. Wyoming 59,346 The central U.S. region is home to 40% of the World's Quarter Horse population. Nebraska's horse industry contributes millions to the state's economy. Hastings Exposition and Racing and the Nebraska Quarter Horse Racing Association (NQHRA), have developed a strategic business plan to capitalize on Nebraska's central location and establish Nebraska as the regional focal point for pari-mutuel Quarter Horse racing. We plan to implement a robust racing product that will provide multiple day schedules and offer a circuit among tracks in Hastings, North Platte and Gering supporting Western Nebraska. The positive economic and fiscal impacts, including new jobs creation and tourism, will be significant to the local economies. Tax revenues generated locally and for Nebraska will be substantial. Additionally, there will be considerable benefits to Nebraska's agricultural sector in which the sport of horse racing is rooted. Nebraska's horse racing industry needs your support in Hastings in order to develop its potential! Thank you! Respectfully submitted, Edward Ziemba NQHRA President eziemba@charter.net (402) 469-9800 cell#

Timothy J. and Carol Q. O’Keeffe
1809 North Elm Street
Hastings, NE 68901

March 8, 2022

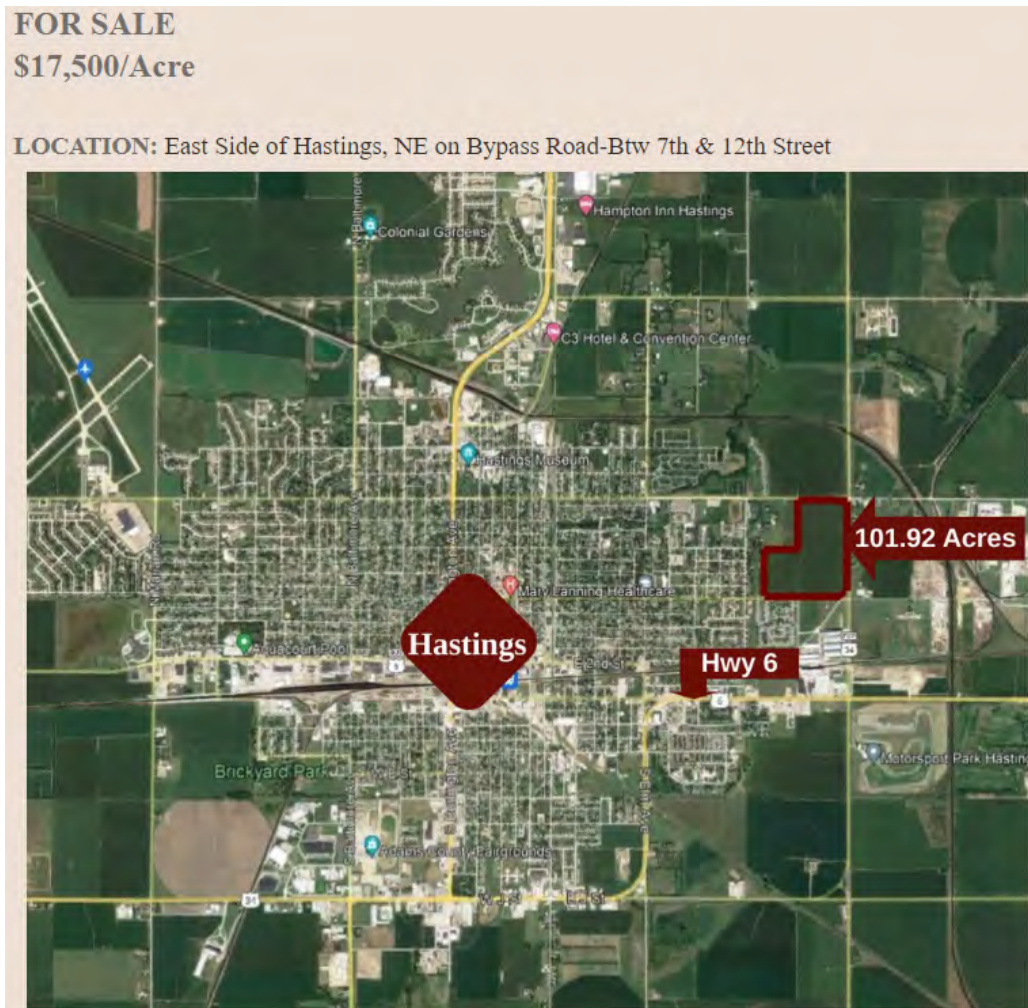
City Council
Hastings, Nebraska

Dear City Council Members;

I am writing to urge you to vote no to the application for a horse track and casino at the northwest corner of 42nd Street and North Baltimore.

This is NOT a Vote Against a Casino- It is a Vote Against the LOCATION

This developer has brought what appears to be an exciting entertainment prospect to our community. There are other more suitable land areas for sale in the area including this one:



This parcel, priced at roughly \$1.783 million, is about \$1.5 million less than the price for the land at 42nd and US 281. The developer offered the fairgrounds just over \$1 million.



With an already existing grandstands, horse barns, improved parking lot, and outbuildings, the Fairgrounds offer was a low-ball offer and reflects on the developer's lack of credibility and good faith. A vote against this proposal stimulates the developer to find a location more suitable to the land use.

Land Use Objections

Staff and the Planning Commission have already advised you on land use and in both cases are recommending that this proposal be denied. Here is a summary of land use concerns:

- A. **The project does not conform to the Comprehensive Plan.** The project removes 45 acres of prime developable land with US 281 frontage on the north end, so as to preserve green space between the horse track and residences along Madden Road. That dynamic itself reinforces the fact that this is an effort to jam a large square peg into a smaller square hole. This project takes out a portion of land area designated in the Comprehensive Plan for residential. While some may argue that the Comprehensive Plan is obsolete, a study of actual land use patterns since 2009, when the Comp Plan was approved, shows increasing levels of residential development to the south and west of this property. If the Comp Plan were revised today, it is probable that land area previously noted as future retail along 42nd Street would most likely be designated for residential.
- B. **The project destroys an already in place land use pattern.** The successes of the Cimarron development to the west, along with my own development that is pending on Baltimore Road at about 43rd Street for R-1A residential, reinforces the notion that the land area between Lochland and Hastings Lake is our most prime residential real estate in all of our community. A review of all six horse tracks in Nebraska reveals that the land areas around such developments are dead zones, occupied by vacant lots, self-storage

units, fertilizer plans, auto salvage yards, and industry. The land area adjacent to the west of this property will be killed for development.

- C. **The project negatively impacts home values in the area.** The developer has provided two letters from Nebraska Realty that state that not only does this project have the potential to not impact home values, but actually could increase them, and these statements are *“true not only for the Lochland residents, but also for the farmland located 2 the west”*. The letters would not pass a middle-school grammar class and Nebraska Realty is the listing agent for the property. Nebraska Realty’s predecessor was Councilperson’s Schroeder’s recent firm, and Schroeder was a broker when the listing agreement for the subject property was executed. The firm is a member of the National Association of Realtors. That association has produced numerous reports that state that casinos negatively impact home values, and this is a primary basis that has fired up the residents in the neighborhood. The Adams County Ag Society saw the same, in which they noted that they do not want their young patrons and competitors at the rodeos and County Fair to have to experience these events near a casino. The people in Lochland and Cimarron do not want to use hiking trails or sidewalks that snake through the parking lots of casinos, or perhaps through horse barns. No one wants to live near a casino anywhere, and that is reinforced by the Google Earth view of all six Nebraska horsetracks in the attachment. In one report from the National Association of Realtors, Jed Smith, a researcher for a study entitled, Economic Impact of Casinos on Home Prices Literature Survey and Analysis, stated, *“Casinos are an attractive nuisance, nuisance on home values. The impacts are negative- the positive benefits are minimal but the negative impacts are substantial”*.
- D. **The project will lower over collected real estate taxes longer term.** The project itself takes out 45 acres of land as a green space. That land has an estimated future taxable development potential of \$28 million or more, greater than the develop-estimated taxable value for the casino and horse track. By destroying development potential for the land area adjacent to the west, another \$100 million or more of valuation could be lost. If this project is approved, the residences in the area plan to file valuation protests, as they are entitled, as a result of a decrease in home values.
- E. **The project impairs Small Town Charm**, which is a core strategic goal noted in the Comprehensive Plan. This concept was reviewed and affirmed by Staff in their preparations.

Numbers and Financial Forecasts

I have prepared a separate memorandum that breaks down the developer numbers. Please know that I prepared such data in earnest and with the intention of being factual and accurate. The numbers reveal a significant overstatement of projected tax revenues for our community on such basis as to call into question the credibility of the developer. Adams County would actually earn more in Property Tax Relief if this license were moved to a better location.

Global Gaming Nebraska has itself been called out by other developers for puffing up and inflating numbers and the comments made by Global Gaming Nebraska, and the developer’s own statements in its application for this project, are not credible.

Job Creation

In January, the developer of the proposed racino at 42nd Street and US 281 noted that this development would add “110 to 150 jobs with total annual salaries projected from \$2.75 million to \$3.25+ million plus benefits”. From the application in January:

PTH estimates the amount of team members that will be hired to support the racing and gaming operation will number from 110 to 150 employees with total annual salaries projected from \$2.75 million to \$3.25+ million plus benefits.

That number increased with the February revision to the application:



It is not known why the developer changed the numbers, but it does reflect a statewide pattern of poor credibility by the developer with respect to forecasts and statements of fact. The developer continually alters numbers and forecasts to fit a particular situation, and then invokes secretive tools such as “gravity algorithm models” that are proprietary. This is all smoke and mirrors.

\$4,500,000 for 150 jobs is \$30,000 per year, per job, or \$14.42 per hour for each full-time job created. When one considers that the operation would likely have 10-15 management staff, the hourly staff are likely to earn no more than \$11 or \$12 per hour. The poverty wage for a family of four in Adams County is \$10.44 per hour (Source: M.I.T. Living Wage Calculator).

Employers in Adams County already struggle to fill jobs, with an unemployment rate of just 1.5% (Source: U.S. Bureau of Labor Statistics). The racino will compete with existing employers in the County who cannot fill their openings.

The low wages in the racino will not be sufficient to attract people to move to Hastings, nor would such persons be able to afford housing. The racino will simply compete at the low end of the wage scale with other local employers who are struggling to fill jobs.

Effect on the Local Economy

Gross Gambling Revenue is typically about ten percent of the total money wagered in a casino. The casinos guard this number as a secret, but an online review reveals ten percent to be a common benchmark. That means that for the Hastings casino to generate the \$46,500,000 million in Gross Gambling Revenue, some \$465,000,000 would have to be wagered. That number includes winnings that are re-wagered.

Our citizens locally and in the region have limited incomes and the money to gamble must come from somewhere. To generate \$465.5 million in gross wagering, one can expect that \$100 million or more will be drawn from our local and regional economy. Our community will receive just a fraction of that money in return, with 80% of Gross Gambling Revenue going to Oklahoma and 15% going to Lincoln for distribution statewide in the form of Property Tax Relief, the General Fund, and to Compulsive Gambling causes. We will get just 1.7148% back in Property Tax Relief. So while we spend 100%, we get back a total 6.7148% (1.718% in Property Tax relief, plus 2.5% each for the City and County in Gambling Tax).

On top of that, the casino will compete for talent at the low end of our payroll spectrum, with an average of just \$14.42 per hour per job.

Credibility

A vote in favor of this project will significantly damage the credibility of the City Council. In short, such a vote would come against the recommendations of Staff; against the recommendations of the Zoning and Planning Commission; against the extraordinary outpouring of opposition; and in favor of special interests from out-of-state who have presented numbers that are bogus.

- **Credibility with Staff.** Staff has recommended that this proposal be denied. Through a formal Request for Information process, I obtained copies of all of the documents pertaining to this developer's proposals in Gering and North Platte, as a means to compare what they were saying to others, versus what they have said to us. Among those documents are the staff write ups in the other locations. Our staff in Hastings had preparation that was significantly more expansive, introspective, and thoughtful. They were well-prepared. If you vote against the recommendations by staff, you demoralize them and reduce the incentive to invest the time and attention in the future.
- **Credibility with the Zoning and Planning Commission.** I served on the Zoning and Planning Commission from 2004-2007. I was appointed by Rick Sheehy and served under Walt Miller as Chair, and alongside Marshall Gaines, who just retired. I resigned my post a year early because I found that the City Council would over-ride our recommendations and do whatever they wanted, ignoring our advice. In this matter the Zoning and Planning Commission voted against the proposal. If you override them, it will demoralize them, and through time we will struggle as a community to get people to volunteer for boards and commissions.
- **Credibility with the Public.** We can all agree that we as a community voted in favor of gambling in Nebraska in November, 2020. Gambling is a recreational endeavor enjoyed by many and the structure of how gaming will work in Nebraska will most likely enable the horse racing industry to grow and prosper. There is opportunity for us as a community to work with the developer to find the proper location. As a rural community, there is plenty of vacant land within our two-mile jurisdiction to place a casino and horse track that is not near neighborhoods. The Ag Society did not want this

project in their neighborhood and neither do we. We are existing tax-paying citizens of Hastings and many of us work in leadership, business, academic, and charity roles. A vote against the neighbors and in favor of out-of-town special interests damages our confidence that you look out for our best interests. Should Councilperson Schroeder elect to vote on this matter, this vote will be tainted. Even with the appearance of a conflict of interest, Councilperson Schroeder should abstain. That is the honorable thing to do to uphold the integrity of the City Council.

Please review the attached for additional reference. I have invested much time into this effort to see that you are equipped with the information needed to make a quality decision.

Thank you for your public service.

Sincerely,

Tim O'Keeffe

Hastings Racino Proposal
Review of the Developer Tax Benefit Forecast to Hastings and Adams County
by
Tim O’Keeffe

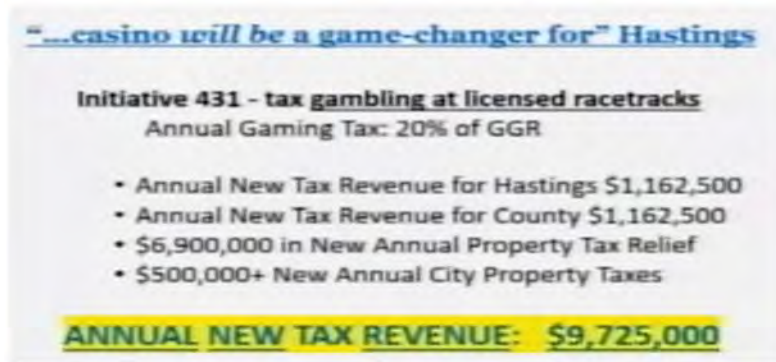
To the City Council of Hastings:

I have prepared this analysis to assist you in your deliberation and contemplation of the racino application for the northwest corner of 42nd Street and US 281. While this is a land use matter, I want to be certain that should the financial projections posed by the developer weigh on any basis in your mind, that you will be acting upon accurate information and with clear understanding of the numbers.

In compiling this analysis, I have worked carefully with the Adams County Assessor’s office; Ruth Sorenson, Property Tax Administrator at the Nebraska Department of Revenue; and the Nebraska Department of Legislative Services. At all times my mission was to generate accurate and precise analysis. The analysis reveals the following based on the developer’s public statements and information contained in the applications made for this project and which have lawfully been obtained through a Request for Public Records submitted by Timothy O’Keeffe from the City of Hastings.

Executive Summary

At the February 15, 2022 Zoning and Planning Commission meeting, the developer made these statements in reference to the tax and economic benefits from the racino application:



The developer implied to the Zoning and Planning Commission that the above benefits are conditional on this application being approved and there being a casino in Hastings. The attached analysis reveals the following:

- A. A casino in Hastings is not required for Hastings to earn Property Tax Relief from casino gambling.
- B. For Adams County to receive \$6,900,000 in Property Tax Relief, the State of Nebraska will have to generate \$2.874 billion in gross gaming revenue.
- C. \$2.874 billion is an untenable forecast. \$2.874 billion is 66% higher than the gross gaming revenue for the State of Missouri in 2019 (\$1.729 billion, with thirteen casinos and 36.5% greater population), and many times higher than other nearby states with casino gambling.
- D. Developer statements made publically prior to now have been challenged by other gaming professionals as being puffed up and exaggerated, and the numbers stated for tax relief statewide by the developer at public meetings in western Nebraska do not align to the forecasts made here.
- E. For Hastings and Adams County to receive \$1,162,500 each from the casino tax, gross gaming revenues for the Hastings casino would have to be \$46,500,000.

- F. The developer states that 650,000 people will visit the casino in Hastings annually. That is 1,781 persons per day. To achieve \$46,500,000 in gross gaming receipts, each of those 1781 persons will have to spend about \$715.38, including winnings, per visit. These forecasts are astonishing and are exaggerated.**
- G. If the number of racino gaming facilities is limited in the State of Nebraska, the citizens of Adams County will earn more Property Tax Relief if the racino were located in North Platte or Gering.**
- H. This development is not a highest and best use for the subject property, and if approved and constructed, will result in lower future real estate tax valuations by \$100 million or more in the subject property and land area adjacent to the west.**

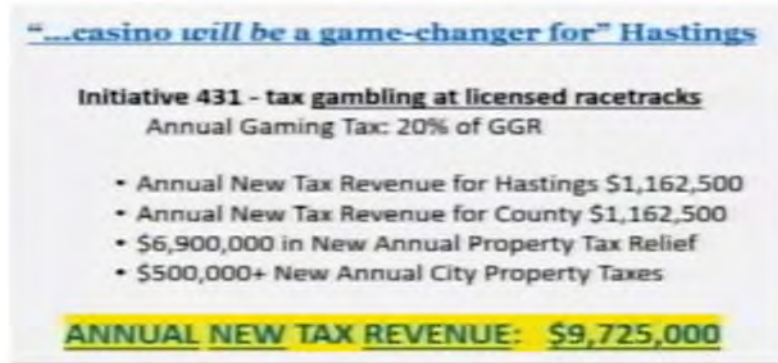
I certify that the statements herein are true and accurate to the best of my abilities.

Timothy O'Keeffe
1809 North Elm Avenue
Hastings, NE 68901

Hastings Racino Proposal
Review of the Developer Tax Benefit Forecast to Hastings and Adams County

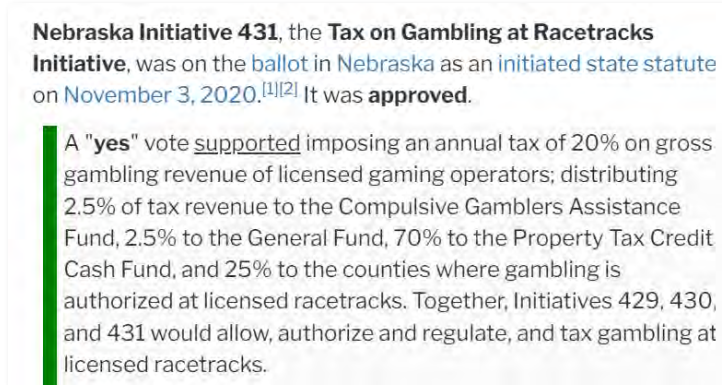
by
Tim O’Keeffe
galtokeeffe@gmail.com
785.493.4714

The developer of a proposed casino and racetrack at the northwest corner of 42nd Street and US 281 has coined the proposal as a “game changer” for Hastings and cited these economic benefits at a public hearing during the Zoning and Planning Commission meeting on February 15, 2022:



Initiative 431

Nebraska voters approved Initiative 431 in November, 2020 thereby enabling the taxation of casino gaming income as follows:



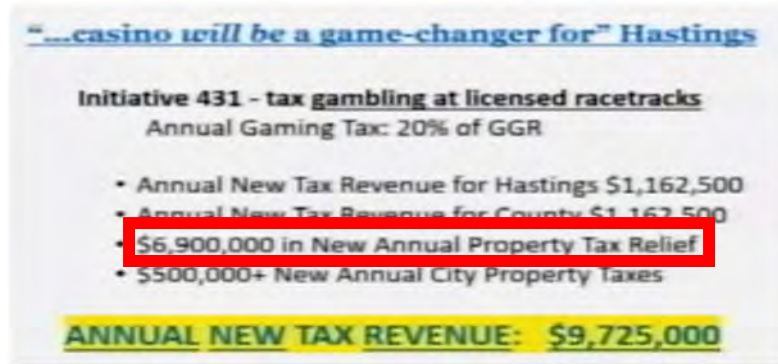
The calculations set forth in Initiative 431 are summarized here:

Gross Gaming Revenue (“GGR”)	100.00%	
Distribution:		
Income to the Casino Operator	80.00%	
Income to Government (20.00%)		
Property Tax Credit Cash Fund	14.00%	20.00%
State General Fund	.005%	
Compulsive Gamblers Assistance Fund	.005%	
City in which the Casino Resides	.025%	
County in which the Casino Resides	.025%	
TOTAL	100.00%	

Gross Gambling Revenue

The American Institute of Certified Public Accountants (AICPA) defines "Gross Gambling Revenue" as "*the net win from gaming activities, which is the difference between gaming wins and losses before deducting costs and expenses*". Gross Gambling Revenue ("GGR") is by most accounts, about ten percent of the total money bet in a casino. The total money bet includes money that patrons bring in, but also money that is gambled from winnings.

Property Tax Relief



Initiative 431 spells out that Property Tax Relief is taxed at the rate of 70% of the 20% overall gambling tax on "Gross Gambling Revenue" (14% overall of GGR), and the money is designated to the Property Tax Credit Cash Fund. The Property Tax Credit Cash Fund was created as follows:

Source: Laws 2007, LB367, § 2.
77-4211. Property Tax Credit Cash Fund; created; use; investment.

The Property Tax Credit Cash Fund is created. The fund shall only be used pursuant to the Property Tax Credit Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Source: Laws 2007, LB367, § 3.

The use of funds in the Property Tax Credit Cash Fund is made pursuant to the Property Tax Credit Act, the key provisions of which are listed here:

77-4212.

Property tax credit; county treasurer; duties; disbursement to counties; Property Tax Administrator; State Treasurer; duties.

(1) For tax year 2007, the amount of relief granted under the Property Tax Credit Act shall be one hundred five million dollars. For tax year 2008, the amount of relief granted under the act shall be one hundred fifteen million dollars. It is the intent of the Legislature to fund the Property Tax Credit Act for tax years after tax year 2008 using available revenue. For tax year 2017, the amount of relief granted under the act shall be two hundred twenty-four million dollars. For tax year 2020 and each tax year thereafter, the minimum amount of relief granted under the act shall be two hundred seventy-five million dollars. If money is transferred or credited to the Property Tax Credit Cash Fund pursuant to any other state law, such amount shall be added to the minimum amount required under this subsection when determining the total amount of relief granted under the act. The relief shall be in the form of a property tax credit which appears on the property tax statement.

(b) Beginning with tax year 2017, to determine the amount of the property tax credit, the county treasurer shall multiply the amount disbursed to the county under subdivision (4)(b) of this section by the ratio of the credit allocation valuation of the parcel to the total credit allocation valuation in the county. The amount determined shall be the property tax credit for the property.

(5) For purposes of this section, credit allocation valuation means the taxable value for all real property except agricultural land and horticultural land, one hundred twenty percent of taxable value for agricultural land and horticultural land that is not subject to special valuation, and one hundred twenty percent of taxable value for agricultural land and horticultural land that is subject to special valuation.

(7) The Legislature shall have the power to transfer funds from the Property Tax Credit Cash Fund to the General Fund.

In summary, here are the stipulations of the Property Tax Credit Act:

- The tax credit is paid out based on property valuation.
- The credit shows as a property tax credit on an individual's tax bill.
- For purposes of calculating the credit, agricultural real property is marked up 20%.
- The legislature can ultimately transfer funds from the Property Tax Credit Cash Fund to the General Fund.

The Nebraska Department of Revenue publishes real property valuations by tax year for 2011 – 2021 and the information is available to download to an Excel spreadsheet. Using that resource, the following summarizes the agricultural real property recast by 120% and total valuations:

Co#	94			History of Valuation & Taxes Levied by PROPERTY TYPE SECTOR 2011 to 2021															
Cnty	STATE TOTAL			NE Dept. of Revenue Property Assessment Division 1-3-2022 Source: CTL 2011-2021										(1) Residential sector includes residential, recreational, & ag-residence, i.e. ag-dwelling & a		(2) Agricultural Land: 2006 assessed at 80% of actual value; 2007 to present assessed at 75			
PROPERTY TYPE SECTOR - VALUATIONS:																			
	Agland		Agric. Imprv.		Residential		Agric Resid.		Comm. & Indust.		Railroad		PublicServCos.		Subtotal				
Year	Real ⁽²⁾	%chg	& Farmsite	%chg	Real ⁽¹⁾	%chg	incl'd w/Resid	%chg	&Mineral Real	%chg	Real	%chg	Real	%chg	Real	%chg			
2021	88,308,169,055	-0.82%	4,160,233,614	7.03%	117,239,171,313	7.42%	7,114,943,163	4.58%	40,662,803,941	3.93%	5,347,211,133	7.92%	568,251,852	8.72%	256,285,840,908	3.90%			
Recast for Tax Credit	105,969,802,866		4,992,280,337		117,239,171,313		7,114,943,163		40,662,803,941		5,347,211,133		568,251,852		281,894,464,605				
Cumulative %chg		202.11%		79.14%		57.82%		53.59%		51.67%		84.84%		127.19%		70.57%			
Annual Rate %chg		7.29%		6.00%		4.67%		4.38%		4.25%		6.34%		8.55%		5.48%			
PROPERTY TYPE SECTOR - TAXES LEVIED:																			
	Agland		Agric. Imprv.		Residential		Agric Resid.		Comm. & Indust.		Railroad		PublicServCos.		Subtotal				
Year	Real	%chg	& Farmsite	%chg	Real ⁽¹⁾	%chg	incl'd w/Resid	%chg	&Mineral Real	%chg	Real	%chg	Real	%chg	Real	%chg			
2021	1,146,081,090	-0.33%	54,449,015	7.31%	2,366,681,252	6.65%	101,565,738	4.22%	832,652,826	2.99%	82,123,628	7.58%	10,219,250	8.05%	4,492,207,060	4.13%			
Recast for Tax Credit	1,375,297,307		65,338,819		2,366,681,252		101,565,738		832,652,826		82,123,628		10,219,250		4,833,878,820				
Cumulative %chg		63.94%		49.58%		51.59%		29.93%		47.56%		63.97%		110.81%		54.06%			
Annual Rate %chg		5.07%		4.11%		4.25%		2.65%		3.97%		5.07%		7.74%		4.42%			
Adams County Share of NE Real Property Valuation , Ag Recast Basis																1.7148%			

So in summary, in 2021 Adams County accounted for 1.7148% of the total real property valuation for the State, after marking up agricultural real property 20%. According to the Property Tax Credit Act, Adams County would receive 1.7148% of the taxes collected for the Property Tax Credit Cash Fund. In other words, for every \$100 million in Gross Gaming Receipts ("GGR"), \$14,000,000 would be generated for the Property Tax Credit Cash Fund (70% of the 20% of taxes collected, or 14% overall), and Adams County would receive \$240,072.

That now enables us to calculate the Gross Gambling Revenue that the developer used to come up with a \$6,900,000 forecast for "new Property Tax Relief". Here is that calculation:

Gross Gambling Revenue:	\$2,874,000,000
State Tax on GGR (20%)	\$ 574,000,000
Property Tax Credit Cash Fund (70%)	\$ 402,360,000
Adams County Share (1.7148%)\$	\$ 6,899,669

In summary, it would take \$2.874 billion dollars in Gross Gaming Revenue for Adams County to earn \$6,900,000 in Property Tax Relief.

\$2.874 billion in GGR is an astonishing number. According to the American Gaming Association's *State of the States 2020* report, here were the GGR's for other states in the region, and please note that I intentionally did not use 2020 data due to skewing of lower values from COVID restrictions:

Commercial Casino Gaming Consumer Spend By State

2018 vs. 2019

In 2019, 21 of the 25 commercial gaming states reported increases in annual gross gaming revenue (GGR) from the previous year. The largest increase came in Massachusetts, reflecting the June opening of the state's second casino-resort just outside of Boston. The steepest decline came in Louisiana amid expanded competition in neighboring states. Fourteen states—Arkansas, Florida, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, New York, Ohio, Oklahoma, Pennsylvania, South Dakota and Rhode Island—recorded record gaming revenue.

STATE	2018	2019	% Change
Arkansas	\$370,678,166	\$426,491,562	15.06%
Colorado	\$842,103,912	\$833,668,376	-1.00%
Delaware	\$432,512,143	\$450,806,046	4.23%
Florida	\$569,015,684	\$574,651,569	0.99%
Illinois	\$1,374,862,061	\$1,354,404,565	-1.49%
Indiana	\$2,240,835,178	\$2,247,037,933	0.28%
Iowa	\$1,467,332,138	\$1,486,793,913	1.33%
Kansas	\$408,573,550	\$416,172,056	1.86%
Louisiana	\$2,561,460,458	\$2,459,825,344	-3.97%
Maine	\$143,733,223	\$145,189,299	1.01%
Maryland	\$1,746,364,081	\$1,757,055,709	0.61%
Massachusetts	\$273,072,584	\$718,534,899	163.13%
Michigan	\$1,444,099,784	\$1,454,274,694	0.70%
Mississippi	\$2,142,059,922	\$2,201,333,096	2.77%
Missouri	\$1,754,466,296	\$1,729,489,588	-1.42%
Nevada	\$11,917,370,000	\$12,031,501,000	0.96%
New Jersey	\$2,903,477,507	\$3,468,633,795	19.46%
New Mexico	\$235,445,003	\$244,083,751	3.67%
New York	\$2,587,743,241	\$2,730,982,540	5.54%
Ohio	\$1,863,936,633	\$1,941,485,831	4.16%
Oklahoma	\$139,606,077	\$140,855,958	0.90%
Pennsylvania	\$3,251,196,919	\$3,384,392,576	4.10%
Rhode Island	\$656,548,911	\$668,428,118	1.81%
South Dakota	\$106,323,642	\$110,276,037	3.72%
West Virginia	\$623,764,685	\$630,042,458	1.01%
TOTAL	\$42,056,581,797	\$43,606,410,713	3.7%

SOURCE: State Gaming Regulatory Agencies

Missouri has a 36.5% greater population, plus out-of-state metro areas in Kansas and Illinois, and it generated just \$1.729 billion of GGR in 2019. The developer's forecast for Nebraska is 66% greater than that. **Worse, the developer seems to imply that Hastings must have a casino to get Property Tax Relief. That is not true.**

The developer's forecasts are being questioned by others, including, other casino operators-to-be in the State. An article in the December 13, 2021 edition of the Omaha World-Herald said this:

Estimates on Nebraska casino revenue 'are all over the place'

Martha Stoddard Omaha World-Herald Dec 13, 2021

Noting:

Lance Morgan, president and CEO of Ho-Chunk Inc., the economic development arm of the Winnebago Tribe of Nebraska, said the revenue estimate used during the campaign focused primarily on the Omaha, Lincoln and South Sioux City areas. He said newer projections put the revenue closer to \$450 million, bringing the property tax relief portion to about \$63 million.

And:

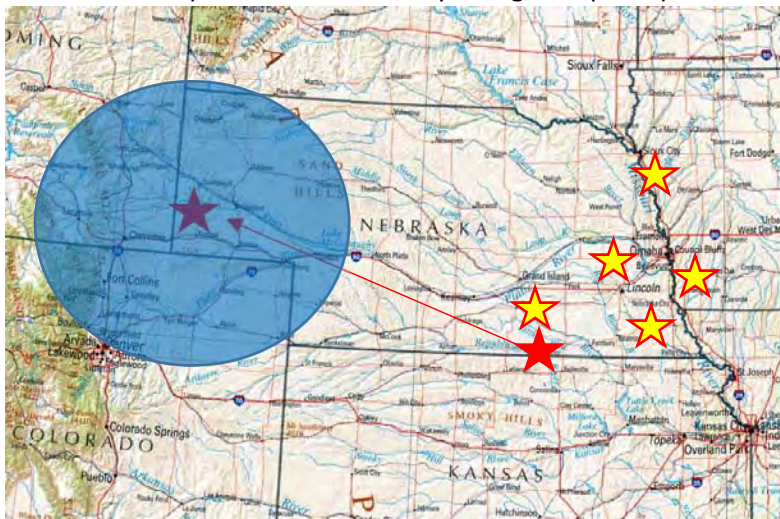
Morgan was skeptical of higher revenue estimates produced by Global Gaming Nebraska, a business entity of the Chickasaw Nation of Oklahoma that is working to develop casinos in Hastings, North Platte and Gering.

In that article, Sean Boyd of Global Gaming Nebraska was quoted to estimate revenue for property tax relief to \$98 million:

Sean Boyd, president of Global Gaming Nebraska, estimated that casinos at the six current tracks could produce almost \$583 million in revenue and almost \$82 million for property tax relief. Adding casinos to potential tracks in North Platte and Gering would push revenue to about \$698 million and the property tax money to about \$98 million.

Consider that even people in the industry are criticizing Sean Boyd's forecasts for Property Tax Relief. Note further that in the developer's application in Hastings, it would take \$574 million to realize \$6,900,000 in annual Property Tax Relief. These numbers are bogus beyond comprehension and we as a community should exercise extreme caution in dealing with this developer.

With the way that Property Tax Relief is calculated, if one believes that the State of Nebraska will limit the number of racino facilities, Adams County residents would receive more Property Tax Relief if the license in Hastings were relocated to North Platte or Gering. Gering has arguably the best alternative location because it would enable capture of casino gaming revenues in western Nebraska and parts of Colorado, Wyoming, and perhaps Kansas and South Dakota. To wit:

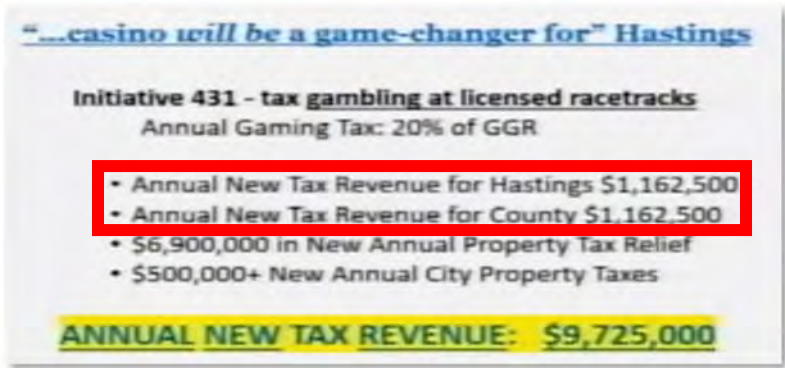


North Platte’s racino, if built, would have similar advantages but would compete with Grand Island. North Platte’s racino would be the only casino that sits right on Interstate 80, thus drawing traffic that is passing through.



In summary, this analysis suggests that the Property Tax Relief numbers from the developer are based on bogus revenue forecasts. Property Tax Relief for Adams County would likely be greater if the same license were dispatched to Gering or North Platte, and the developer’s apparent assertion that having a casino in Hastings as a condition to earn Property Tax relief is false.

New Tax Revenue



The calculations for New Tax Revenue originate in Initiative 431 and are summarized here:

Gross Gambling Revenue (“GGR”)	100.00%	
Distribution:		
Income to the Casino Operator	80.00%	
Income to Government (20.00%)		
Property Tax Credit Cash Fund	14.00%	
State General Fund	.005%	
Compulsive Gamblers Assistance Fund	.005%	
City in which the Casino Resides	.025%	←
County in which the Casino Resides	.025%	
TOTAL	100.00%	

For the City to earn this tax, it appears that the land area that the developer has proposed will need to be annexed. To earn \$1,162,500 respectively for the County and City, the Hastings racino will need to earn \$46,500,000 in annual Gross Gambling Revenue:

Gross Gambling Revenue:	\$ 46,500,000
Gambling Tax Revenue to City (2.5%)	\$ 1,162,500
Gambling Tax Revenue to County (2.5%)	\$ 1,162,500

The developer states that 650,000 visitors will come to the racino per year:

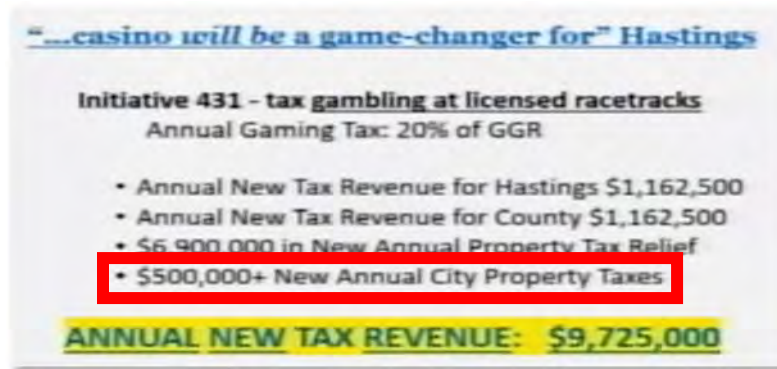


That visitor forecast would require 1,781 people to patronize the racino every day, 365 days per year. I tried to secure a comparable to understand that number. The Hastings Family YMCA, encompassing two facilities, averages 583 people per day. That includes leagues, classes, events, people working out, teams, daycare, and wellness clients. The developer's traffic forecast is three times that number.

Based on the commonly-held industry "hold" level for Gross Gambling Revenues as a percentage of all monies played, each of these patrons would have to bet \$715.38 per visit, including winnings, in order to achieve the GGR forecast in a year. Given that there is a \$140 million casino resort just twenty miles away to the north, achieving these numbers seems most improbable. This is another example that damages the developer's credibility. These forecasts are fiction and tall tales.



Real Estate Taxes



The real estate taxes for the property improvements are suggested by the developer to be \$500,000 per year. Based on such estimate, the improved taxable value for the racino would be about \$25 million based on current levies for commercial property.

The developer's application notes that 45 acres of developable land area to the north will be maintained agricultural in order to create a green space buffer from residences along Madden Road to the north:



45 acres would support 70 or more half-acre lots, along with a street and common area. At an average cost of \$400,000 or more each, which is well within comparable housing values in the vicinity, lost development potential for this land area alone is \$28 million or more.

More importantly are the negative effects on future land development potential of the land area to the west. A review of all horse tracks in the State of Nebraska reveals a universal pattern of dead space or low-value uses around horse tracks, such as self-storage facilities, industrial complexes, and salvage yards.







The killing of the development potential for the land west of the subject property for what was contemplated by the Comprehensive Plan as residential and commercial will be \$100 million or more.

Summary

The numbers and forecasts put forth by the developer call into question the integrity and motives. By any measure these numbers are astonishing exaggerations:

- **\$6,900,000 in annual new Property Tax Relief????????**
 - The statement is misleading in that Adams County gets this benefit regardless of there being a casino here.
 - The number is based on a statewide Gross Gambling Revenue of \$2.874 billion, yielding a statewide contribution to the Property Tax Cash Relief Fund of \$574,000,000, which is a ludicrous forecast.
 - The number conflicts with a \$98 million statewide Property Tax Relief offered by Sean Boyd at a public meeting in Scottsbluff. The developer tells a new audience a new number at every opportunity. The \$98 million forecast was itself questioned publically by people in the gaming industry who have a vested in interest in lofty promises to gain casino licenses.
- **\$1,162,500 in City and County gambling taxes annually??????**
 - The number is based on \$46,500,000 in Gross Gambling Revenue locally.
 - Requires gross wagering of \$715.81 per person per visit per day, based on the developer's estimate of traffic.
 - This is a ludicrous forecast.
- **650,000 visitors annually???**
 - 1,781 people per day.
 - That is three times the traffic of the Hastings Family YMCA
- **\$4,500,000 in payroll for 150 jobs???????**
 - That is \$14,42 per hour, not even a living wage.

Should the counsel overrule its own Staff and the Zoning and Planning Commission and vote in favor of this proposal, with a developer that submits information that the City Council knows is of such nature as set forth herein, the City Council's credibility shall be significantly reduced.

Respectfully submitted,

Timothy O'Keeffe



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March 8, 2022

Ted Schroeder
Hastings City Councilman, 2nd Ward
220 N. Hastings Ave.
Hastings, NE 68901

RE: Request for Recusal Due to Conflict of Interest
Permit #2021-071 / Rezoning and Conditional Use Permit Request for the
Property located at or near 4555 Osborne Drive West, Hastings, NE 68901

Dear Ted Schroeder:

I am the legal counsel for individuals who are protesting the application and request of West Fork, Inc., Gremco, Inc., and Prairie Thunder Hastings, LLC (collectively, "Applicants") to rezone and obtain a conditional use permit for that certain real property located at or near the Southeast Quarter of Section 25, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska, commonly described as 4555 Osborne Drive West, Hastings, Nebraska, 68901, Parcel Nos. 010000579 and 010000679 ("Subject Property").

The Hastings City Council will be hearing the Applicants' request to rezone and obtain a conditional use permit on the Subject Property on March 14, 2022. Pursuant to the Hastings City Council Code of Conduct, Hastings Municipal Code §§ 2-117 et seq., and the Nebraska Political Accountability and Disclosure Act, NEB. REV. STAT. §§ 49-1401 et seq., I am writing to request that you recuse yourself and abstain from taking any action or voting on the City Council's consideration of the Applicants' request.

BACKGROUND

In February 2007, you, Mike Engelhardt, and Brent Parker formed SCENPA LLC, a Nebraska limited liability company. SCENPA LLC is a real estate company in Hastings, Nebraska that you owned with Mr. Engelhardt and Mr. Parker. SCENPA is an acronym that stands for the first two letters of your last name, Mr. Engelhardt's last name, and Mr. Parker's last name. In December 2011, SCENPA LLC registered "Hastings First Choice Real Estate" as a tradename, which is the name under which SCENPA LLC has marketed itself since that time.

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For more than a decade, you, Mr. Engelhardt, and Mr. Parker were business partners at SCENPA LLC d/b/a Hastings First Choice Real Estate ("Hastings First Choice"). As you know, that company recently filed its Notice of Dissolution on December 13, 2021. For the nearly 15 years that the three of you worked together, you all received profits and commissions from the company's real estate listings.

At some point before March 18, 2021, Hastings First Choice entered into an agreement with West Fork, Inc., Gremco, Inc., and/or Robert A. Wallace to list the Subject Property for sale.

On or about March 18, 2021, Hastings First Choice listed the Subject Property for sale. The listing price was \$3,400,000. Mr. Engelhardt was the listing agent.

Typically, a Nebraska realty company earns a 5-6% commission on commercial real estate transactions. Thus, if the Subject Property sold for its listing price, then Hastings First Choice would have earned a \$170,000 to \$204,000 commission. Hastings First Choice would have directly profited from the sale of the Subject Property.

In approximately May or June 2021, Hastings First Choice had communications with Brian Becker and/or Breann Becker (or their agents) about the Subject Property, and Hastings First Choice actively marketed the Subject Property to one or both of them (or their agents). Hastings First Choice knew they were interested in purchasing the Subject Property for a casino and racetrack and knew the Subject Property would need to be rezoned by the Hastings City Council to accommodate such a use.

In approximately the summer of 2021, West Fork, Inc. entered into an option contract with Prairie Thunder Hastings, LLC (of which Breann Becker is a member) to purchase the Subject Property (hereafter, "Option Contract"). The Option Contract gives Prairie Thunder Hastings, LLC ("Prairie Thunder") the option to purchase the Subject Property, assumedly for a defined length of time. There are unconfirmed reports that the amount of the Option Contract is approximately \$3.2 million, which, if true, means the commission on the sale of that property could be between \$160,000 and \$192,000.

On the one hand, the Option Contract is beneficial to Prairie Thunder because it allows them to walk away from the Subject Property if the Hastings City Council does not pass their rezone and conditional use permit ("CUP") requests. On the other hand, if the Council votes to rezone and grant a CUP on the Subject Property, then Prairie Thunder will likely close on the Subject Property and a large real estate commission will likely be paid.

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I assume you knew about this Option Contract at or around the time it was signed, especially considering that Hastings First Choice took the Subject Property off the market on or about October 1, 2021, because it was under contract. I also assume you knew the City Council's vote on the rezone request would be instrumental in determining whether or not the Subject Property closed, which would result in a very large commission. If you did not know these matters then, you surely know them now.

In approximately August 2021, AJ Alloway, Inc. d/b/a Nebraska Realty ("Nebraska Realty") acquired Hastings First Choice. As a result, Nebraska Realty is now listed as the broker for the Subject Property. In addition, Mr. Engelhardt and Mr. Parker are now affiliated with Nebraska Realty, but we do not know the terms of their affiliations.

I assume Hastings First Choice executed some sort of an acquisition or buyout contract with Nebraska Realty, and the question remains what the terms of that contract were. If I had to guess, Nebraska Realty likely compensated Hastings First Choice for all of its assets, existing listing agreements, and real estate contracts. And, if that is true, then Hastings First Choice likely received financial compensation on any listing agreement it had on the Subject Property, regardless of whether it was under contract.

Alternatively, Nebraska Realty and Hastings First Choice may have reached some sort of an agreement as to who would receive any future commissions and profits on any of Hastings First Choice's active listings at the time of Nebraska Realty's acquisition. Such profits would directly flow to the shareholders of Hastings First Choice, including potentially any other individual who had previously executed some sort of a buyout agreement with Hastings First Choice. Even if the contract said Nebraska Realty would receive all future commissions on Hastings First Choice's active listings, then the question is whether Hastings First Choice was financially compensated (via a monetary buyout, yearly payments, or otherwise) on the basis of Hastings First Choice's assets, active listings, and expected future commissions.

If you were bought out at or around the time of Nebraska Realty's acquisition, then the question is how your shares in Hastings First Choice were valued and whether those shares were valued, in any way whatsoever, based upon the company's active listings and expected future commissions (including for the Subject Property). If you were not bought out at that time, then the question is whether you executed any previous agreements with Hastings First Choice such that any money that Nebraska Realty paid to acquire Hastings First Choice and its listings flowed to you somehow. The answers to these questions are unknown at this time.

Finally, I would point out that the Applicants began working with the Hastings City Planning Commission ("Planning Commission") in approximately October 2021 to rezone and obtain a CUP on the Subject Property. The Applicants' rezone and CUP request were initially set to be heard before the Planning Commission on December 21, 2021, with the City Council scheduled to vote on those matters on January 10, 2022. Ultimately, the hearing before the Planning Commission was laid over until February 14, 2022, but the Applicants' rezone and CUP requests were put in motion before Hastings First Choice was dissolved in December 2021.

LAW ON CONFLICTS OF INTEREST
FOR CITY COUNCIL MEMBERS

On April 26, 2021, the Hastings City Council adopted by a vote of 7-0 a Code of Conduct for City Council members. (See Hastings Municipal Code §§ 2-117 et seq. (hereafter, "Code").) You were present for that vote and voted in favor of the Code.

The Code largely follows existing Nebraska law on conflicts of interest for city council members. That law is contained within the Nebraska Political Accountability and Disclosure Act, NEB. REV. STAT. §§ 49-1401 et seq. (hereafter, "Act"), which has been on the books for decades and which any city council member must follow.

The Code, which you helped pass, states:

"It is the **policy** of [Hastings] that the proper operation of democratic government requires that public officials and employees **be independent, impartial** and responsible to the people [...] **that public office not be used for personal gain; and that the public have confidence in the integrity of its government.** In recognition of these goals, a code of ethics for all City offices and employees is adopted."

Hastings City Code § 2-117 (emphasis added). The Code also states that two of its four main purposes are "(1) **to encourage high ethical standards in official conduct by City officials and employees** [and] (3) **to require disclosure by such officials and employees of private financial or other interests in matters affecting the City[.]**" Id.

In addition to the Code's policy that councilmembers must be independent and impartial, the Code contains two sections on conflicts of interest. Both of them require your recusal in the vote on the Applicants' rezone and CUP request.

First, Section 2-121 of the Code states, "A City official or employee may not participate in a vote or decision on a matter affecting a person, entity, or property in which the business which the official or employee is associated is involved." This section goes on to discuss how a "remote interest" and an "incidental interest" do not rise to the level of a conflict, but neither of those provisions are applicable because your interest in this vote goes well beyond a remote or incidental one.

Second, Section 2-122 of the Code talks about disclosing conflicts of interest. That Section states in relevant part:

- (1) **A City official shall disclose the existence of any business with which the official is associated involving a person, entity or property which would be affected by a vote or decision of the body of which the City official is a member [...].**
- (2) To comply with this section, **any elected official who has a conflict of interest, as set forth in subparagraph (1) above, in any matter before the City Council, shall disclose such fact on the records of the City Council and refrain from participating in any discussion or voting thereon**, provided that such exceptions shall be observed as is permitted by law.

Hastings City Code § 2-122(1), (2) (emphasis added).

Under the Code, the term "business" is broadly defined to include "any corporation, partnership, [...] firm, [...] organization, self-employed individual, [...] activity or entity." Hastings City Code § 2-118. The term "affected" means a reasonable likelihood that a person, entity, or property will be "subject to a direct economic effect or consequence, either positive or negative, as a result of the vote or decision in question." Id. And, "business with which the individual is associated" means "a business in which the individual is a partner, director, [or] officer." Id.

YOUR CONFLICT OF INTEREST

1. You are not impartial on the Applicants' rezone and CUP requests.

Respectfully, based upon all of the information I have laid out above, I do not believe you are, or will be, impartial on the City Council's upcoming vote on whether or not to grant the Applicants' rezone and CUP request. Your vote will directly impact

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whether the rezone and CUP requests are successful, and if they are successful, then the Subject Property will close and a very large commission will be paid out.

You have informed people that you plan to vote in favor of the rezone and CUP request. There are also reports that you have been encouraging one or more City Council members to vote in favor of the rezone and CUP requests. I hope that, but do not know whether, you have disclosed Hastings First Choice's connection to this transaction and your conflict of interest on this issue as part of your efforts to persuade others.

As a founding owner of Hastings First Choice and one of its brokers for the last 15 years, you are simply too close to the transaction involving the Subject Property to be an unbiased and neutral city official on the Applicants' rezone and CUP requests. You know that a successful vote on the rezone and CUP requests will likely result in a potential commission of nearly \$200,000 to at least one of your former business partners. You know if either of the requests fails to pass, then a large commission will likely be lost.

You may not call this an actual conflict, but it certainly has the appearance of one. And, as you know, it is often the appearance of financial bias that is worse than the act itself. There is a strong ethical policy in the Code that city councilmembers must remain "impartial" and "independent" so that "the public [will] have confidence in the integrity of its government." Hastings City Code § 2-117. I do not think anyone would dispute you have an inherent bias in the City Council's upcoming vote due to your previous financial dealings with Hastings First Choice. The question is whether you will acknowledge that and step down from this vote to protect the vote's integrity.

This is not a situation where you were one of 1,000 employees. Hastings First Choice was a closely-held company with approximately 10 or less employees. You were an owner and partner of the company for more than a decade and continued to work there until your retirement last year.

Per the Code's policy under Section 2-117 that its public officials remain impartial and independent on matters affecting the City of Hastings – a policy that you voted in favor of less than a year ago – I respectfully ask that you recuse yourself and not participate in the vote on the Applicants' rezone and CUP requests.

2. You have a conflict of interest under Sections 2-121 and 2-122 of the Code.

You were involved with Hastings First Choice (1) when it executed the listing agreement for the Subject Property before March 18, 2021, (2) when it listed the property for sale on or about March 18, 2021, and (3) apparently when the Option Contract

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between West Fork, Inc. and Prairie Thunder was executed in approximately the summer of 2021. Despite Nebraska Realty's acquisition of Hastings First Choice in approximately August 2021, Hastings First Choice did not legally dissolve until December 2021.

Your actions on this vote are already affecting the citizens of Hastings and will permanently affect them if you cast a vote at the hearing on the Applicants' rezone and CUP requests on March 14, 2022. Under the Code, "affected" means a reasonable likelihood that a person, entity, or property will incur either a positive or negative economic impact as a result of the vote or decision in question. Hastings City Code § 2-118. Many of the neighbors immediately surrounding the Subject Property have protested the Applicants' rezone and CUP requests. They have all said, under oath, that such requests will negatively affect and decrease their property's value.

In addition, if the Council votes in favor of the rezone and CUP requests, then that will likely result in a large realtor commission for the Subject Property. Considering Hastings First Choice's involvement in the Subject Property, there is a serious question as to whether it will or has already financially benefited from any actual or expected commission on the Subject Property. Since you have not disclosed a copy of any contracts you or Hastings First Choice may have executed (1) in connection with Nebraska Realty's acquisition of Hastings First Choice, (2) concerning the dissolution of Hastings First Choice, or (3) regarding any buyout or other agreements you may have executed with Hastings First Choice, the public cannot completely evaluate what you or others may stand to financially gain or lose on this vote.

Even if it is true that you will not receive any part of the commission, then at a minimum it appears that at least one of your former business partners will likely profit if the rezone and CUP requests pass. You may try to justify your vote on other grounds, but there will always be this issue hanging over your vote due to your lengthy ownership and financial relationship with Hastings First Choice.

It is also irrelevant that you retired from the real estate business last year. Hastings First Choice's involvement in the Subject Property and the process of getting approval for the rezone and CUP requests were all set in motion last year. Had the City Council's vote on the rezone and CUP requests occurred last year, I cannot imagine you would have participated in the vote at that time.

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CONCLUSION

I respectfully request that you recuse yourself and abstain from taking any action on, participating in, or voting on the Applicants' rezone and CUP request on March 14, 2022. I also ask that you disclose to the public, on the record, that you are conflicted on this vote and that you cannot participate or vote on this matter. The integrity of the Council's decision in the rezone and CUP requests, as well as the public's confidence in it, requires that you take these actions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jordan W. Adam", written in a cursive style.

Jordan W. Adam
FOR THE FIRM

cc: Clint Schukei, City Attorney

2760603

Bruce McEnroe Consulting LLC

2521 Stowe Drive
Lawrence, KS 66049

March 7, 2022

Planning Commission and City Council
Hastings City Offices
220 N .Hastings Avenue
Hastings, NE 68901

Re: Flooding issues, Prairie Thunder Hastings proposal

Members of the Planning Commission and Council:

My name is Bruce McEnroe, PhD, PE. I am a civil engineer and professor emeritus from Lawrence, Kansas. I specialize in hydrology, hydraulics, and water resources. I have more than 30 years of education, training, and knowledge on flooding, stormwater management, dam and levee safety, and other water-related issues. I retired from the University of Kansas in 2018 after 35 years of university teaching, research, and administration. I have attached a true and correct copy of my *curriculum vitae*.

On behalf of some neighboring property owners, I have investigated the flood-related issues associated with the Prairie Thunder Hastings' proposal to construct a casino and racetrack on the property located at approximately the Southeast Quarter of Section 25, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska (Subject Property). My investigation included an in-depth review of the effective FEMA floodplain maps, the 2018 Flood Insurance Study for Adams County, the associated computer models, detailed topographic data for the subject area, and the drainage design standards of the Nebraska Department of Roads. This letter summarizes my findings.

The West Fork Big Blue River flows across the southern part of the subject property. The West Fork Big Blue River is flood-prone stream with a sizable drainage area. Its drainage area upstream (west) of the Tom Osborne Expressway is approximately 13 square miles. The 2018 Flood Insurance Study states that the river caused flooding within the City of Hastings in 1922, 1961-63, 1965, 1968, 1977, 2005, and 2007.

The effective (2018) FEMA floodplain map for the West Fork Big Blue River in the vicinity of Tom Osborne Expressway and 42nd Street is shown in the attached Figure 1. The City of Hastings has a serious flooding issue in this area that affects existing commercial and residential properties on the south side of W. 42nd Street. The map shows the expected extent of flooding in the 1%-annual-chance regulatory flood.

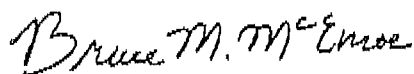
The main cause of the flooding along the W. 42nd St. corridor is the limited capacity of the culvert on West Fork Big Blue River at Tom Osborne Expressway. That reinforced-concrete box culvert has three rectangular openings, each 12 feet wide and 8 feet high. The floor and ceiling elevations of the openings are 1900.0 feet and 1908.0 feet. The elevation of W. 42nd Street at the west boundary of the Walmart property is approximately 1907 feet. In the 1%-annual-chance flood, the water-surface elevation at the culvert entrance is 1910.7 feet, and the water-surface profile upstream of the culvert is essentially flat back to and across W. 42nd Street. The flooding along the 42nd Street corridor in Figure 1 is caused by backwater from the culvert at Tom Osborne Expressway. Results from the 2018 Flood Insurance Study indicate that W. 42nd Street would be overtopped by backwater from the culvert in any flood a recurrence interval of 15 years or greater (7% annual chance). This level of flood risk is undesirable along an arterial street and commercial corridor. The only practical way to reduce the flood risk along W. 42nd Street is to construct a larger culvert under Tom Osborne Expressway. That project would need to be performed by the Nebraska Department of Roads. It would be a lengthy and expensive undertaking.

The construction of a larger culvert under Tom Osborne Expressway would increase peak flows in West Fork Big Blue River east of the expressway and flood levels at the culvert on E. 42nd Street approximately one-half east of the expressway. That culvert, which is already somewhat undersized, would need to be replaced with a larger culvert to handle the higher flows.

The proposed Prairie Thunder Hastings development would contribute to the flooding problems along W. 42nd Street. The additional runoff from the pavements and buildings would cause an unavoidable increase in the volume of stormwater flowing to the West Fork Big Blue River upstream of the culvert at Tom Osborne Expressway. On-site stormwater detention facilities would not provide much benefit in a major flood. The site plan for the development shows a stormwater detention basin located within the regulatory floodplain of West Fork Big Blue River. That basin would be underwater and non-functional in a major flood.

It is my opinion that the proposed Prairie Thunder Hastings site should remain undeveloped (agricultural) until the flooding problem along W. 42nd Street is mitigated by construction of a larger culvert under Tom Osborne Expressway. I have expressed all of my opinions herein to a reasonable degree of engineering certainty.

Sincerely yours,

A handwritten signature in cursive script that reads "Bruce M. McEnroe".

Bruce McEnroe, PhD, PE



Figure 1. Effective (2018) FEMA floodplain map for West Fork Big Blue River near intersection of Tom Osborne Expressway and 42nd Street

Bruce M McEnroe, PhD, PE

Contact: 2521 Stowe Drive, Lawrence, KS 66049



Positions: Owner, Bruce McEnroe Consulting LLC
Professor Emeritus, University of Kansas

Education: B.S. in Civil Engineering, University of Kansas, 1976
M.S. in Mechanics and Hydraulics, University of Iowa, 1978
Ph.D. in Engineering, University of Kansas, 1983

Licensure: Professional Engineer in Kansas and Missouri

Employment History

Professor, Department of Civil, Environmental and Architectural Engineering, University of Kansas, Lawrence, Kansas, 1996-2018 (Associate Chair, 2010-2018; Director of Graduate Studies, 2003-2018).

Associate Professor, Department of Civil and Environmental Engineering, University of Kansas, Lawrence, Kansas, 1990-1996.

Assistant Professor, Department of Civil and Environmental Engineering, University of Kansas, Lawrence, Kansas, 1987-1990.

Assistant Professor, Department of Civil Engineering, Kansas State University, Manhattan, Kansas, 1983-1987.

Research Civil Engineer (IPA), Environmental Laboratory, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Mississippi, May 1986-July 1987 and May-August 1989.

Graduate Teaching Assistant, Department of Civil Engineering, University of Kansas, Lawrence, Kansas, August 1980-1981.

Hydraulic Engineer, Hydraulic Analysis and Design Section, Harza Engineering Company, Chicago, Illinois, November 1978-May 1980.

Teaching-Research Fellow, Institute of Hydraulic Research, University of Iowa, Iowa City, Iowa, August 1976-July 1978.

Professional Affiliations

Fellow, American Society of Civil Engineers

Past President, Kansas Section, American Society of Civil Engineers

Publications

Book Chapters

- McEnroe, B. M., "Hydraulics of Leachate Collection and Cover Drainage," Chapter 6.2, *Landfilling of Waste: Barriers*, T. H. Christensen, R. Cossu, and R. Stegmann, ed., E & FN Spon (Chapman and Hall), London, U.K., 1994.
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- McEnroe, B. M, M. R. Lurtz, R. L. Parsons and M. Neupane (2017). *Guidelines for Replacement of Deficient Bridges with Low-Water Stream Crossings in the Rural Midwest*, Report No. FHWA-KS-16-19, Kansas Department of Transportation.
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Grants and Contracts

- "Hydraulic Analysis of Embedded Culverts," Kansas Department of Transportation, principal investigator, 2016, \$30,000.
- "Calibration of Storm Durations and Runoff Curve Numbers for the Kansas City Metro," Kansas City Metro Chapter of the American Public Works Association, principal investigator, 2015-16, \$99,000.
- "Practical Design Guidelines for Replacement of Deficient Bridges with Low-Water Stream Crossings," Kansas Department of Transportation (federal pooled-funds study), principal investigator, 2015-16, \$165,086.
- "Evaluation of HEC-RAS 2-D and SRH-2D," Kansas Department of Transportation, co-principal investigator, 2015, \$82,000.
- "Lag Times and Times of Concentration for Storm Drainage Design," Johnson County Public Works and Kansas Department of Transportation, principal investigator, 2014, \$90,000.
- "Updated and Expanded Hydrologic Analysis of Wilshire Woods Watershed," City of Overland Park and Public Works and Johnson County Public Works, co-principal investigator, 2014, \$30,000.
- "Developing New Precipitation Frequency Tables for 2013 and Beyond Using NOAA Atlas 14," Kansas Department of Transportation, co-principal investigator, 6/13-8/14, \$25,000.
- "Estimating the Discharge for Ordinary High Water Levels in Kansas," Kansas Department of Transportation, co-principal investigator, 2013-2014, \$60,000.

"Workshop on Natural Stream Design, Part 2," Kansas Department of Transportation, 2012, \$4,771.

"Estimating Design Discharges for Drainage Structures in Western Kansas," Kansas Department of Transportation, principal investigator, 10/11-10/12, \$56,000.

"Workshop on Natural Stream Design," Kansas Department of Transportation, co-principal investigator, 3/11-11/11, \$10,000.

"Calibration of Hydrologic Design Inputs for a Small Urban Watershed," City of Overland Park, principal investigator, 10/10-9/11, \$65,000.

"Sediment Baseline Research Methodologies," Kansas Water Resources Institute, co-principal investigator, 3/09-2/11, \$157,224.

"Reference Reach Methods for Stream Realignment Design," Kansas Department of Transportation, co-principal investigator, 9/08-9/09, \$50,000.

"Development of Guidelines for Stream Realignment Design, Kansas Department of Transportation, principal investigator, 9/07-9/08, \$50,000.

"Development of Guidelines for Continuous Simulation of Streamflow in Johnson County," Johnson County Public Works, Stormwater Management Program, principal investigator, 5/07-2/08, \$50,000.

"Hydraulic Resistance of Small-Diameter Helically Corrugated Metal Pipe," Kansas Department of Transportation, principal investigator, 5/06-5/07, \$35,000.

"A Calibrated Rational Method for Larger Watersheds," Kansas Department of Transportation, principal investigator, 8/05-11/06, \$40,000.

"History of Criteria and Methods for Sizing of Culverts and Bridge Openings," Kansas Department of Transportation, principal investigator, 8/04-8/05, \$30,000.

"Downstream Effects of Enlarged Waterway Openings," Kansas Department of Transportation, principal investigator, 7/03-9/04, \$30,000.

"Storage Considerations in Culvert Sizing," Kansas Department of Transportation, principal investigator, 7/03-9/04, \$30,000.

"Storm Durations and Antecedent Conditions for Flood Discharge Estimation," Kansas Department of Transportation, principal investigator, 5/01-7/02, \$40,000.

"Revised Precipitation Frequency Estimates for the Kansas City Metropolitan Area," Kansas City Metropolitan Chapter, American Public Works Association, co-principal investigator, 9/00-11/01, \$50,000.

"Rainfall Analysis and Maintenance of Rainfall Data Archives," Kansas Department of Transportation, principal investigator, 9/99-9/00, \$10,000.

"Lag Times and Times of Concentration for Urban Watersheds in Eastern Kansas," Kansas Department of Transportation, principal investigator, 5/99-8/00, \$35,000.

"Hydraulic Performance of KDOT Curb and Gutter Inlets," Kansas Department of Transportation, principal investigator, 5/98-9/99, \$35,000.

"Use of KDOT Storm Analysis System to Improve Flood Discharge Estimates," Kansas Department of Transportation, principal investigator, 7/97-9/98, \$30,000.

"Hydraulic Testing of Improved Curb Inlets," City of Leawood, Kansas, and Kansas Department of Transportation, principal investigator, 5/97-4/98, \$20,000.

"Performance of KDOT Temporary Erosion Control Measures," Kansas Department of Transportation, principal investigator, 5/96-1/98, \$35,000.

"Utilization of Precipitation Estimates Derived from Composite Radar," Kansas Department of Transportation, principal investigator, 5/95-5/97, \$49,900.

"Hydraulic Testing of Curb Inlets," Cities of Overland Park, Olathe, Lenexa, and Shawnee, Kansas, principal investigator, 1/95-5/95, \$15,030.

"Hydraulic Characteristics of KDOT Flume Inlets," Kansas Department of Transportation, principal investigator, 5/94-1/95, \$29,500.

"Development of Hydraulic Design Charts for Type I and Type III Metal and Concrete End Sections for Pipe Culverts," Kansas Department of Transportation, principal investigator, 6/93-6/94, \$19,900.

"Development of a Scour Evaluation Program for Kansas Bridges--Phase V," A. D. Parr (principal investigator) and B. M. McEnroe (co-principal investigator), Kansas Department of Transportation, 5/93-12/93, \$62,400.

"Analysis of Pavement Subdrainage by Continuous Simulation," Kansas Department of Transportation, principal investigator, 6/92-8/93, \$29,500.

"Rainfall Inputs for Simulation of Design Floods for Kansas Streams," Kansas Department of Transportation, principal investigator, 6/92-8/93, \$29,500.

"Development of Hydraulic Design Charts for Type IV End Sections for Pipe Culverts," Kansas Department of Transportation, principal investigator (A. D. Parr, co-investigator), 6/92-7/93, \$29,000.

"Evaluation and Updating of Hydrologic Analysis Procedures Used by KDOT," Kansas Department of Transportation, principal investigator, 6/91-7/92, \$35,236.

"Research on Water Systems Operations," Water District No. 1 of Johnson County, Kansas, principal investigator, 1/90-12/90, \$28,226.

Contract with U. S. Army Engineer Waterways Experiment Station, to develop Army-wide standards for field testing of water mains to determine internal roughness, 6/89-8/89, \$13,687.

"Fully Transient Modeling of Landfill Drainage," Graduate Research Fund, University of Kansas, principal investigator, 7/89-6/90, \$5,566.

Contract with U.S. Army Engineer Waterways Experiment Station to prepare report "Dye Tracer Study at the Saginaw Bay, Michigan, Confined Disposal Facility," 8/88, \$2,400.

"Hydraulic Performance of Cover Systems for Municipal Solid-Waste Landfills," New Faculty General Research Program, University of Kansas, principal investigator, 7/88-6/89, \$5,000.

"Infiltration and Runoff Volumes from Rainfall Events," Kansas Water Resources Research Institute, principal investigator, 4/87-3/88, \$9,151.

Contract with U.S. Army Engineer Waterways Experiment Station, to assist with development of HELP (Hydrologic Evaluation of Landfill Performance) computer model for U.S. Environmental Protection Agency, 5/86-7/87, \$27,946.

"Stormwater Management in Kansas," Kansas Water Resources Research Institute, co-principal investigator, 9/84-8/85, \$15,000.

"Development of a Residential Water Conservation Module," Kansas Water Resources Research Institute, co-principal investigator, 9/84-8/85, \$15,000.

Courses Taught

Water Resources Engineering Design (undergraduate, KU)
Hydrology (undergraduate, KU)
Fluid Mechanics (undergraduate, KU)
Watershed Hydrology (graduate, KU)
Free Surface Flow I (graduate, KU)
Pipe-Flow Systems (graduate, KU)
Urban Hydrology and Stormwater Management (graduate, KU)
Hydraulic Engineering (undergraduate, KSU)
Hydrologic Methods Laboratory (undergraduate, KSU)
Open Channel Flow (graduate, KSU)
Analysis of Groundwater Flow (graduate, KSU)
Water Distribution and Wastewater Collection (graduate, KSU)

Short Courses Taught

"Recent Advances in Hydrology for Engineering Design," KU Professional Development Series, 4/2017
"Practical Hydrology for Design Engineers," KU Professional Development Series, 4/2014
"Understanding NOAA Atlas 14, Vol. 8: New NOAA Precipitation Frequency Estimates for the Kansas City Metropolitan Area," Johnson County Stormwater Management, 6/2013
"Natural Stream Design for Kansas," sponsored by Kansas Department of Transportation, 5/2012 and 8/2011.
"Hydrologic Data Resources for Engineers," KU Professional Development Series, 5/2011
"Channel Design for Stream Restoration and Stormwater Projects," KU Professional Development Series, 5/2009
"Hydrologic Design of Bridges and Culverts," KU Professional Development Series, 4/2007
"Hydraulic Analysis of Pumping Systems," KU Professional Development Series, 4/2005
"Flowmeter Operator Certification Course" for Kansas Department of Agriculture, Division of Water Resources, 2/2004 and 4/2004
"Urban Hydrology for the Kansas City Area," KU Professional Development Series, 5/2003
"Hydrologic Modeling for Flood Studies," KU Professional Development Series, 10/2000
"Stormwater and Flood Analysis Using HEC-1," one-day course offered through KU Continuing Education, Kansas City, 5/1995
"Stormwater and Floodplain Analysis Using HEC-1 and HEC-2," with A. D. Parr, three-day course offered through KU Continuing Education, 5/1990, 1/1991, 5/1991, 8/1992, and 5/1993
"Hydrologic Analysis of Landfill Performance," one-day course sponsored by Water Resources Associates, Phoenix, 12/1990
"Floodplain Analysis: Hydrology and Hydraulics," with A. D. Parr, three-day course offered through KU Continuing Education, 5/1989

ORDINANCE NO. 4699

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA TO REZONE CERTAIN PROPERTY FROM “A, AGRICULTURAL” TO “C-3, COMMERCIAL BUSINESS DISTRICT”;

TO REPEAL ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

SECTION 1. That the following described real property, which is generally located immediately north of West 42nd Street and immediately east of the Tom Osborne Expressway, Hastings, Nebraska and which is legally described as follows:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE ON THE EAST LINE OF SAID SOUTHEAST QUARTER, NORTH A DISTANCE OF 1160.00 FEET; THENCE WESTERLY, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 1880.00 FEET; THENCE SOUTHERLY, PARALLEL WITH SAID EAST LINE, A DISTANCE OF 1160.00 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE EASTERLY ON SAID SOUTH LINE, A DISTANCE OF 1880.00 FEET TO THE POINT OF BEGINNING, 50 ACRES MORE OR LESS, EXCEPT ALL PORTIONS OF THE BELOW DESCRIBED TRACTS THAT LAY WITHIN THE FOREGOING LEGALLY DESCRIBED AREA:

A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF,

A TRACT DEEDED TO THE STATE OF NEBRASKA FOR ROAD PURPOSES RECORDED IN BOOK 122, PAGE 142, BEING A STRIP OF LAND LYING OVER AND ACROSS THE EASTERN PART OF THE

SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE NORTHERLY ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25 A DISTANCE OF 2641.3 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE WESTERLY ON THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 46.5 FEET; THENCE SOUTHERLY A DISTANCE OF 2,641.3 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE EASTERLY ON SAID SOUTH LINE A DISTANCE OF 47.0 FEET TO THE POINT OF BEGINNING,

A TRACT DEEDED TO THE CITY OF HASTINGS, AS INSTRUMENT NO. 20044038 BEING A TRACT OF LAND CONSISTING OF PART OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SE $\frac{1}{4}$; THENCE ON A ASSUMED BEARING OF N89° 54'46"W ALONG THE SOUTH LINE OF SAID SE $\frac{1}{4}$ A DISTANCE OF 79.84 FEET; THENCE N01° 06'25"E A DISTANCE OF 33.01 FEET TO THE POINT OF INTERSECTION OF THE NORTH COUNTY ROAD RIGHT-OF-WAY LINE AND THE WEST U.S. HIGHWAY #281 RIGHT-OF-WAY LINE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89° 54'46"W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 1352.45 FEET; THENCE N00° 05'14"E A DISTANCE OF 20.00 FEET; THENCE S89° 54'46"E A DISTANCE OF 871.67 FEET; THENCE N84° 22'36"E A DISTANCE OF 100.50 FEET; THENCE S89° 54'46"E A DISTANCE OF 50.00 FEET; THENCE N00° 05'14"E A DISTANCE OF 40.00 FEET; THENCE S89° 54'46"E A DISTANCE OF 80.00 FEET; THENCE S00° 05'14"W A DISTANCE OF 50.00 FEET; THENCE S89° 54'46"E A DISTANCE OF 251.14 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S01° 06'25"W ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING,

A TRACT DEEDED TO ADAMS COUNTY, NEBRASKA, AS INSTRUMENT NO. 20055612, BEING A TRACT OF LAND LOCATED IN SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: REFERRING TO THE SE CORNER OF THE SE $\frac{1}{4}$ OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10, WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, THENCE WEST, ALONG THE SOUTH LINE OF SAID SE $\frac{1}{4}$, A DISTANCE OF 79.84 FEET; THENCE NORTH, ALONG A LINE DEFLECTING 91° 01'11" RIGHT FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 33.01 FEET TO THE POINT OF INTERSECTION OF THE NORTH COUNTY ROAD RIGHT-OF-WAY LINE AND THE WEST U.S. HIGHWAY #281 RIGHT-OF-WAY LINE; THENCE

WEST, ALONG A LINE PARALLEL TO SAID SOUTH LINE, A DISTANCE OF 1,352.45 FEET TO THE POINT OF BEGINNING; THENCE NORTH PERPENDICULAR, A DISTANCE OF 20.00 FEET; THENCE EAST, PERPENDICULAR, A DISTANCE OF 140.17 FEET; THENCE NORTH PERPENDICULAR, A DISTANCE OF 10.00 FEET; THENCE WEST, PERPENDICULAR, TO THE WEST LINE OF SAID SE ¼ A DISTANCE OF 1,360.01 FEET; THENCE SOUTH ALONG SAID WEST LINE TO A POINT 33.00 FEET NORTH OF SAID SOUTH LINE; THENCE EAST ALONG A LINE PARALLEL TO SAID SOUTH LINE TO THE POINT OF BEGINNING,

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE N88°34'02"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 650.00 FEET; THENCE N01°25'58"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 80.00 FEET; THENCE S88°34'02"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 648.99 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE S00°42'31"E, ON SAID WEST LINE, A DISTANCE OF 80.01 FEET TO THE POINT OF BEGINNING, EXCEPT A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF,

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 2583.60 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 090 DEGREES, 50 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 46.51 FEET ALONG THE NORTH LINE OF THE PROPERTY; THENCE SOUTHERLY DEFLECTING 084 DEGREES, 35 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 848.77 FEET; THENCE SOUTHERLY DEFLECTING 008 DEGREES, 45 MINUTES, 56 SECONDS LEFT, A DISTANCE OF 332.32 FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 12 MINUTES, 38 SECONDS RIGHT, A DISTANCE OF 310.00 FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 38 MINUTES, 08 SECONDS LEFT, A DISTANCE OF 185.61 FEET; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 56 MINUTES, 50 SECONDS RIGHT, A DISTANCE OF 911.44 FEET; THENCE EASTERLY

DEFLECTING 091 DEGREES, 02 MINUTES, 38 SECONDS LEFT, A
DISTANCE OF 79.84 FEET ALONG THE SOUTH LINE OF SAID QUARTER
SECTION TO THE POINT OF BEGINNING CONTAINING 4.94 ACRES,
MORE OR LESS, WHICH INCLUDES 2.80 ACRES, MORE OR LESS
PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

currently zoned “A, Agricultural” be changed to “C-3, “Commercial Business District”.

SECTION 2. That the City Engineer is hereby directed to cause the Official Zoning District Map of the City of Hastings, Nebraska to be changed in accordance with the foregoing provisions.

SECTION 3. That any ordinance passed and approved prior to the passage of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 4. This ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this 14th day of March, 2022.

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)

APPROVED TO FORM:

Clint Schukei, City Attorney

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on the request of Mr. Brian Jorde, legal counsel for Prairie Thunder Hastings LLC, West Fork Inc., & Gremco Inc., for a Conditional Use Permit (CUP) for a horse racetrack generally located to the north of Walmart and 42nd Street W and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County and City of Hastings Nebraska.

Disapproval of Resolution No. 2022-07, a CUP for a horse racetrack generally located to the north of Walmart and 42nd Street W and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County and City of Hastings, Nebraska.

Names of People/Business affected by this action:

The applicant and City of Hastings, Adams County and the public.

Why Council action is required:

Neb. Rev. Stat. 19-929 requires a conditional use permit to be approved by the City Council unless the City Council has, through a zoning ordinance or special ordinance, generally authorized the Planning Commission to exercise such power and has approved the standards and procedures adopted by the Planning Commission for equitably and judiciously granting such conditional uses or special exceptions.

Type of action requested:

Resolution

Suggested motion:

Motion to approve Resolution No. 2022-07, a CUP for a horse racetrack generally located to the north of Walmart and 42nd Street W and to the west of Tom Osborne Expressway in the extra-territorial jurisdiction of Adams County and City of Hastings, Nebraska, subject to the following conditions:

1. There shall be compliance with any other applicable City, County, State or Federal regulations that shall apply.
2. The City Clerk shall forward to the register of deeds for recording an affidavit or such other instrument as may be deemed appropriate so as to provide notice to any person examining the real estate records of the existence of this conditional use permit. The recording costs incurred to comply with this section shall be paid by the applicant for the conditional use permit.
3. An annexation to pull the area inclusive of both the Casino and Race track into the City will also be required.
4. A site-tailored Noise Mitigation Plan will be required and should provide evidence to Staff of

the anticipated level of noise and should demonstrate how this plan would reduce or screen additional noise from interfering with residential neighbors to the north.

5. A separate Landscape Plan the shows species and evidence of meeting City Code Section 34-305 will be required for building permit approval.
6. A site-tailored Waste Management & Disposal Plan and copies of any necessary State approvals of such will be required for building permit approval.
7. A full and extensive Drainage Study will be required as well as copies of any necessary State and federal entities approvals of related floodplain documentation. Additionally, a maintenance agreement will be required for Permanent Post Construction Best Management Practices (BMPs) of stormwater.
8. A more extensive Traffic Study and copies of any related necessary State and County permits will be required for building permit approval.
9. A copy of the group's approved horse-racing and casino licenses from the Racing and Gaming Commission must be provided prior to approval of a building permit and any construction of this development.
10. A separate parking plan the demonstrates acceptable parking practices for the unique assembly use that doesn't particularly provide seats as shown in the city codes off street parking requirements will be required as a condition of this permit and must be provided for building permit approval.

Deadlines associated with action:

There is a concurrent item on our agenda to change the zoning for a Casino from "A, Agriculture" to "C-3, Commercial Business", and to amend the Official Zoning District Map. A potential annexation will also be an additional action necessary if the CUP is approved with staff recommended conditions.

Department head comments:

What is unique about this proposal is the way in which Nebraska State Initiative 429 was designed to only allow a Casino with a racetrack—a concept that has now been tagged "Racino". A racetrack is allowed without a Casino but only with Conditional Use Permit (CUP) approval as a slated use of Outdoor Entertainment & Recreation Business.

Section 34-402 of the Hastings City Code spells out the four general standards that should be successfully addressed in the applicant's submission documents and CUP application. In fact, this guidance goes on to state that, "No conditional use design may be approved which will have a permanent negative impact on the items listed in this section that is substantially greater than that anticipated from development permitted without a conditional use". Below are the four standards with staff assessment:

1. *The proposed development will integrate compatibility with existing land uses and with permitted uses that may be established within any area to be affected by the proposed development.*

Surrounding land uses are:

North: A, Agriculture, RP-3, Multiple Family Planned Residential & R-1, Urban Single-Family Residential districts.

South: C-3, Commercial Business District.

East: A, Agriculture; C-3, Commercial Business; and R-3, Multiple-Family Residential districts.

West: A, Agriculture District.

This location is currently zoned A, *Agriculture*. The area is located outside the City of Hastings but is in extraterritorial jurisdiction. The northern 756' will continue to be farmed and remain agricultural and this does exceed the buffer requirement of 30' found in Section 34-305 (4) & Table 305-8. However, Staff questions whether the required 30' buffer is appropriate for a use such as this "Racino" after receiving numerous phone calls, inquiries and letters in opposition. There are many unique factors that must be mitigated and explained for the use of a "Racino", in order to determine whether or not this 30' buffer is sufficient. Staff has requested several supplemental plans be provided from the applicant in order to answer this question. Supplemental documentation such as a site-specific Manure Mitigation Plan; a site-specific Noise Mitigation Plan and a more extensive Drainage Plan and Traffic Study should be conditions of permit if approved.

2. The use does not have a permanent negative impact that is substantially greater than the impact anticipated from development permitted in the base zone district.

Pedestrian and vehicular traffic circulation and safety.

Staff does appreciate the willingness to provide a trail connection to allow Lochland residents safe passage from their subdivision down to the recently finished Pioneer Spirit Trail portion south of 42nd Street. This will fulfill a connection that is currently missing and will also count towards the applicant's greenspace Open Space requirements.

The applicants have also provided some basic data assessing traffic. Though this data is limited, City Engineer, Lee Vrooman, and Nebraska Department of Transportation (NDOT) Representative, Wes Wahlgren, have stated that what they have provided is sufficient for CUP, but that a more extensive traffic study should still be provided with a building permit, if approved.

Staff has requested the number of seats to assess this assembly use to our off-street parking requirements, but this is challenging due to the fact that the racetrack assembly use does not have an actual grand stand with seats. It incorporates an outdoor viewing area instead. Due to this more modern assembly use strategy, consideration will need to take place as to whether or not the parking will be accurately addressed as a business in a calculation based on gross square feet of the building area. Greater detail is still needed for staff to analyze parking and a separate parking plan must be provided to ensure we are not over or under parking as a condition of this permit. We will also need parking space dimensions noted on the parking plan to demonstrate that parking will meet our code requirements for parking spaces as defined in Section 34-103.

Reasonable and economic extension of public utilities and facilities.

Utilities can be extended into this property, as needed.

Civil Engineer & Floodplain Manager, Tara Ogren, and Adams County Highway Superintendent,

Dawn Miller, both recommend a Drainage Study be done for the area that shows the necessary hydrologic and hydraulic calculations. Despite approximately 25% of this area being within a floodplain, a very limited drainage memorandum and data was provided. In fact, around 5% of this area is within the floodway and will require a no-rise procedure to occur as one of the driveways going into the site crosses through this floodway. The no-rise procedure will provide proof that neighbors both upstream and downstream are not affected by this development's drainage. A COE permit to construct a new concrete box culvert in the West Fork of Big Blue River may be required, as well as wetlands delineation, and a floodplain development permit for the Upper Big Blue NRD. Staff recommends that if this permit is approved, we place a condition on the permit to not only provide a complete Drainage Study, but to also require the applicants to provide copies of any necessary Federal and State approvals related to floodplain documentation and permitting. Permanent Best Management Practices (BMPs) will be required as part of State SWPPP, and there will need to be a maintenance agreement put into place with the developers when this occurs.

Noise, fumes, dust or other environmental pollution. A horse racetrack will come with additional smells and waste management, noise, light glare and visual concerns. These potential concerns have been communicated to the applicant in a formal review of their application. Below is detail to explain each of these potential concerns and what we would recommend to mitigate these concerns.

Noise: As previously mentioned, Staff feels the applicants have more than met the buffer requirement due to the over 700-feet shown on the applicant's site plan from the racetrack to the nearest residential neighbors to the north. However, Staff still questions whether or not the buffer requirement in our City Code fully considers noise of this particular use and whether or not a landscape buffer will be effective in reducing noise from such a development. City Code only addresses noise in the Excessive Noise ordinance found in Section 18-113.01. This section speaks to excessive noise in *public* spaces. City Code does not address distances required for noise from private assemblies held outdoors. The applicants did briefly address noise in their narrative. It does address the more modern approach of an outdoor patio as opposed to a grand stand that is elevated, which could carry noise further. However, this discussion does not provide evidence as to the time of day when events would be held or what sound equipment, if any, would be utilized by commentators or for background music. There is still no evidence of the actual noise level that would be discharged from this type of use. It would be a recommendation of staff that there would be a requirement for the applicant to provide a Noise Mitigation Plan. This plan should provide evidence to Staff of the anticipated level of noise and should demonstrate how this plan would reduce or prevent additional noise from interfering with residential neighbors to the north. This plan should also address the specific hours that races will be limited to, the level of noise that any sound equipment would be capable of making and/or what this equipment would be set at during races in order to reduce noise pollution. The plan should propose additional mitigation measures through solid fences or screening, in addition to the landscaping that is being proposed if it is found in this plan that the noise from this use could be heard by the northern residential properties. Though landscaping is shown on the plan, Staff feels this will mostly assist with screening the property visually and may not fully block the noise.

Smell and Waste Management: A Waste Management & Disposal Plan tailored to this site will be required by NDED. The applicants have provided an overview of an equestrian manure

management plan for which they will use as a guideline. As these are State-mandated requirements, staff feels a sufficient amount of information has been provided for CUP, but would recommend a condition that once this plan has been tailored to this site, that this plan and any State approvals should be provided as part of the building permit. Additionally, we would ask that such a plan addresses the number of horses to be stalled and length of time they will stay, and how each area will be managed from stall bedding, exercise areas, track, paddock and any others where this would be relevant. This plan should also include the control of run-off from these areas during wet conditions and explain how this will be maintained. Applicants have added the proposed detention area to their site plan, but additional explanation as to how this will function should be added to this plan.

Light Glare: Lighting does not appear to be an issue and staff believe this has been appropriately addressed in their narrative.

Visual Aesthetics: The landscaping should be submitted as a separate plan and greater details must be added. There is no information regarding the type of species, and no evidence provided that the American Standards of Nursery Stock have been considered/provided.

The maintenance of logical and efficient development patterns and land use mixtures:
The apparent mix of both residential uses to the north in Lochland subdivision and commercial uses found to the south of 42nd Street W demonstrates a need for a transitional zone that is sensitive to both uses. Staff feels the most appropriate district zone for this area is *C-O, Commercial Office Non-Retail* District. This intent of this zone district is to “include urban and suburban residential and professional office uses that are appropriate in areas undergoing a transition” and specifically states, “the regulations and restrictions are intended to protect, preserve and enhance the residential uses while permitting uses characterized principally by consultative services or executive, administrative or clerical activities”. Staff believes if this area was to be zoned to truly consider logical and efficient development, that *C-O, Commercial Non-Retail* is the most appropriate district for which we should rezone. The C-O zoning district would also best fit to the mix of both residential and commercial FLU types projected for this area. If *C-3, Commercial Business* zoning is approved, and this particular use fails, this means other future uses such as outdoor sales of any type (e.g. car lot), some limited & light manufacturing uses, other indoor and outdoor entertainment and recreational businesses or uses (e.g. Go Carts or car racetrack) could be permitted outright or be allowable with a CUP. If this area was to be rezoned to a *C-O, Commercial Non-Retail* zoning, many of these retail uses would not be permitted in this area. Professional offices like the Retina Center, a nursing home or any standard types of housing could still utilize this land. This is why this area at most should only be considered for a C-O zoning district rezone. However, that is not what our applicant has proposed—it is not what they proposed because only the *C-3, Commercial Business Zone* District will permit them to have the Casino

Though we do have Walmart and many commercial businesses to the south of this area, it is important to remember those were permitted outright by the *C-3, Commercial Business* District. The impact on the surrounding area with these existing businesses was not expected to be potentially negative to the surrounding area, which did not directly impact Lochland. Walmart, and the other retail businesses and restaurants did not need to consider and prepare plans for

mitigating potential hazards and nuisances like horse manure, intense light glare, dust and smell as these were permitted use. The FLU district to the west of Walmart is mixed-use community which serves as a transitional zone placeholder between Walmart and the residential properties to the southwest. This area does not include that in the FLU.

Lastly, when you consider the topography of the entire area between 42nd Street and Lochland, the area least adaptable to development due to the floodplain is in the southeast corner and FLU-slatted commercial/retail, whereas the area most capable of build out is FLU-slatted for Suburban Residential is to the north and northwest. This means you can utilize more of this total area for buildout as FLU-slatted for a residential use than you could for a Commercial/Retail use.

3. The conditions imposed are necessary to ensure the maintenance of property values and the safety, health, comfort, and repose of the residents. Adjacent property notice letters were sent out to all properties within 300-feet of this location (See attached map) and, as of the drafting of this report, there are 30 responses received that are against this development and 17 responses that are in support of this use. We have included copies of any written responses we have received in this packet and any responses received after packet dispersment will be added to record at the public hearing. In all my years of city planning I have never seen such an overwhelming response from the public as I have to this proposed use. However, the applicant has provided two letters from realtors that do provide the opinion that this use will not have a negative impact on the Lochland community property values.

4. That the use, subject to conditions, maintains compliance with the Comprehensive Plan and the purpose and intent of the zoning regulations.

We must not forget this area is the primary gateway to our City. Though it is not unusual for Casinos to desire a gateway location, that type of use may fit for larger cities like Omaha and Lincoln; it simply is not what this community would want to express as the identity and first impression of Hastings. We see this in the Comprehensive Plan on page 1-5 where it discusses “Small Town” Character. This use should not be permitted in our gateway and is contrary to the Comprehensive Plan. Staff knows “Small Town” Charm is still important to our community because when we held key stakeholder and public focus group meetings to discuss our Transportation and Parking Plan, one of the primary strengths that was identified as part of this plan was our city's unique character, often described as “Small Town Charm” and appeal. This is what is said to be the most important thing to our residents. The difference between Grand Island, Kearney and Hastings is when you drive into town and down Burlington Avenue, you still see many older yet well-maintained, charming residential properties along this corridor. This “Small Town Charm” definitely has been a strength for Hastings that these other communities do not have and the more we stray from that vision the more we gravitate away from that strength. This is not to say Hastings can never grow, but it is to say architecturally and visually, we want to ensure developments in that gateway area are not visually disparate to the look and feel of the “Small Town Charm”. Staff contends a “Racino” at our gateway does not consider this long-standing strength and is a complete disregard to this known community engagement feedback.

There was intentional consideration on the part of those who created the FLU to cease

Commercial/Retail as it approaches Lochland. We know this because when we review the FLU and compare the western side of the Tom Osborne Expressway to the eastern side, only the eastern side continues to incorporate Commercial/Retail as it moves north. City Council is left with the task of determining at what point this Commercial/Retail use should be truly cut off from Lochland.

Planning Commission reviewed this rezone request at the February 15, 2022 regular meeting and voted 4-3 to recommend disapproval.

City Administrator comments:

I would refer the Council to my comments on the rezoning application. The major question would be if the rezoning is not approved, do the applicants still want to have a stand-alone horse racing track on that property without a casino.

ALL ATTACHMENTS RELEVANT
TO BOTH REZONE & CUP ARE
INCLUDED UNDER AGENDA
ITEM 3G, REZONE



Permit #: 21072

Permit Date: 11/28/21

Permit Type:

GROUP: Planning

Permit Type: Conditional Use

Title: Racetrack Conditional Use Permit

Site Address: 4555 W Osborne Dr

Parcel Number:

Owner Name: Brian Jorde, legal counsel for Robert A. Wallace for West Fork, Inc. & Gremco, Inc.,
and Brian Becker Prairie Thunder Hastings, LLC

Owner Address:

City State Zip:

Owner Phone:

Owner Email:

Applicant Name: Robert A. Wallace for West Fork, Inc. / Breann Becker Prairie Thunder Hastings, LLC

Applicant Address: 1501 S. Burlington

City, State, Zip: Hastings, NE 68901

Phone Number: 402-493-4100

Applicant Email: bjorde@dominalaw.com

Proposed Use: Racetrack

Description: Permit for CUP accompanying Permit #21071 for Rezoning

Number of Cases: 1

Project Cost: 0

Square Feet: 136

Within City Limits: No

Current Zoning: A, Agriculture

Current Zoning

Explained:

Proposed Zoning: C-3, General Business

Conditions: Yes

Conditions Defined:

1st PN & Agenda 12/08/2021

Send By (11:30):

1st PN & Agenda Due 12/10/2021

Date:

1st PN & Agenda

Sent:

2nd PN & Agenda 02/02/2022

Send By (11:30):

2nd PN & Agenda 02/04/2022

Due Date:

2nd PN & Agenda 01/31/2022

Sent:

Sign / Website Posting 02/03/2022

- Post By:

Sign / Website Posting

- Posted:

APO Letter - Send 02/04/2022

By:

APO Letter - Sent:

PC Approval - Date

Approved:

PC Outcome Letter - 02/16/2022

Due:

PC Outcome - 03/07/2022

Completed:

CRA Approval -

Meeting Date:

CRA Approval -

Approved:

CC Packet - Goal 03/04/2022

Load Date:

CC Packet - Due 03/08/2022

Date:

CC Out/Admin Due 03/15/2022

Date:

CC Packet -

Completed:

Stage: In Relook Review

CC Out/Admin -

Completed:

ENG Meeting:

ENG Email:

Plat Track Review**Email:****Communication****Preferences:****Status:** Open**Assigned To:** Lisa Parnell-Rowe**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010000579			WEST FORK INC	--	

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
11/30/2021	2. City Council Meeting		03/14/2022		Lisa Parnell-Rowe	Open
11/30/2021	1. Planning Commission Meeting		02/15/2022	02/15/2022	Lisa Parnell-Rowe	Open
		Revision 5 out for review. Sent comments back to Jorde and received a revised narrative only. He told us the legals were correct and did not feel it necessary to correct these and push out the PC. He did revise the area on the figure within the narrative to accurately reflect the legals. Review emails are attached.				
02/01/2022	3. Review		02/07/2022	02/07/2022		Closed

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
12/24/2021	Building	Traffic study should be able to be completed before taking to the planning commission. Applicant should have a good idea of number of patrons, workers, etc. that will be visiting the site. The traffic study should address not only the impacts on 42nd Street but also how it will impact the intersection of 42nd St and Hwy 281. The NDOT was very interested in this. The study should also address future growth of this area with their outlots to the north and if they have future growth projections.	Lee Vrooman	Revision Requested
		I agree with the NDOT comment of the main entrance should line up with the WalMart driveway.		
		I do like the idea of the bike trail from 42nd to Lochland.		
		The drainage study can be a condition on the CUP. I've sent Lisa an email with the wording.		
02/01/2022	Planning/Zoning	CUP legal appears to not accurately demonstrate the area you show outlined in blue on your figure on page 12. The legal description you provided did not come with the latest revision and we had to ask for it after the PC packet cutoff date. This was provided 1 day prior to public notice due date to Tribune. We subsequently will provide this knowledge to the PC as part of our report with 2 options to mitigate. 1) the matter be retabled and then applicant required to provide a correct legal description for the next	Lisa Parnell-Rowe	Revision Requested

		meeting where the CUP will then be heard. 2) the matter be approved with a condition that the applicant provide a more accurate legal description prior to public notice deadline for CC.		
02/02/2022	Planning/Zoning	COMMENT EMAILED FROM Wes Wahlgren Comments: They are saying they are going to make any improvements for their site that would be required, but they would also need to make any improvements to US-34/281 the increased traffic from their development would require too if any.	Lisa Parnell-Rowe	Revision Requested
02/07/2022	Planning/Zoning	Also the entrance to the proposed buffer ag land they are proposing will need to come off a side street and no more access will be allowed off of the highway. I agree with Wes's comments. I've added a few comments to the document you sent out. Nothing major. I'm okay with the Olsson letter for now and their drainage narrative (weak but something) with their commitment to provide a full blown traffic and drainage study if the site is approved. We will also require a maintenance agreement for the permanent post construction BMP's.	Lee Vrooman	Assigned
02/07/2022	Planning/Zoning	Its getting too late to accept another revision. We will place conditions for more extensive drainage plan, traffic study and maintenance agreement all as conditions if PC is recommending approval. Additionally, it appears in peeling back the rezone area the note in the narrative agreeing to annexation is no longer included. This will also still be a condition requirement of the CUP.	Lisa Parnell-Rowe	Assigned
12/22/2021	Public Works	See attached responses forwarded from Wes Wahlgren in my email		Revision Requested
12/22/2021	Public Works	See attached emailed response from County Streets Sup		Revision Requested

Fees

Fee	Description	Notes	Amount
Conditional Use Permit or Amendments			\$450.00
Total			\$450.00

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
11/30/2021	bjorde		V8696	Teri Schelkopf	\$450.00
Outstanding Balance					\$0.00

Return to: City of Hastings Development Services, 220 N. Hastings Ave., Hastings, NE 68901

RESOLUTION NO. 2022-07

WHEREAS, the City of Hastings Municipal Code establishes regulations, requirements, and specific conditions for approving and issuing Conditional Use Permits (CUP) for development projects that require conditional approval by resolution approved by the Mayor and City Council; and

WHEREAS, On November 30, 2021, Prairie Thunder Hastings, LLC, Hastings Exposition and Racing, Inc., West Fork, Inc., and Gremco Inc. filed an application seeking a Conditional Use Permit to allow a horse race track on property generally located north of West 42nd Street and west of Tom Osborne Expressway, Hastings, Nebraska, which property is legally described as follows:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 84.00 FEET EAST ON THE SOUTH LINE FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER, NORTH A DISTANCE OF 1795.00 FEET; THENCE EASTERLY, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 2162.00 FEET; THENCE SOUTHERLY, PARALLEL WITH SAID EAST LINE, A DISTANCE OF 763.00 FEET; THENCE WESTERLY, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 1624.00 FEET; THENCE SOUTHERLY, PARALLEL TO THE WEST LINE, A DISTANCE OF 856 FEET; THENCE WESTERLY, PARALLEL TO THE SOUTH LINE, A DISTANCE OF 452 FEET; THENCE SOUTHERLY, PARALLEL TO THE WEST LINE, A DISTANCE OF 176 FEET; THEN WESTERLY, PARALLEL TO THE SOUTH LINE, A DISTANCE OF 86 FEET TO THE POINT OF BEGINNING, 48.75 ACRES MORE OR LESS, EXCEPT ALL PORTIONS OF THE BELOW DESCRIBED TRACTS THAT LAY WITHIN THE FOREGOING LEGALLY DESCRIBED AREA:

A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS

RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF, AND

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE N88°34'02"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 650.00 FEET; THENCE N01°25'58"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 80.00 FEET; THENCE S88°34'02"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 648.99 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE S00°42'31"E, ON SAID WEST LINE, A DISTANCE OF 80.01 FEET TO THE POINT OF BEGINNING, EXCEPT A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF, AND

EXCEPT ANY PORTION OF CITY OF HASTINGS LAND, PARCEL # 010019114, AND
EXCEPT ANY PORTION OF ADAMS COUNTY LAND, PARCEL # 010017526.

and

WHEREAS, the Planning Commission held a public hearing on February 15, 2022 as required by law. Following said hearing, the Planning Commission, by way of a vote of 4-3 voted against recommending approval of granting a CUP to allow for the property to be used as a horse race track facility; and

WHEREAS, the City Council conducted a public hearing on March 14, 2022 as required by law to consider the CUP application; and

NOW, THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, hereby approve granting a CUP and further do hereby adopt the following resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, that it does hereby approve the granting of a Conditional Use Permit to Prairie Thunder Hastings, LLC, Hastings Exposition and Racing, Inc., West Fork, Inc., and Gremco Inc. to use the following described property for a horse racing track:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS

COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 84.00 FEET EAST ON THE SOUTH LINE FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER, NORTH A DISTANCE OF 1795.00 FEET; THENCE EASTERLY, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 2162.00 FEET; THENCE SOUTHERLY, PARALLEL WITH SAID EAST LINE, A DISTANCE OF 763.00 FEET; THENCE WESTERLY, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 1624.00 FEET; THENCE SOUTHERLY, PARALLEL TO THE WEST LINE, A DISTANCE OF 856 FEET; THENCE WESTERLY, PARALLEL TO THE SOUTH LINE, A DISTANCE OF 452 FEET; THENCE SOUTHERLY, PARALLEL TO THE WEST LINE, A DISTANCE OF 176 FEET; THEN WESTERLY, PARALLEL TO THE SOUTH LINE, A DISTANCE OF 86 FEET TO THE POINT OF BEGINNING, 48.75 ACRES MORE OR LESS, EXCEPT ALL PORTIONS OF THE BELOW DESCRIBED TRACTS THAT LAY WITHIN THE FOREGOING LEGALLY DESCRIBED AREA:

A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF, AND

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, THIS BEING THE POINT OF BEGINNING; THENCE N88°34'02"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 650.00 FEET; THENCE N01°25'58"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 80.00 FEET; THENCE S88°34'02"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 648.99 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE S00°42'31"E, ON SAID WEST LINE, A DISTANCE OF 80.01 FEET TO THE POINT OF BEGINNING, EXCEPT A 30-FOOT STRIP OF LAND FOR COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN INSTRUMENT NO. 20055612 CONTAINING 0.45 ACRES, FOR A TOTAL OF 0.74 ACRES, MORE OR LESS INCLUDING 0.49 ACRES, MORE OR LESS, OF COUNTY ROAD RIGHT-OF-WAY IN THE SOUTH 33.00 FEET THEREOF AND 0.25 ACRES, MORE OR LESS, IN THE NORTH 17.00 FEET THEREOF, AND

EXCEPT ANY PORTION OF CITY OF HASTINGS LAND, PARCEL # 010019114, AND
EXCEPT ANY PORTION OF ADAMS COUNTY LAND, PARCEL # 010017526.

subject to the following conditions:

1. There shall be compliance with any other applicable City, County, State or Federal regulations that shall apply.
2. The City Clerk shall forward to the register of deeds for recording an affidavit or such other instrument as may be deemed appropriate so as to provide notice to any person examining the real estate records of the existence of this conditional use permit. The recording costs incurred to comply with this section shall be paid by the applicants for the conditional use permit.
3. An annexation to pull the area inclusive of both the race track (and related casino) into the City will also be required.
4. A site-tailored Noise Mitigation Plan will be required and should provide evidence to Staff of the anticipated level of noise and should demonstrate how this plan would reduce or screen additional noise from interfering with residential neighbors to the north.
5. A separate Landscape Plan the shows species and evidence of meeting City Code Section 34-305 will be required for building permit approval.
6. A site-tailored Waste Management & Disposal Plan and copies of any necessary State approvals of such will be required for building permit approval.
7. A full and extensive Drainage Study will be required as well as copies of any necessary State and federal entities approvals of related floodplain documentation. Additionally, a maintenance agreement will be required for Permanent Post Construction Best Management Practices (BMPs) of stormwater.
8. A more extensive Traffic Study and copies of any related necessary State and County permits will be required for building permit approval.
9. A copy of the group's approved horse-racing and casino licenses from the Racing and Gaming Commission must be provided prior to approval of a building permit and any construction of this development.
10. A separate parking plan the demonstrates acceptable parking practices for the unique assembly use that doesn't particularly provide seats as shown in the city codes off street parking requirements will be required as a condition of this permit and must be provided for building permit approval.

PASSED AND APPROVED this 14th day of March, 2022.

Corey Stutte, Mayor

ATTEST;

Kimberly S. Jacobitz, City Clerk

[S E A L]

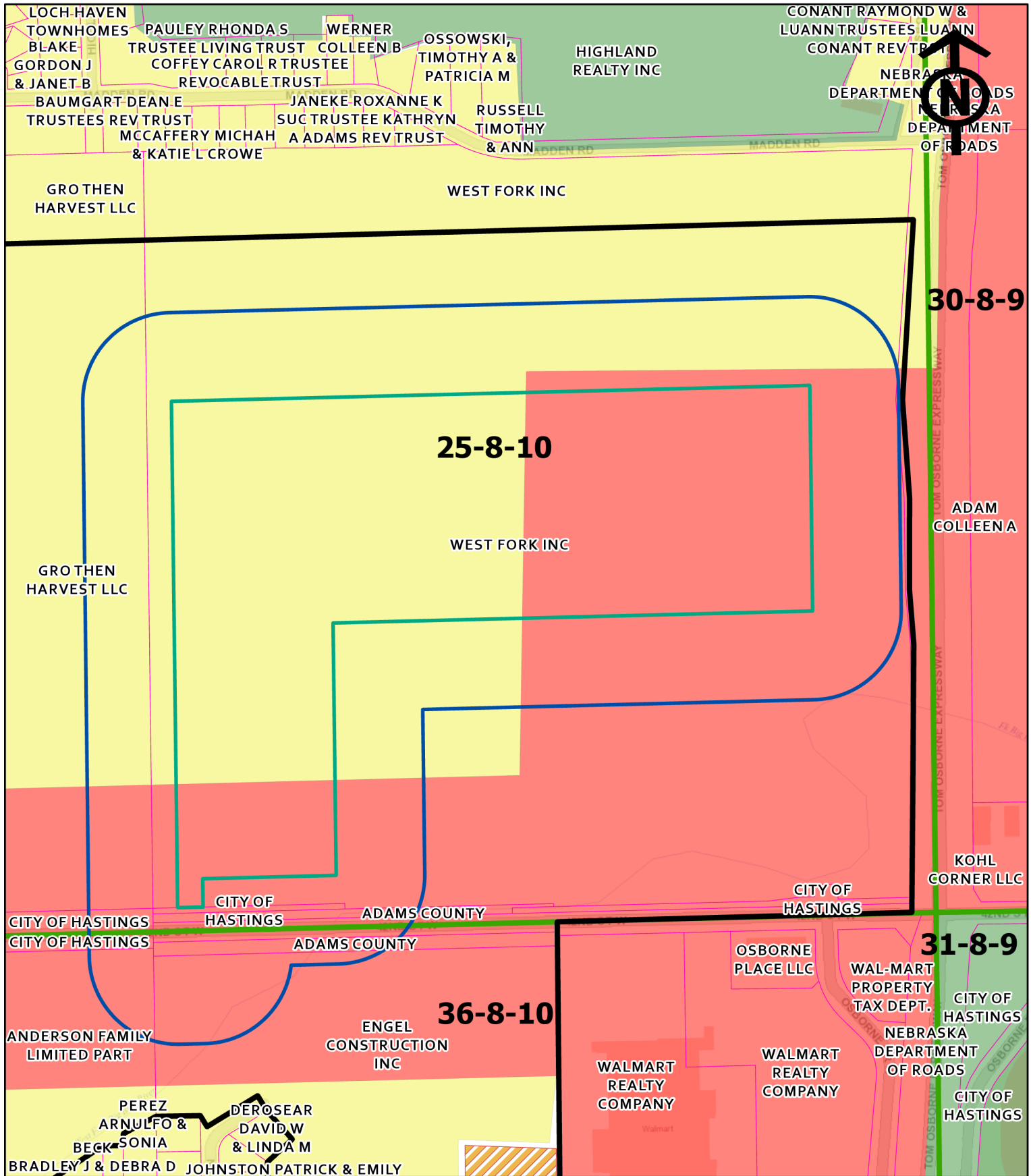
Approved as to form: _____
Clint Schukei, City Attorney

STATE OF NEBRASKA)
) ss
COUNTY OF ADAMS)

The foregoing instrument was acknowledged before me this _____ day of March, 2022 by Corey Stutte, Mayor and Kimberly S. Jacobitz, City Clerk of the City of Hastings.

Notary Public Signature

Notary Public Printed



Area of Interest

- CUP Change
- 300' Buffer of CUP Change
- Limits
- SECTIONS
- Parcels

Future Land Use

- Suburban Residential
- Mixed-Use - Neighborhood
- Commercial/Retail
- Parks & Recreation

CUP Area with 300 foot Buffer

Department: Engineering
Staff Contact: Lee Vrooman
Council Meeting Date: 3/14/2022

AGENDA ITEM SUMMARY SHEET

Description of Item:

Approval of Agreement CH 2022-01 Street Improvement District 2022-1 with Werner Construction for \$443,938.98.

Names of People/Business affected by this action:

City of Hastings

Why Council action is required:

Council approval is required

Type of action requested:

Motion

Suggested motion:

Motion to Approve Agreement CH 2022-01 Street Improvement District 2022-1 with Werner Construction for \$443,938.98.

Deadlines associated with action:

Department head comments:

This project is paving the remaining streets in the Trail Ridge Addition and is the work associated with Street Improvement District 2022-1. The bid from Werner Construction of \$443,938.98 is under the Engineer's estimate of \$579,525. Work is anticipated to start later this summer with a November 1, 2022 completion date.

Recommend Approval

City Administrator comments:

Recommend approval



To: Dave Ptak
From: Lee Vrooman *LTV*
Date: March 7, 2022
Subject: Bid Evaluation for Street Improvement District 2022-1
Project No. CH 2022-01

On February 17, 2022, bids were opened for the Street Improvement District 2022-1. A summary of the bids is given below:

BIDDER	Exceptions	Base Bid	Alternate Bid
Ben Engel Construction Hastings, NE	Yes	No Bid	\$644,872.90
Werner Construction, Inc. Hastings, NE	No	No Bid	\$443,938.98

Project CH 2022-01 includes the concrete paving with integral curb along with all the associated earthwork, erosion control and seeding for Brooking Circle, Frahm Lane and Rittenhouse Street. This completes all the paving for the Trail Ridge Addition.

The project was bid with a base bid having a completion date of September 1, 2022, and an alternate bid having a completion date of November 1, 2022. Neither bidder submitted a bid for the early completion date. Werner Construction was the low bidder for the alternate bid, had no exceptions and meets all requirements of the specification.

This project was requested by HEDC due to the strong demand for lots in this area. A paving district has been created to recover the costs associated with this work. The project was not budgeted. Most of the costs will occur in the next budget cycle and will be shown in the 2022/2023 budget. The Engineer's estimate was \$579,525.

Staff recommends that the project be awarded to Werner Construction, Inc. of Hastings, Nebraska for a total of \$443,938.98 which is the lowest and best bid for the City of Hastings.

**CITY OF HASTINGS BID TABULATION FOR
STREET IMPROVEMENT DISTRICT 2022-1
Formal Contract No: CH 2022-01
Bid Opening: Thursday, February 17, 2022 @ 1:30 PM**

[illegible]

PROPOSAL PAGES

TO MEMBERS OF THE CITY COUNCIL
CITY OF HASTINGS
HASTINGS, NEBRASKA

THE UNDERSIGNED, having examined the plans, specifications, general and special conditions and other contract documents, including any addenda thereto, and being acquainted with and fully understanding (a) the extent and character of the work covered by this proposal, (b) the location, arrangement, character, conditions of existing streets, roads, highways, railroads, pavements, surfacing, walks, driveways, curbs, gutters, trees, sewers, utilities, drainage courses and structures and other installations, both surface and underground, which may affect or be affected by the proposed work, (c) the nature and extent of the embankments and excavations to be made and the type, character and general condition of materials to be filled and excavated, (d) the necessary handling and re-handling of excavated materials, (e) the difficulties and hazards to the work which might be caused by storm and flood water, (f) local conditions relative to labor, transportation, hauling and rail facilities and (g) all other factors and conditions affecting or which may be affected by the work;

HEREBY PROPOSES to furnish all required materials, supplies, equipment, tools and plant, to perform all necessary labor and supervision and to construct, install, erect, equip and complete all work stipulated in, required by and in accordance with the contract documents and the plans, specifications and other documents referred to therein (as altered, amended or modified by all addenda thereto) for and in consideration of the following proposal for: **Project No. CH 2022-01, Street Improvement District 2022-1.**

PROPOSAL PAGES

Street Improvement District 2022-1 Project No. CH 2022-01 Project Quantities – Base Bid w/August 1, 2022 Substantial Completion Date, Seeding by September 1, 2022						
Item #	Description	Estimated Quantity	Unit	Unit Price	Amount	
1	Mobilization	LS	1	\$	\$	
2	7" Concrete paving with integral curb	SY	7867	\$	\$	
3	Subgrade preparation	SY	9198	\$	\$	
4	Adjust manhole to grade	EA	7	\$	\$	
5	Adjust water valve box to grade	EA	5	\$	\$	
6	Inlet sediment protection	EA	11	\$	\$	
7	Temporary erosion control	LF	200	\$	\$	
8	Earthwork	LS	1	\$	\$	
9	Seeding and mulch	Acre	1.27	\$	\$	
10	Construction Entrances	EA	2	\$	\$	

Total: \$

No Bid

Written Total:

Street Improvement District 2022-1 Project No. CH 2022-01 Project Quantities – Alternate Bid w/November 1, 2022 Completion Date						
Item #	Description	Estimated Quantity	Unit	Unit Price	Amount	
1	Mobilization	LS	1	\$	\$	
				<i>6,000.00</i>	\$	<i>6,000.00</i>

THIS BID DOCUMENT MUST BE SUBMITTED WITH BID

PROPOSAL PAGES

2	7" Concrete paving with integral curb	SY	7867	\$	48.10	\$	378,402.70
3	Subgrade preparation	SY	9198	\$	2.86	\$	26,306.28
4	Adjust manhole to grade	EA	7	\$	600.00	\$	4,200.00
5	Adjust water valve box to grade	EA	5	\$	430.00	\$	2,150.00
6	Inlet sediment protection	EA	11	\$	200.00	\$	2,200.00
7	Temporary erosion control	LF	200	\$	8.00	\$	1,600.00
8	Earthwork	LS	1	\$	15,000.00	\$	15,000.00
9	Seeding and mulch	Acre	1.27	\$	4,000.00	\$	5,080.00
10	Construction Entrances	EA	2	\$	1,500.00	\$	3,000.00

Total: \$ 443,938.98

Written Total: Four hundred forty-three thousand nine hundred thirty eight dollars and ninety-eight cents

Amount to be shown in both words and figures. In case of a discrepancy, the unit price shall prevail. City has the right to eliminate either the Base Bid or Alternate Bid prior to Award at its own discretion.

The undersigned bidder agrees to furnish the required performance bond and to enter into a contract within ten (10) days after acceptance of the Proposal and further agrees to complete all work covered by the foregoing Proposal in accordance with specified requirements. The proposed work is to commence as soon as possible after the contract is signed and the required bond is approved with completion of work on or before as follows:

Project No. CH 2022-01 Street Improvement District 2022-1:

- Completion dates listed above with set of project quantities.

THIS BID DOCUMENT MUST BE SUBMITTED WITH BID

PROPOSAL PAGES

In submitting this Bid, Bidder represents that:

A. Receipt of Addenda is hereby acknowledged:

No. 1 Date 2/10/22 No. _____ Date _____

No. _____ Date _____ No. _____ Date _____

No. _____ Date _____ No. _____ Date _____

- B. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, tests, studies, and data with the Bidding Documents
- C. Bidder has given Owner and A/E written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Owner and A/E is acceptable to Bidder.
- D. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

Enclosed herewith is the required bid bond in the amount of 5% of Base Bid which the undersigned bidder agrees is to be forfeited to and become the property of the City of Hastings, Nebraska, as liquidated damages should this proposal be accepted and a contract awarded to bidder and bidder fail to enter into a contract in the form prescribed and to furnish the required performance bond within ten (10) days, but otherwise the aforesaid proposal guarantee will be returned upon bidder signing the contract and delivering the approved performance bond.

In submitting this bid, it is understood that the right is reserved by the City to reject any and all bids, and it is understood that this bid may not be withdrawn during a period of sixty (60) days after the scheduled time for the receipt of bids.

The undersigned bidder hereby certifies (a) that this bid is genuine and is not made in the interest of, or on the behalf of, any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation, (b) that bidder has not directly or indirectly induced or solicited any person, firm or corporation to refrain from bidding, (c) that bidder has not sought, by collusion or otherwise, to obtain for himself

THIS BID DOCUMENT MUST BE SUBMITTED WITH BID

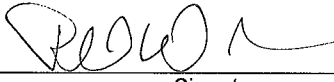
PROPOSAL PAGES

an advantage over any other bidder or over the City of Hastings and (d) that bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid.

The undersigned bidder agrees and understands that they will be appointed as Purchasing Agent for the City and will be issued an Exempt Sales Certificate to be used in accordance with specified requirements.

All bid documents, including proposals, etc., must be submitted with original signatures.
No copies will be accepted.

OFFICIAL NAME & ADDRESS

<u>Werner Construction, Inc.</u> Firm Name	<u></u> Signature
<u>1946 W. 8th St.</u> Address	<u>Philip F. Werner, Jr.</u> Typed or Printed Name
<u>Hastings, NE 68901</u> City, State, Zip	<u>President</u> Title
<u>402-463-4545</u> Phone No.	<u>February 17, 2022</u> Date
<u>402-463-4444</u> Fax No.	<u>cb@wernercos.com</u> Email Address

THIS BID DOCUMENT MUST BE SUBMITTED WITH BID

AGREEMENT

THIS AGREEMENT, made and entered into this 14th day of March, 2022, by and between the City of Hastings, Party of the First Part, hereinafter called the "Purchaser" or "City", and Werner Construction a Corporation of (town) Hastings in the State of Nebraska, Party of the Second Part, hereinafter called the "Contractor".

WITNESSETH: THAT,

WHEREAS: The Purchaser has caused the necessary contract documents to be prepared for defining material, equipment, and/or labor to be supplied to the City of Hastings, and delivered complete as specified in the accompanying contract documents.

WHEREAS: The Purchaser has advertised for bids from Contractors, has received said bids, analyzed same and duly awarded a contract to the "Contractor", "Party of the Second Part", for material, equipment, and/or labor as hereinafter set forth and as stated more in detail in the Proposal and related contract documents to wit; Notice to Bidders, Instructions to Bidders, Specifications; all of which documents are attached hereto and made a part of this Contract.

NOW, THEREFORE: It is hereby agreed that for the sum of Four hundred forty-three thousand, nine hundred thirty-eight and 98/100 cents. (\$443,938.98)

to be paid by the Purchaser, within Thirty (30) days after the acceptance of material, equipment, and/or labor by the Purchaser, to the Contractor, the Contractor agrees to furnish all materials, equipment, and/or labor as required by the accompanying specifications, and the aforesaid contract documents, for **CH 2022-01 Street Improvement District 2022-1.**

All materials, equipment, labor and/or liquidated damages shall be in accordance with the accompanying contract documents and specifications which are as much a part of this Agreement as if repeated verbatim herein.

It is further agreed that the Contractor will start work promptly, furnish the necessary drawings promptly and complete the work in the number of days set forth in the Proposal.

IN WITNESS WHEREOF: The Parties of the First and Second Parts have hereto set their hands and seals on the day and year above written.

AGREEMENT

CITY OF HASTINGS
Party of the First Part

By: _____

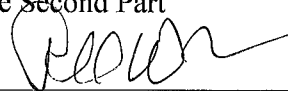
Date: _____

ATTEST:

City Clerk

SEAL

CONTRACTOR
Party of the Second Part



By: Philip F. Werner, Jr.

Title: President

Date: March 9, 2022

APPROVED TO FORM:

City Attorney

Note: If executed by one other than President, Partner or the individual Owner, a Power-of-Attorney authorizing execution should accompany this Contract.

PROPOSED APPOINTMENTS

State statutes and the Hastings City Code require that the incumbent officeholder shall serve until they resign or

BOARD OR COMMISSION	APPOINTEE	DATES OF TERM	REPLACING OR REAPPOINTMENT
City Planning Commission	Brian Hoffman	3/11/2022 to 3/11/2025	Replacement
Business Improvement Board	Tony Harmon	3/11/2022 to 3/11/2025	Reappointment
City Tree Board	Joe Kindig	3/14/2022 to 11/15/2023	Replacement
City Tree Board	Jane Marie	3/11/2022 to 3/11/2025	Reappointment
City Tree Board	Margret Hermes	3/11/2022 to 3/11/2025	Reappointment
City Tree Board	William Locke	3/11/2022 to 3/11/2025	Reappointment

a replacement is named and approved by the City Council.