

RESOLUTION NUMBER 300

**WHEREAS**, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

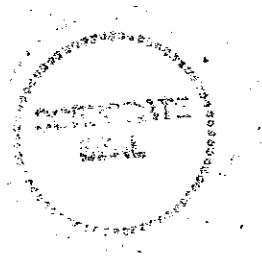
**WHEREAS**, a Multi-jurisdictional Hazard Mitigation Plan was prepared by Antelope, Holt, and Knox Counties with assistance from JEO Consulting Group, Inc. of Lincoln, NE, which includes the City of Crofton.

**WHEREAS**, the purpose of the mitigation plan was to lessen the affects of disasters by increasing the disaster resistance of the Counties and participating jurisdictions located within the planning boundary by identifying the hazards that affect the Counties and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

**WHEREAS**, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the City of Crofton in the form of a resolution and further requesting approval of the plan at the Federal Level; and

**NOW, THEREFORE**, the governing body of the City of Crofton does herewith adopt the Antelope, Holt, and Knox Counties Multi-jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the Federal Level.

PASSED AND APPROVED this 7th day of March, 2011.



Wendell B. Str...  
Mayor

ATTEST:

Nancy A. Bohnen  
City Clerk

RESOLUTION NO. 302

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**A RESOLUTION SETTING THE PROPERTY TAX REQUEST AND TAX LEVIES  
FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011**

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**WHEREAS**, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the governing body of the City passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

**WHEREAS**, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

**WHEREAS**, it is in the best interest of the City that the property tax request for the current year be a different amount than the property tax request for the prior year.


**NOW, THEREFORE**, the Governing Body of the City of Crofton, Nebraska, by a majority vote, resolves that:


1. The property tax request and levies for the fiscal year beginning October 1, 2011 for the General All Purpose Fund be set at \$113,199.79 or \$0.459174 per hundred of assessed value.
2. The budget of expenditures for the fiscal year beginning October 1, 2011 for the General All Purpose Fund be set at \$864,834.00.
3. The City Clerk shall certify and forward a copy of this Resolution to the County Clerk prior to October 13, 2011.

**PASSED AND APPROVED** this 7th day of September 2011.

**CITY OF CROFTON, NEBRASKA**

ATTEST:

  
CITY CLERK

  
MAYOR

**RESOLUTION NO. 303**

A RESOLUTION OF THE CITY OF CROFTON, KNOX COUNTY, NEBRASKA AUTHORIZING THE PROCURMENT AND PLACEMENT OF TOP SOIL ALONG A (NATURAL) DRAINAGE AREA ON A RESIDENTIAL LOT LOCATED WITHIN THE CORPORATE LIMITS OF CROFTON, NEBRASKA.

**WHEREAS**, the following property is located within the corporate limits of the City of Crofton and is legally described as follows:

The West 65' of Lots Seven (7), Eight (8) and Nine (9) and the West 65' of the South Half (S½) of the West Half (W½) of Alley between Lots Nine (9) and Ten (10), all in Block Three (3) of the Original Town of Crofton, Knox County, Nebraska; and

**WHEREAS**, the Owner(s) Dorothy Case, and her husband, John Case, as the owners said property has/have requested assistance and/or adjustment of a waterway between their property and the property to the East, and

**WHEREAS**, the City, in an attempt to resolve this matter and facilitate the drainage of surface water flowing through said area, has previously provided and installed barrow-type soil along said waterway; and

**WHEREAS**, the Owners have requested the addition of landscape-type soil to said drainage area.

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF CROFTON THAT:**

1. The City will agree to obtain and will deliver to the above-referenced property a suitable landscape-type soil in a quantity no greater than 24 yards, with the following conditional stipulations:
  - A. The City reserves the right to determine in their sole discretion, the amount of soil and the delivery dates, subject to availability and ability to arrange delivery;
  - B. The City, by providing said soil, assumes no responsibility past or present, and shall incur no present or future liability as a result of providing said soil;
  - C. The city reserves the right to use its own soil or to utilize a third party to provide and deliver suitable soil of a type that is normally used in the landscape industry to provide a plantable base (seed bed) for normal turf grass planting;

- D. The City agrees to provide said soil curbside at such location adjacent to the Owner's property as the Owner shall designate. The City shall have no obligation to level or prepare a seedbed and shall not cross the Owner's property to unload the soil unless specifically authorized to do so;

The City has agreed to provide the soil at its own expense in consideration of the resolution of the existing issues and as a gesture of goodwill on behalf of the City. Said provision shall not further obligate the City or be construed as a precedent to provide similar accommodation to any other individual under any other similar or dissimilar circumstances.

PASSED AND APPROVED by the Mayor and the City Council of the City of Crofton, Knox County, Nebraska on the 10th day of August, 2012.

(S E A L)

CITY OF CROFTON, NEBRASKA

BY: Wendell Strom, Mayor  
Wendell Strom, Mayor

ATTEST:

Nancy A. Foxhoven  
Nancy A. Foxhoven, City Clerk

Approved as to form:

Dale P. Riesberg  
Dale P. Riesberg, City Attorney

**ORDINANCE NO. 304**

AN ORDINANCE OF THE CITY OF CROFTON, KNOX COUNTY, NEBRASKA TO ESTABLISH HOURS THAT ALCOHOLIC BEVERAGES MAY BE SOLD; TO EXTEND THE HOURS OF SALE OF ALCOHOLIC BEVERAGES FROM 6:00 a.m. SUNDAY TO 12:00 NOON ON SUNDAY; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF CROFTON, NEBRASKA, as follows:

Section 1: (A) It shall be unlawful for any licensed person or his or her agent to sell at retail or dispense any alcoholic beverages inside the corporate limits of the city except during the hours provided in this section.

Alcoholic Liquors (except beer and wine)

Mondays through Saturdays 6:00 a.m. to 2:00 a.m. the following day

Sundays 6:00 a.m. to 2:00 a.m. the following day

Beer and Wine

Mondays through Saturdays 6:00 a.m. to 2:00 a.m. the following day

Sundays 6:00 a.m. to 2:00 a.m. the following day

(B) It shall be unlawful on property licensed to sell alcoholic liquor at retail to allow alcoholic liquor in open containers to remain or be in possession or control of any person for the purposes of consumption between the hours of 2:15 a.m. and 6:00 a.m. on any day. No person shall consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed in this section for stopping the sale of alcoholic beverages on the premises.

(C) Nothing in this section shall prohibit license premises from being open for other business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.

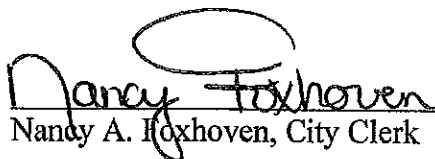
(Neb. RS 53-179)

Section 2: Any other ordinance passed and approved prior to passage, approval, and publication of this ordinance and in conflict with its provisions is repealed.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS FINAL PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

ADOPTED AND APPROVED by the Mayor and City Council of the City of Crofton, Knox County, Nebraska, this \_\_\_\_\_ day of October 2012.

(S E A L)

  
Nancy A. Foxhoven, City Clerk

  
Wendell Strom, Mayor

RESOLUTION NO. 305

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**A RESOLUTION SETTING THE PROPERTY TAX REQUEST AND TAX LEVIES  
FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012**

---

**WHEREAS**, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the governing body of the City passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

**WHEREAS**, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

**WHEREAS**, it is in the best interest of the City that the property tax request for the current year be a different amount than the property tax request for the prior year.

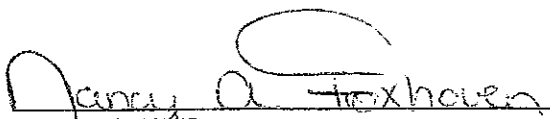
**NOW, THEREFORE**, the Governing Body of the City of Crofton, Nebraska, by a majority vote, resolves that:


1. The property tax request and levies for the fiscal year beginning October 1, 2012 for the General All Purpose Fund be set at \$115,554 or \$0.458984 per hundred of assessed value.
2. The budget of expenditures for the fiscal year beginning October 1, 2012 for the General All Purpose Fund be set at \$1,234,441.
3. The City Clerk shall certify and forward a copy of this Resolution to the County Clerk prior to October 13, 2012.

**PASSED AND APPROVED** this 12th day of September 2012.

**CITY OF CROFTON, NEBRASKA**

ATTEST:

  
CITY CLERK

  
MAYOR

**RESOLUTION NO. 306**

A RESOLUTION OF THE CITY OF CROFTON, KNOX COUNTY, NEBRASKA SETTING FORTH UTILITY FEES THAT SHALL BE COLLECTED BY THE UTILITY SUPERINTENDENT OR CITY CLERK ON DELIQUENT UTILITY ACCOUNTS FOR UTILITIES PROVIDED BY THE CITY.

**WHEREAS**, the City, pursuant to Chapter VI, including , but not limited to Section 6-109 thru 6-111 of the City ordinances; and Section 17-538 and Section 70-1605 of the Nebraska Revised Statutes (Reissue 1943) has the power and authority to fix by ordinance the rates to be paid by the water consumers for the use of water, and to fix by resolution the fees to be paid to notify consumers of the delinquent status of their account; the fee for the utility department to read the meter, and in the event the service is shut off, the fee to compensate the City for additional services and expense incurred in notifying the consumer, collecting the account and re-instating service;

**AND WHEREAS**, the City, adjusts the water, sewer and sanitation rates on a periodic basis so as to reimburse the City for the cost of providing the residents and patrons of City, water, sewer and sanitation services;

**WHEREAS**, the City may, from time to time, as it deems necessary, subsidize a portion of the City utility costs, out of the City general fund or other special fund, a portion of the costs incurred by the City, as the City Council and Mayor shall determine.

**WHEREAS**, the City has the authority to establish and adjust non-uniform rates for similar services to various categories of consumers (including bulk purchases of City water ) in consideration of local usage, extraordinary involvement of City employee time or services, or determination that fairness and equity require adjustment to the usual fee.

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF CROFTON THAT:**

1. The City rate for individual water consumption is generally set at 25 cents over the base rate charged by the Lewis & Clark NRD, Cedar-Knox Rural Water Project to provide water to the City for distribution to the residents and patrons of the City.
2. The City water usage rate is set at a monthly flat rate of \$17.00 per metered consumer plus a usage fee at the rate of \$4.75 per thousand gallons consumed and an additional usage fee of \$4.75 for each additional 1000 gallons, or part

thereof, over the base usage fee plus any applicable federal, state or local sales and use taxes.

3. The City general rate for sewer services is at the flat rate of \$6.50 per month for each metered water consumer plus applicable sales tax.
4. The City general rate for sanitation services is at the flat rate of \$12.50 per month for each metered water consumer plus applicable sale tax.
5. The flat rate and usage fees for water, sewer and sanitation shall be referred to collectively as the City "utility billing" and shall be paid as one sum due the 1<sup>st</sup> day of the month following usage, and shall be considered delinquent the 10<sup>th</sup> day of the same month.
6. Any City utility billing not paid by the due date as set forth herein shall pay, in addition the regular billing, a late fee of \$5.00.
7. In the event the billing is not paid before the subsequent months billing becomes delinquent, the City Clerk shall notify the City Council at their next regularly scheduled meeting, and the City Council shall authorize the Clerk to prepare and deliver a delinquent utility shut-off notice which shall be provided to the Crofton Police Department for service upon the delinquent consumer. In the event that a delinquent utility notice is authorized by the City Council, said authorization shall include the imposition of a \$50.00 delinquent service fee which shall be paid with the regular utility billing service fee and the late fee in order to bring the account current and remove the delinquent status.
8. In the event the delinquent utility billing is not paid within 15 calendar days after notice is served on the consumer, the water utility shall be disconnected by City employees and not be reconnected until the account is current.
9. In the event the water utility is disconnected and the account is thereafter paid in full there shall be assessed a \$75.00 reconnect fee which shall be paid before service is restored to the consumer.
10. Service reconnection services shall be provided Monday through Friday of each week, Federal or State holidays excluded, and only during City employee daytime hours.
11. Nothing in this resolution shall be construed as contravening or rendering inapplicable any provisions of City Ordinance Section 6-110 or Federal and State law regarding notification to a known welfare recipient and to the Nebraska Department of Health and Human Services.



PASSED AND APPROVED by the Mayor and the City Council of the City of Crofton,  
Knox County, Nebraska on the 3rd day of December, 2012.

(S E A L)

CITY OF CROFTON, NEBRASKA

BY: Wendell Strom, Mayor.  
Wendell Strom, Mayor

A T T E S T:

Nancy A. Foxhoven  
Nancy A. Foxhoven, City Clerk

Approved as to form:

Dale P. Riesberg  
Dale P. Riesberg, City Attorney

## ORDINANCE #307

AN ORDINANCE OF THE CITY OF CROFTON, NEBRASKA, CREATING THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF CROFTON, PROVIDING THAT THE MAYOR OF THE CITY OF CROFTON, NEBRASKA IS AUTHORIZED AND DIRECTED TO IMPLEMENT THE ORDINANCE, AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED by the City Council of the City of Crofton, Nebraska.

**Section 1.** (A) The City hereby creates the "Community Redevelopment Authority of the City of Crofton, Nebraska," with all rights and obligations provided for Community Redevelopment Authorities in the Nebraska Community Redevelopment Law, Neb. Rev. Stat. Section 18-2101 *et. seq.* (the "Act"). Initially, the Authority shall consist of the following members, who will have the following terms and who are hereby appointed by the Mayor with the City Council's approval:

<u>NAME</u>	<u>TERM</u>
Chad Reifenrath	1 year
Matt Cerney	2 years
Michael Guenther	3 years
Kim Sawatzke	4 years
Christopher Wortmann	5 years

As the terms of the members of the authority expire, the Mayor, with the approval of the City Council, shall appoint or reappoint a member of the authority for a term of five years to succeed the member whose term expires.

(B) The Authority hereby created shall function under the direction of its chair and its authorized members and shall exercise the powers herein described or referred to and as determined by resolution or ordinance duly adopted from time to time by the Authority.

(C) The Mayor of the City of Crofton, Nebraska, is hereby authorized and directed to implement this Ordinance.

(D) The Authority shall exercise all rights and powers granted to Community Redevelopment Authorities pursuant to the Act.

(E) The Ordinance shall be published in pamphlet form and shall take effect and be in full force and effect from and after its passage, approval and publication as provided by law.

**Section 2.** All provision of any prior ordinance of the City of Crofton in conflict herewith are hereby repealed.

PASSED AND APPROVED this 4th day of February, 2013



Wendell F. ...  
Mayor, City of Crofton

ATTEST: Nancy A. Foxhoven  
City Clerk

**RESOLUTION NO. 308**

A RESOLUTION OF THE CITY OF CROFTON, KNOX COUNTY, NEBRASKA SETTING FORTH PERMIT FEES THAT SHALL BE COLLECTED BY THE CITY CLERK FOR ISSUANCE OF A SALVAGE YARD PERMIT.

WHEREAS, the City, pursuant to Chapter IV, Article III, including Section 4-301 thru 4-303 AND Section 4-403 of the City ordinances; has the power and authority to fix by resolution the fees to be paid to the City for additional services and expense incurred in providing services to the public;

AND WHEREAS, the City, has now elected to amend the fee set forth in Section 4-302 to require an annual permit fee of \$500, so as to compensate the City for the addition compliance services required by City personnel (by Article III).

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF CROFTON THAT:**

1. The City rate for a salvage yard permit shall be in the sum of \$500 per year and shall be paid to the City prior to the issuance or renewal of any salvage yard permit.

PASSED AND APPROVED by the Mayor and the City Council of the City of Crofton, Knox County, Nebraska on the 16th day of May, 2013.

(SEAL)

CITY OF CROFTON, NEBRASKA

BY: Wendell Strom Mayor  
Wendell Strom, Mayor

ATTEST:

Nancy A. Foxhoven  
Nancy A. Foxhoven, City Clerk

Approved as to form:

Dale P. Riesberg  
Dale P. Riesberg, City Attorney

**ORDINANCE NO. 309**

AN ORDINANCE OF THE CITY OF CROFTON, KNOX COUNTY, NEBRASKA, TO CHANGE THE ZONING CLASSIFICATION OF THE DESCRIBED PROPERTY; TO CHANGE THE ZONING PORTRAYED ON THE CITY'S OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF CROFTON, KNOX COUNTY, NEBRASKA, as follows:

**Section 1:** That upon the application of Roger Yates for a change on zoning to the following described real estate, to-wit:

Part of the South Half of the Southwest Quarter of the Southeast Quarter (S1/2SW1/4SE1/4) of Section 24, Township 32 North, Range 2 West of the 6<sup>th</sup> P.M., Knox County, Nebraska being more particularly described as follows;

Commencing at a point 16.00 feet north of the Northwest corner of Lot Six (6), Block Twenty One (21) of the Park Addition to Crofton, Nebraska, thence N90°00'00"E a distance of 396.00 feet to the point of beginning, thence continuing N90°00'00"E a distance of 108.00 feet, thence S00°00'00"E a distance 166.00 feet to Nebraska highway 12 North Right-of-Way, thence N90°00'00"W along said Nebraska highway 12 North Right-of-Way a distance of 108.00 feet, thence N90°00'00"W a distance of 166.00 feet to the point of beginning containing 0.41 acres more or less.

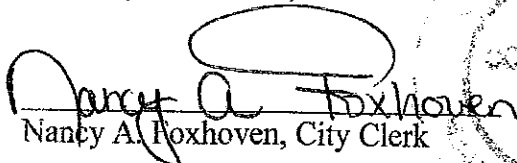
**Section 2:** That the zoning classification shall be changed from residential to commercial.

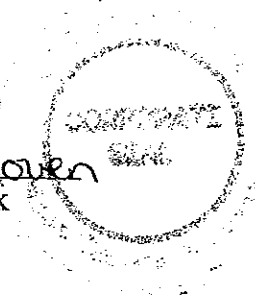
**Section 3:** That any other Ordinance or Section passed and approved prior to the passage, approval, and publication or posting of this Ordinance and in conflict with its provisions is hereby repealed.

**Section 4:** This Ordinance shall take effect and be in full force from and after its passage, approval, publication and entry upon the official zoning map of the City of Crofton.

ADOPTED AND PASSED by the Mayor and City Council of the City of Crofton, Knox County, Nebraska, this 3rd day of June, 2013.

( S E A L )

  
Nancy A. Foxhoven, City Clerk



  
Wendell Strom, Mayor