802 PUBLIC WORKS RESERVE FUND

802.010. CREATION OF FUND. The city of Birchwood Village authorizes the establishment of the "Public Works Reserve Fund for the purpose of holding designated funds to be used for capital improvements in the city.

802.020. SEPARATION OF MONIES. It is the desire of the City Council to segregate designated monies and non-designated monies into their respective proper accounts. Designated monies shall be held in the Public Works Reserve Fund and the non-designated monies shall be held in the Capital Projects Fund created under chapter 803.

802.030. FUNDING OF PUBLIC WORKS RESERVE FUND. There shall be accumulated in the Public Works Reserve Fund the following monies:

(1). The proceeds of any taxes levied for its support.

(2). Fund earnings.

(3) Such other revenues as may be directed by the City Council to be placed in the Fund and are not required by statute to be paid into some other fund or used for purposes other than those provided in section 802.040.

(4) Any funds that are required to be legally restricted for specific purposes.

802.040. USES OF THE FUND. Monies in the Public Works Reserve Fund shall be used only for the following capital improvements:

(1) Specific capital improvements or type of capital improvement designated by the ordinance establishing the fund.

(2) If not so designated, the Public Works Reserve Fund shall be used only for capital improvements of a type for which the City of Birchwood Village is authorized to issue bonds.

(3) The City Council may, at the time it places any current revenue in the Public Works Reserve Fund, designate such current revenue or any portion thereof for use on a specific project or type of improvement and such designation shall have the same effect as the establishment of a separate public works reserve fund for such purpose.

(4) The City Council may submit to the voters the question of using all or part of any designated monies for some other purpose than for which the monies were designated. If a majority of votes cast on the question is in favor of such

diversion, the stipulated portion of the fund may be used for the newly approved purpose.

802.050. CAPITAL IMPROVEMENT DEFINED. A capital improvement is any purchase, repair, maintenance, or replacement of equipment, land, or facilities having a value of five thousand dollars ($5,000) or more and a projected useful life of five years or more. Operating expenses shall not be considered a capital improvement.

802.060. INVESTMENT OF MONIES. The City Council shall provide for the temporary investment of all monies in the Public Works Reserve Fund in obligations in which investment of municipal funds is authorized by law and approved by the City Council.

802.070. HALL AVENUE/CEDAR STREET RESERVE FUND. There is hereby created the Hall Avenue/Cedar Street Reserve Fund that shall be part of the Public Works Reserve Fund. The following provisions apply to the Hall Avenue/Cedar Street Reserve Fund.

802.071. In 1996 the City Council deposited into the Public Works Reserve Fund the sum of thirty one thousand eight hundred dollars ($31,800) for the purpose of funding the first major repairs to Hall Avenue/Cedar Street (then known as County State Aid Highway 29). These monies were received from Washington County after the turn-back of the jurisdiction of County State Aid Highway 29 to the City.

802.072. As the City has in place a Public Improvement Financing and Assessment Ordinance (chapter 805), the City could finance all or a part of the costs of the Hall Avenue/Cedar Street improvements through an assessment. The City may use the money within the Public Works Reserve Fund to finance the cost of those improvements until the assessments have been paid off.

802.073. It is the intention of the City that money paid back to the City by way of assessments or other means are no longer considered designated funds and may either be re-designated and placed back into the Public Works Reserve Fund, or may be left non-designated and placed into the Capital Projects Fund or such other fund as the City Council deems necessary and proper.

1. EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

****ADOPTED BY ORDINANCE 2012-06, MAY 8, 2012"**