

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
200 EAST WELLS STREET, SUITE 800
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

December 3, 2001

Mr. Ronald Leonhardt, City Clerk
City Hall, Room 205

Re: Richard Will
Pension No. 41281

Dear Mr. Leonhardt:

Returned herewith is the claim of Richard Will in the amount of \$946.68. We are recommending that the claim be denied for the reasons set forth below. Mr. Will asked that we transmit a formal denial to the City Clerk so the matter may be scheduled for his appearance before the Judiciary & Legislation Committee.

Mr. Will separated from the Milwaukee Police Department on a deferred retirement in January of 2000. At the time the global settlement was approved in January of 2001, Mr. Will was administratively converted to a service retirement retroactive to January, 2000, based on the fact that Mr. Will separated with 25 years of service and therefore was eligible for early retirement under the global pension settlement. Mr. Will's claim is based on the fact that retiree health benefits were not made retroactive from the date of his separation.

We have reviewed the Global Pension Settlement Agreement for the Milwaukee Police Association. The Agreement provides for early retirement commencing January 1, 1998. "Health insurance to be based upon contractual unused/accumulated sick leave formula." The


Mr. Ronald Leonhardt

2

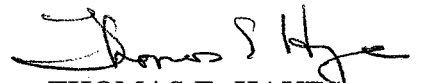
December 3, 2001

Agreement is silent on retroactivity in situations where individuals are administratively converted to service retirement on a retroactive basis.

Very truly yours,



GRANT E. LANGLEY
City Attorney



THOMAS E. HAYES
Special Deputy City Attorney

c: Mr. Frank Forbes
Ms. Anne Bahr

1088-2001-1478
47870 TEH/kef