



## Legislation Details (With Text)

**File #:** 060982      **Version:** 0

**Type:** Charter Ordinance      **Status:** Passed

**File created:** 11/14/2006      **In control:** FINANCE & PERSONNEL COMMITTEE

**On agenda:**      **Final action:** 12/12/2006

**Effective date:**

**Title:** A charter ordinance relating to retirement benefits for retired system members who resume city employment.

**Sponsors:** THE CHAIR

**Indexes:** CHARTER ORDINANCES, RETIREMENT BENEFITS

**Attachments:** 1. City Atty. Letter.PDF, 2. Fiscal note, 3. Notice Published on 1-3-07.PDF

| Date       | Ver. | Action By                     | Action                  | Result | Tally |
|------------|------|-------------------------------|-------------------------|--------|-------|
| 11/14/2006 | 0    | COMMON COUNCIL                | ASSIGNED TO             |        |       |
| 11/16/2006 | 0    | FINANCE & PERSONNEL COMMITTEE | REFERRED TO             |        |       |
| 11/22/2006 | 0    | FINANCE & PERSONNEL COMMITTEE | HEARING NOTICES SENT    |        |       |
| 11/29/2006 | 0    | FINANCE & PERSONNEL COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 5:0   |
| 12/12/2006 | 0    | COMMON COUNCIL                | PASSED                  | Pass   | 13:2  |
| 12/21/2006 | 0    | MAYOR                         | SIGNED                  |        |       |
| 1/3/2007   | 0    | CITY CLERK                    | PUBLISHED               |        |       |

060982  
ORIGINAL

THE CHAIR

A charter ordinance relating to retirement benefits for retired system members who resume city employment.

36-03-6-f      rp

This charter ordinance repeals provisions relating to suspension of retirement benefits for a city employee who retires and receives a retirement allowance, and then returns to city employment. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 36-03-6-f of the charter is repealed.

(Note: The provisions being repealed read as follows:

### **36-03. Membership.**

#### **6. WHO NOT TO BECOME MEMBERS.**

(f. Reemployment. f-1. A person who became a member of the retirement system on or after February 19, 1972 and who thereafter retires and receives a retirement allowance for at least 6 months shall not be restored to membership and shall have his or her retirement allowance suspended in the event he or she returns to full time employment with the city or a city agency after reaching the minimum service retirement age. Upon subsequent retirement, such person shall have

the retirement allowance temporarily suspended during the period of reemployment restored.

f-2. A person who became a member of the retirement system on or after November 25, 1984 and who thereafter retires and receives a retirement allowance for at least 6 months shall not be restored to membership and shall have his or her retirement allowance suspended in the event he or she returns to employment other than full time employment with the city or city agency after reaching the minimum retirement age. Upon subsequent retirement, such person shall have the retirement allowance temporarily suspended during the period of reemployment restored.

f-3. A person who became a member of the retirement system prior to February 19, 1972 and who thereafter retires and receives a retirement allowance for at least 6 months shall not be restored to membership in the event he or she returns to employment with the city or city agency after reaching the minimum service retirement age except that any such person who returns to full time employment other than temporary employment with the city or a city agency and agrees in writing to waive his or her retirement allowance during the period of reemployment shall have his or her allowance temporarily suspended and his or her membership restored upon subsequent retirement. Any such person who has executed a waiver shall be credited with his or her service as a member subsequent to the last restoration to membership and shall receive a retirement allowance therefore as if he or she was a new member and in addition shall have the retirement allowance temporarily suspended during a period of reemployment restored.)

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

City Attorney  
LRB06504-1  
BJZ:mbh  
11/13/2006