



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 Section 36-03-6-f of the charter is repealed.

(Note: The provisions being repealed read as follows: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