



Legislation Text

File #: 011100, Version: 1

011100
SUBSTITUTE 1

THE CHAIR

A substitute charter ordinance relating to the Employees' Retirement System. This charter ordinance provides that any member of the Employees' Retirement System who separated from service on a deferred status and subsequently accepted appointment to the Milwaukee Metropolitan Sewerage District Board with a deferred retirement date on or before July 26, 2001, shall be permitted to retire on a deferred retirement allowance and receive a retirement allowance up to July 26, 2001, on the condition that such member execute a waiver of any right to accrue additional service as a result of service on the Milwaukee Metropolitan Sewerage District Board prior to July 26, 2001.

Whereas, At least one member of the Employees' Retirement System who separated from service, elected deferred retirement status and subsequently accepted appointment to the Milwaukee Metropolitan Sewerage District Board was permitted to retire while serving on the Board even though such member was ineligible for retirement at that time; and

Whereas, This member was not advised that continued service on the Milwaukee Metropolitan Sewerage District Board rendered him ineligible for retirement; and

Whereas, Correction of the member's record at this time, pursuant to s. 36-11 of the City Charter, will result in a substantial reduction in the member's monthly retirement allowance; and

Whereas, The City Attorney has recommended that the Common Council pass a charter ordinance to relieve the member, and others similarly situated, from liability; now, therefore

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Notwithstanding any provision of the Milwaukee City Charter to the contrary, any member of the Employees' Retirement System who separated from service on a deferred status and subsequently accepted appointment to the Milwaukee Metropolitan Sewerage District Board with a deferred retirement date on or before July 26, 2001, shall be permitted to retire on a deferred retirement allowance and receive a retirement allowance up to July 26, 2001, on the condition that such member execute a waiver of any right to accrue additional service as a result of service on the Milwaukee Metropolitan Sewerage District Board prior to July 26, 2001.

Part 2. This charter ordinance shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed pursuant to 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: _____

Employes' Retirement System

THE/kf

1054-2001-2997

11/13/2001

LRB01566-1

JDO

11/28/01