



## Legislation Text

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**File #:** 990685, **Version:** 0

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ORIGINAL

### THE CHAIR

Resolution approving a settlement agreement in the case of Partipilo, et al. v. City of Milwaukee, et al., Circuit Court Case No. 97-CV-000985.  
(City Attorney)

As a result of collective bargaining negotiations the City entered into an agreement providing that policemen who retire on or after July 1, 1989 and firemen who retire on or after March 1, 1989 shall be subject to a 90% of final average salary limitation on their service retirement allowance. In Partipilo the plaintiffs challenged the legality and enforceability of that limitation to employees who were hired prior to its effective date. The City Attorney has negotiated a settlement under which policemen who were hired prior to July 1, 1989 and firemen who were hired prior to March 1, 1989 shall not be subject to any percentage limitation of the member's final average salary. Under the terms of this settlement, the City and the Employees' Retirement System are not liable for interest or attorney fees.

Whereas, A charter ordinance enacted by the City of Milwaukee commencing in 1989 limited the service retirement allowance of policemen who retire on or after July 1, 1989 and firemen who retire on or after March 1, 1989 to a 90% of a policemen's or firemen's final average salary, the City Attorney has negotiated a settlement in the case of Partipilo, et al. v. City of Milwaukee, et al., Circuit Court Case No. 97-CV-000985, a case in which the limitation was challenged by policemen hired to the effective date of the limitation; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the settlement agreement entered into between plaintiffs' counsel and the City Attorney on behalf of the defendants be and hereby is approved and the City Attorney is authorized to proceed with the implementation of such settlement.

City Attorney  
#23040 TEH:kef  
Date: 7/22/99