

Sec. 62-101. Created.

There is hereby created a retirement committee.

(Code 1968, § 2-126(a); Ord. of 12-29-1969; Code 1981, § 18-46; Ord. of 1-11-1982)

Sec. 62-102. Members.

- (a) *Generally.* The retirement committee shall consist of two elected city officials, the city manager, the chief of police and three members or retired members of the plan.
- (b) *Ex officio.* The city manager and chief of police will serve on the retirement committee by virtue of their respective offices and positions with the city.
- (c) *Election.*
 - (1) The three members or retired members of the plan shall be elected by members of the plan, subject to confirmation of a voting majority of the city council.
 - (2) Such election shall be for three staggered terms, beginning with February 1 and ending January 31 three years later. A regular election for filling these positions will be called by the chief of police during the month of January each year.
 - (3) If an unscheduled vacancy should occur among the elected members, a special election shall be called for the purpose of filling the remainder of such term. Such election shall be called by the chief of police within 60 days of the occurrence of such vacancy.
- (d) *Appointment.* The two elected city officials shall be appointed by the council president, subject to confirmation of a voting majority of the city council at its annual meeting.
- (e) *Removal of elected official.* Any elected official serving on the committee shall be removable only by a three-fourths vote of the city council, excluding any elected official under consideration, after written notice shall have been given the member being considered for removal at a reasonable time prior to the proceeding, stating the time, place and date of the removal proceeding.

(Code 1968, § 2-126(a); Ord. of 12-29-1969; Code 1981, § 18-47; Ord. of 1-11-1982; Ord. of 5-10-1982; Ord. of 9-12-1988; Ord. of 11-26-1990, § 5)

Sec. 62-103. Officers.

The retirement committee shall select a chairperson and may select a secretary, who may, but need not, be a member of the retirement committee, to keep its records or assist it in the doing of any other act or thing to be done or performed by the retirement committee.

(Code 1968, § 2-126(b); Ord. of 12-29-1969; Code 1981, § 18-48)

Sec. 62-104. Personal liability of members.

In administering the plan, neither the retirement committee nor any person to whom it may delegate any duty or power in connection with administering the plan shall be liable for any action or failure to act, except for its or his own willful misconduct, nor for the payment of any

benefit or other amount under the plan. No member of the retirement committee shall be personally liable under any contract, agreement, bond or other instrument made or executed by him or on his behalf as a member of the retirement committee, nor for any mistake of judgment made by himself or any member of the retirement committee, nor for any loss, unless resulting from his own gross negligence or willful misconduct, nor for the neglect, omission or wrongdoing of any other member of the retirement committee.

(Code 1968, § 2-126(c); Ord. of 12-29-1969; Code 1981, § 18-49; Ord. of 1-11-1982)

Sec. 62-105. Compensation of members.

Unless otherwise agreed by the city, the members of the retirement committee shall serve without compensation for such services, but all reasonable expenses shall be paid by the city.

(Code 1968, § 2-126(h); Ord. of 12-29-1969; Code 1981, § 18-50; Ord. of 1-11-1982)