

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**

Item No. 3
For Meeting of 02.27.10

ITEM TITLE: Consideration of Resolution confirming police succession plan and adopting employment agreement


CONTACT PERSON: Marketa George Oliver, City Administrator

SUMMARY:

Police Chief Gary Walters announced earlier this year that he was planning to retire. Under City Code, the Police Chief is appointed by the Mayor with the confirmation of the Council. The Mayor, along with the Policy and Administration Committee met with Chief Walters and Captain McDaniel to discuss the possible succession plan for the Police Department. The recommendation is to have Captain McDaniel succeed Chief Walters when he retires.

Captain Dennis McDaniel began with the Windsor Heights Police department in 2003. Prior to Windsor Heights, McDaniel was employed with Marshalltown. McDaniel earned his BA in Criminal Justice from Saint Ambrose University, with a minor in Psychology. He has participated in on-going training and development through the Supervisor Leadership Institute at the FBI Law Enforcement Executive Development Association in 2008; the Transformational Leadership Program through the Greater Des Moines Leadership Institute, 2006 and the School of Police Staff and Command at Northwestern University in 2005.

The most recent police chief search was conducted in 2003 when Chief Walters was hired as the City's chief. At that time, the City had no in-house candidate with the qualifications to become police chief, so the decision was made to recruit nationally. Chief Walters has done an excellent job of recruiting, training and retaining talented members of the Police Department. The Mayor has worked with Captain McDaniel and feels this is the best selection for the department and asks for confirmation of Captain McDaniel.

<input checked="" type="checkbox"/> Resolution _____ Ordinance ____ Contract __ Other (Specify) _____
Funding Source <u>Police salaries, benefits, etc.</u>
APPROVED FOR SUBMITTAL _____ <div style="text-align: right;"> City Administrator</div>

STAFF/COMMITTEE RECOMMENDATION: Pass resolution on a roll call vote.

COUNCIL ACTION:

RESOLUTION NO. 10-0227/

**A RESOLUTION CONFIRMING THE POLICE SUCCESSION PLAN AND ADOPTING
EMPLOYMENT AGREEMENT**

WHEREAS, the Gary Walters became the City's Police Chief in 2003; and

WHEREAS, Chief Walters worked diligently to strengthen trust and confidence between law enforcement and the community; and,

WHEREAS, Chief Walters has recruited, trained and retained a wealth of talent in the Windsor Heights Police Department; and,

WHEREAS, Dennis McDaniel has been with the Windsor Heights Police Department since 2003 and has been captain since 2005; and,

WHEREAS, Captain McDaniel has excelled in his supervisory role; and

WHEREAS, the Mayor has appointed Dennis McDaniel to succeed Gary Walters as Police Chief; and

WHEREAS, the Mayor has worked with Captain McDaniel to develop an employment agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windsor Heights, Iowa, that the City Council hereby confirms the success plan for the Police Department and the appointment of Dennis McDaniel to succeed Gary Walters as the Police Chief for the City of Windsor Heights.

BE IT FURTHER RESOLVED that the City Council hereby approves the terms and conditions as outlined in "Exhibit A" and authorizes the Mayor to execute necessary documents.

PASSED AND APPROVED THIS 27th DAY OF FEBRUARY, 2010

Jerry Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk

Exhibit A

Compensation: \$80,000 annually, effective at the time which Gary Walters begins “terminal leave” in Fiscal Year 2011

Longevity Pay: The Employee is eligible to continue to receive longevity pay as outlined in the City Personnel Policy Manual.

Annual Leave Benefits: The Employee will receive annual vacation accruals as outlined in the City’s Personnel policies, with credit given for his cumulative years of professional experience in the field of law enforcement.

Executive: The employee will receive Executive Leave as outlined in the City’s Personnel Policies.

Holidays: The employee will receive Holidays as outlined in the City’s Personnel Policies.

Sick/Medical Leave Bank: The Employee will receive annual vacation accruals as outlined in the City’s Personnel policies, with credit given for his cumulative years of professional experience in the field of law enforcement. Maximum medical leave accrual is 1,200 hours, as defined in the City’s Personnel Policies. Additionally, the Employee may cash out 100% of any remaining leave balance at the time of severance of service from the Employer.

Insurance: Health, Prescription Drug Coverage, Dental, Disability, and Life Insurance shall be provided to the Employee with premium costs being provided by the Employer.

Retirement: The Employer agrees to meet the contribution requirements of the Iowa Public Retirement System. The Employer also agrees to provide the Employee with additional medical retirement benefits as outlined in “Attachment A”. For the terms of the schedule of years of service to the Employer in Attachment A, only those years where the Employee was a fulltime worker for the City of Windsor Heights are eligible.

Deferred Compensation: The City will contribute a percentage of the Employee’s annual salary to a deferred compensation plan of the Employee’s choosing as set forth in the schedule for years of service within the City’s Personnel Policy Manual, giving credit to the Employee for his cumulative years of professional experience in the field of law enforcement when calculating contribution rates.

Vehicle: The Employee receives a take-home, City-owned vehicle equipped with emergency response equipment and fuel for the Employee’s business use and emergency response capabilities or commensurate vehicle allowance.

Professional Development: The City will pay for participation in various local, regional, national, and international professional organizations on behalf of the Employee, as budget permits. The City will pay for one national conference and appropriate other regional/state/local meetings/conferences/trainings annually, as budget permits.

Civic Activities: The City will pay membership and associated costs to the Employee for one civic membership annually.

Uniforms/Clothing: The City will provide uniforms pursuant to Police Department duty requirements.

Severance: Should the Employer terminate the Employee *without* cause, the Employer shall provide the following severance package:

Probationary year of appointment: Cash out of remaining leave time.

1 – 2 years from date of appointment: Two months salary & benefits.

Beginning of 3rd year from date of appointment and forward:
Six months salary & benefits.

No severance is required of the Employer for termination for cause.

ATTACHMENT A

For the Employee wishing to voluntarily retire who is a minimum of 50 years of age at the time of retirement; has at least 22 years of service with the City; and wishes to remain on the City employee health insurance plan, the City will assist the Employee with the cost of single coverage health insurance until the Employee is age-eligible to receive Medicare benefits - according to the following schedule based upon length of continued regular full-time service to the City:

<u>Length of Service</u>	<u>Coverage Paid by City</u>
21 years or less	0%
22 years	10%
23 years	20%
24 years	30%
25 years	40%
26 years	50%
27 years	60%
28 years	70%
29 years	80%
30 years	90%
31 or more years	100%

For months of service not totaling a full year, the percentage amount of single coverage paid by the City will be prorated by full month. Dental and vision coverage can be continued at the expense of the Employee.

If the Employee wishes to cover any dependent, the dependent coverage cost is the responsibility of the Employee. After the Employee reaches Medicare eligible age, any dependent the Employee has covered under the City employee health plan may continue his/her coverage under the City's plan for three more years at his/her own cost, or until the dependent reaches the Medicare eligible age, whichever occurs first.