



**City of Odebolt**  
**PO Box 433**  
**205 W 2<sup>nd</sup> St**  
**Odebolt, IA 51458**

**Mayor**

Todd Bengford

**City Council**

Carl Hemer

Seth Duff

Drew Stuhrenberg

Ron Sorensen

Levi Thies

**City Clerk**

Samantha Reese

**Public Works**

**Superintendent**

Michael Grote

**CITIZEN COMPLAINT/RESOLUTION PROCEDURES**

The purpose of this policy is to provide guidance to the City Council, Mayor, City staff, and citizens of Odebolt for filing, investigating, and researching complaints. Also, to establish a formal procedure affording public officials and city staff an opportunity to remedy or determine a resolution to the matter, if and when applicable.

The City of Odebolt is committed to maintaining the quality of services; professionalism; integrity; teamwork; diversity; empowerment; and improving relationships between City employees, City Council members, Mayor, and the citizens. The Odebolt City Council is very concerned about those items that might impact the citizens of our community. It is the policy of the City of Odebolt to seriously consider matters which are brought to our attention or lodged by citizens. When appropriate, effective action will be taken to address and correct the complaint.

**Definition of a Complaint**

It is important to recognize the difference between a complaint and a suggestion, observation, question, neighbor dispute, or simply a call pointing out a hazard or safety issue. The elected official fielding the complaint will need to determine whether or not a complaint exists. Examples of complaints include:

1. Infraction Complaint
  - A citizen's complaint against a fellow citizen because he or she feels a city ordinance is being violated
2. Non-Infraction Complaint
  - A complaint against the City as the result of a policy or ordinance deemed unfair
  - A complaint against the City because of what a citizen feels is inaction
3. Misconduct Complaint
  - A complaint filled out by a citizen against a city employee or an elected official
  - A complaint filled out by a city employee against another employee, a citizen, or an elected official

**Who Can File a Complaint?**

Any citizen or employee of the City of Odebolt can file a complaint against another citizen, the City, a City employee or an elected official.



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**Filing a Complaint**

Complaints will be unsubstantiated if a formal complaint form is not completed and signed. Unsubstantiated complaints will warrant no action by the Mayor, Council, or staff. The form must include a description of the complaint and be signed and dated by the individual filing the complaint. The Mayor must also sign and date the complaint form. The person following up on the complaint and the date of follow up should also be included.

A copy of the completed complaint form will be mailed or e-mailed to the complainant and copies will be made for the City Council for their information. The original completed complaint form will be filed at City Hall.

**Responding to a Complaint**

All complaint forms filled out will be turned in to the City Clerk who will then inform the Nuisance Chair. The Nuisance Chair will determine the validity of the complaint. Once determined, the Nuisance chair will present the findings to the Council, and the Council will determine what action (if any) needs to be taken. The City Clerk will then communicate to the complainant the course of action. There will be a formal motion if the Council finds the matter valid. Matters not found to be valid will be dismissed without action. Complainants will be notified of the City's decision not to pursue a complaint and the reason.

**1. Infractions Complaint**

- For complaints involving municipal infractions, the Mayor will review the complaint form. Complaints will be investigated for validity and resolution.
- If found valid:
  1. And this is the first complaint received, an informal notice will be delivered or sent to the offender specifying the complaint, action required to be in compliance with the ordinance of the City of Odebolt, and a reasonable time frame allowed for action.
  2. In the event that corrective action has not taken place within the reasonable timeframe given, or in the event of a second complaint after the timeframe allowed, a formal Nuisance to abate will be delivered by the Sac County Sheriff Department.
  3. If no action is taken after the timeframe allowed on the formal Nuisance, the appropriate municipal infraction citations will be issued for each occurrence thereafter.



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4. Should no action be taken by the offender, the City will seek legal advice on how to proceed. That is determined by the City Attorney.

**Non-Infractions Complaint**

- Steps will be taken on non-violation issues to be resolved by the appropriate body. Example, matters involving street repairs will be reviewed by the Public Works Superintendent.
- The matter will be directed to the City Council in the event that simple resolution is not possible and the Council will be kept apprised of issues in progress.

**Misconduct Complaint**

- If the complaint is about a specific employee, the complaint will first be forwarded to the City Clerk and the employee's direct supervisor. If the complaint is about a department head, the complaint will be forwarded to the Mayor.
  1. The Mayor will make the determination as to how the complaint handling will proceed.
  2. If legal counsel is required, the City Clerk will consult the City Attorney
  3. if a closed session is required, the Mayor may call a special meeting with the City Council upon written request of the employee.
  4. If disciplinary action is required, the disciplinary procedures laid out in the Employee Handbook will be followed.
- If the complaint is about an Elected Official, the complaint will be forwarded to the Mayor who will determine how to proceed. If legal counsel is required, the City Clerk will contact the City Attorney.



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**Nuisance Chair Signature:**

\_\_\_\_\_  
Date: \_\_\_\_\_

**Mayor Signature:**

\_\_\_\_\_  
Date: \_\_\_\_\_

**CITIZEN COMPLAINT FORM**

Please complete the following information so that the city can investigate your complaint. Please print clearly.

Date \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_  
Street Address/PO Box      City      State      Zip Code

Phone Number \_\_\_\_\_  
Home #      Cell #

If requested, will you attend a City Council meeting to explain your complaint?    Yes     No

Nature of Complaint: (include date, time, place, and facts of your complaint)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explain how you feel the complaint should be resolved:

\_\_\_\_\_  
\_\_\_\_\_

Would you like to opt out of making this complaint an open record?  
Yes  No  (If you check No it is very possible that the City will not be able to take action on your complaint)

(Print Name)

Date

\_\_\_\_\_  
Signature

All Complaints must be signed and dated to be considered valid.

**Office Use Only:**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Nuisance Chair Handling Investigation: \_\_\_\_\_

Is Complaint Valid

- Yes
- No
- Legal Advise Needed

Remarks \_\_\_\_\_

Actions Taken:

- Complaint Form Copy sent to Complainant
- Letter to Violator
- Abatement Proceeding Started
- Municipal Infraction Filed
- Meeting Set Up with Violator, Mayor, Nuisance Chair, and City Clerk
- Legal Advise Needed
- No Action Taken

Comments/Date Case is Closed:

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