

The purpose of this policy is to provide guidance to the City Council, Mayor, City staff and citizens of Jesup 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 Jesup is committed to maintaining quality of services; professionalism; integrity; teamwork; diversity; empowerment; and improving relationships between City employees, City Council members, Mayor and the citizens. The Jesup City Council is very concerned about those items that might impact the citizens of our community. It is the policy of the City of Jesup 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.

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 or an inappropriate response to a situation.

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

Filing a Complaint

It is necessary for the complainant to fill out a Complaint Form. Complaints will be unsubstantiated if a formal complaint form is not completed, signed and turned over to the City Clerk or their designee. The Mayor will determine whether a complaint is unsubstantiated. If the Mayor determines that the complaint is unsubstantiated, no further action will be taken by the City.

The form must include a description of the complaint and be signed and dated by the individual filing the complaint. Upon receipt of the complaint, the City Clerk or their designee must also sign and date the complaint. The City Clerk will acknowledge on the complaint form when the complaint is forwarded to the Mayor/Mayor Pro Tem and Council. If the complaint is concerning the Mayor, the complaint will first be forwarded to the Mayor Pro Tem, and the Mayor Pro Tem will be responsible for directing a response to the complaint. Upon receipt of any complaint, the completed complaint form will be forwarded to the

complainant and copies to the City Council and Mayor. The original completed complaint form will be archived at City Hall.

The Mayor or Mayor Pro Tem, in a case where the Mayor is the subject of the complaint, and the Clerk shall consult with one another in order to determine the “type” of the complaint. After determining whether it is an infraction complaint, a non-infraction complaint or a misconduct complaint, the Mayor/Mayor Pro Tem shall direct the Clerk to forward a copy of the complaint to the appropriate City Administrator or City body. Once the complaint has been forwarded to the appropriate body of the City, the City Clerk shall advise the Mayor and Council of the appropriate body that is investigating the complaint. The Mayor is responsible for insuring that the complaint is responded to in a timely manner. Once a determination has been made, as to the appropriate response to the complaint, the Mayor shall, with consultation with the Clerk, prepare a written response to the complainant. The course of action, as determined by the Mayor/Mayor Pro Tem or Council, will be communicated to the complainant by the Mayor/Mayor Pro Tem and the course of action and date of the communication shall be archived with the City Clerk on the complaint form, or with the complaint form, and filed at City Hall.

If the complaint is a misconduct complaint, the Mayor, in consultation with the City Attorney, shall determine whether or not the response can be communicated in written form in order to protect the rights of the individual employee, in accord with Iowa Code Chapter 22, and other laws and requirements in dealing with employees. If the complaint involves an elected City official, the complaint and its response shall be public record subject to public review. The Mayor shall then direct the Clerk on how to make the appropriate response.

Responding to a Complaint

Once the complaint is reviewed by the Mayor/Mayor Pro Tem, The course of action, as determined by the Mayor/Mayor Pro Tem or Council, will be communicated to the complainant by the Mayor/Mayor Pro Tem and that course of action, the date communicated to the complainant and form of communication will be documented by the City Clerk on the complaint form and filed at City Hall.

1) Infractions Complaint

- For complaints involving municipal infractions, the Mayor/Mayor Pro Tem and Chief of Police or Zoning Administrator will review the complaint and complaint form. Complaints will be investigated for validity and resolution and will be handled as defined in City Code Chapter 3 on municipal infractions.

2) Non-Infraction 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 Director and Supervisor of Streets.
- 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.

3) Misconduct Complaint

- If the complaint is about a specific employee, the complaint will first be forwarded to the Mayor/Mayor Pro Tem and the employee's direct supervisor. If the complaint is about a department head, the complaint will be forwarded to the Mayor/Mayor Pro Tem and City Council.
 1. If legal counsel is required, the Mayor/Mayor Pro Tem will consult the City Attorney.
 2. If a closed session is required, the Mayor/Mayor Pro Tem may call a special meeting with the City

Council upon written request of the employee.

3. If disciplinary action is required, the disciplinary procedures laid out in the Employee Handbook will be followed.

4. If the complaint is about an Elected Official, the complaint will be forwarded to the Mayor/Mayor Pro Tem who will determine how to proceed. If legal counsel is required, the Mayor/Mayor Pro Tem will contact the City Attorney.

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

Date _____

Name _____

Address _____
Street Address/P.O. 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 the date, time, place, and facts of your complaint)

Explain how you feel the complaint should be resolved:

Should a citation be issued, you may be required to testify to the above complaint in a Court of Law. Do you agree to testify? 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.

City Hall Office Use Only		Complaint No. _____
Received by: _____		Date _____
Copies to: _____		Date _____
Mayor/Mayor Pro Tem: _____		Date _____
City Clerk /Designee: _____		Date _____
Complaint Referred to: _____		Date _____
Follow Up Completed by: _____		Date _____
Communicated By: Letter ___ Phone ___ Verbal ___ In Person ___		Date _____
Comments: _____		