



Residents express concern with decision to cut Marshal's salary, duties

# Bland Council accused of violating Sunshine Law

Bland City Hall was standing room only Monday night as several residents expressed their disappointment with the council's recent decision to change the scope of duties of the City Marshal and cut the salary to \$100 per month.

Current Marshal Hans Rasmussen told the council he took an oath to uphold state and local government statutes. He reminded the council the Sunshine Law is a state statute.

At the December meeting, council members adjourned to closed executive session "to discuss personnel."

Rasmussen said he spoke to one of the council members who was present in closed session and asked if there had been any mention of disciplinary action mentioned. The council member told Rasmussen it was never brought up.

"That was the reason closed session was called to order," Rasmussen said. "That in itself was a direct violation of the Sunshine Law. The public has spoken loudly and we're going to pursue this. It is my responsibility to see that these ordinances have not been violated."

Rasmussen said another council member had made the statement that he was not doing his job. Rasmussen offered his log roster for the last three months for anyone to review.

"This is what I 'haven't' been doing for three months," Rasmussen said.

Rasmussen said he left last month's meeting because he was both disappointed and disgusted.

"I guess I'm more disgusted and disappointed this month," Rasmussen said. "The voters have been undermined. They spoke loudly and I think it's a shame this council thinks they have found a loophole. To me this is nothing short of a

conspiracy against our government and against the people who vote in this town."

"Come April we need to speak loudly again," said Greg Hicks.

Jane Nielsen had asked to be placed on the agenda to discuss the changes in the duties and salaries of the Marshal.

"My main concern was the way the meeting was held," Nielsen said. "You voted unanimously not to change the Marshal's salary. You went on break and Alderman Holzschuh was outside. When she came back in you asked to revisit the issue. During that break did you discuss a plan you had in order to get your way?"

Mayor Bruce Sassmann explained that after closed session and before the council adjourned, he had asked them to reconsider.

"I somewhat pleaded or begged the city council if they would reconsider," Sassmann said. "I think it caught the city council offguard. I got a motion and a second. When we went back into open session, I knew I had one last possibility to ask the council to reconsider."

Sassmann said he went outside to invite any patrons still there back in for the open meeting. He said only two people were outside.

"The city council did revisit it and revoted," Sassmann said.

"I was told by a council member there was a discussion during break. If that's the case, I don't know if it's legal or not," Nielsen said.

"It would not be legal. I didn't do that," Sassmann said.

Alderman Mary Jane Hawkins said all the council members talked while they were there.

Sassmann said he was surprised the city council voted the way they did.

"That issue wasn't something that just came up.

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It's something we discussed for two months and kept putting it off," said Sassmann. "My comments to Mary Jane was that instead of the Aldermen voting what they believed, they allowed the gallery to put the pressure on them and intimidate them and vote for them. I think it's a shame when a group of citizens come together with the purpose of intimidating a governing body. Intimidation - whether you're calling people names, stomping your feet, or putting signs on the highway - it doesn't work. People don't want these jobs if they know they're going to be intimidated or harassed. Democracy works best. We have to work together for better government. The decision we made wasn't one we just thought up."

"But you did it cowardly," commented Greg Hicks.

"They voted. Don't you think what you did was intimidation?" asked Nielsen.

Nielsen said she was not there to defend Rasmussen personally. She was there to defend the Sunshine Law and state statutes.

"What you did was wrong and you know it was wrong," Nielsen said.

Nielsen said she felt there was a lot of personal vendettas.

"I'm disappointed as well

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that we had to bring it back up for another vote after everyone had left," Sassmann said. "Was it illegal? No. It was entirely within our rights to do that. We had a closed session meeting and came back into open session. Was I critical of the council? Yes. Was I intimidating? I don't

know. I hope I was respectful."

Nielsen said this was an embarrassment to the city.

Sassmann said you can't take government positions and please everybody all of the time.

"You're fighting the old fights you fought before," Nielsen. "We're

going to remember this in April who followed the rules. Apparently I was lied to when I was told there was discussion."

"There was no plan," Sassmann said. "The council was caught offguard."

The council was later asked to advertise for applications for city officer.

"How are we going to pay for it?" asked Connie Rasmussen.

Sassmann said he was not going to encourage the hiring of an officer while a City Marshal was in place. He said the council would have more flexibility in their budget with the next Marshal's term.

"For me this is simply a fact-finding opportunity to see who's out there and who is willing to work," Sassmann said.

"What you have basically said it you pushed [Hans] out so you can put in who you want," said C. Rasmussen.

"I'm not even going to be here. If the next city council wants to employ Hans as a city officer

that's their prerogative," Sassmann said.

Brady Hicks asked the council if the people's vote means anything.

Sassmann explained the City of Owensville had paid their Collector \$38,000. The council then decided to redefine the duties of the elected position and set the salary at \$100 per year. The position was then replaced for \$18,000 per year.

"The salary isn't hurting the budget here. It's not a good salary," said B. Hicks.

Sassmann said the Marshal's salary is determined before the Marshal is elected.

"We don't know who the Marshal is going to be or what kind of job he's going to do," said Sassmann.

"So you're basically saying the people of Bland can't make a smart decision?" asked B. Hicks.

Sassmann said the city also voted on a city council and the council's responsibility is to work in the best interest of the city as a whole.

"People have voted down what you want and you keep doing it," said G. Hicks.

"We voted it down eight times," said B. Hicks.

Greg Hicks asked Sassmann to justify how the Mayor can make the same amount as someone in a patrol car.

"You can blow smoke all you want, but you can't justify it," said G. Hicks.

Sassmann said the Marshal's duties have been defined to be very narrow in scope.

"If your house or Corner Market gets broke into, is that narrow in scope?" asked G. Hicks.

"You're the one who

started this bull\_\_. You want to undermine all the

voters in this town; you need to start explaining yourself. All of you need to explain yourself rather than sitting like knots on a log."

"We have discussed this for months," Sassmann said. "We didn't come up with this as a quick scheme."

G. Hicks said a council member told him "Bruce says we've got a plan" and asked what the plan was.

"I know you've got an interest in government," said Sassmann.

"I've got an interest in doing the right thing and you're not doing it," said G. Hicks.

"If you don't believe in this government go to the polls. Don't come to a council meeting and speak out of turn," Sassmann said.

G. Hicks asked Alderman Dave Daniels how many times he has felt intimidated.

"I've had a few people try," said Daniels.

Sassmann again asked for a motion to hire an officer, but the motion died.

At the end of the meeting, Sassmann said there is a lot of effort to make sure the Sunshine Law is followed. He said one piece of legislation that will be called for vote is to make an automatic \$1,000 fine for violation of the Sunshine Law. He felt it should be a requirement that all council members attend some type of training regarding the Sunshine Law.

"Sunshine laws are overwhelming in their scope," Sassmann said. "It's impractical that everyone know everything about it. I try hard to abide by the Sunshine Law. What

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<p>happened at the last meeting, while it was legal, it's unfortunate." Nielsen said it was "stab in the back" to former Alderman Sandy Holzschuh when the discussion took place while she was outside.</p>	<p>"We were all talking," said Hawkins. "I don't recall any word of 'plan' being said." Nielsen then walked out of the meeting, saying she was tired of being lied to.</p> <p>Editor's Alderman</p>	<p>Holzschuh submitted a letter of resignation shortly after the December council meeting. The council accepted her resignation Monday night. Her position has yet to be filled.</p> <p>Note: Sandy</p>
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