

KNYSNA LOCAL MUNICIPALITY

MINUTES

OF AN ORDINARY MEETING
OF THE
MUNICIPAL COUNCIL OF KNYSNA MUNICIPALITY
WHICH WAS HELD ON
Thursday, 30 January 2014
At 09:00
In the Municipal Council Chamber

COUNCILLORS IN ATTENDANCE

Speaker, Cllr Wasserman, M [DA]
Executive Mayor, Cllr Wolmarans, G [DA]
Executive Deputy Mayor, Cllr Edge, ED [DA]

Cllr Barrell, R [DA]
Cllr Dawson, RA [DA]
Cllr De Vries, S [ANC]
Cllr M Dyantyi [ANC]
Cllr Gombo, TME [ANC]
Cllr Grootboom, IWJ [DA]
Cllr Hart, LM [DA]
Cllr Litolli, WN [ANC]
Cllr Lizwani, M [ANC]
Cllr Nayler, T [DA]
Cllr Nkam, PP [ANC]
Cllr Sopeki, N [Independent]
Cllr Tyokolo, B [DA]
Cllr Van Aswegen, EO [COPE]
Cllr Williams, M [DA]
Cllr Witbooi, CK [ANC]

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OFFICIALS IN ATTENDANCE

Ellman, B	Acting Municipal Manager
Easton, G	Director: Financial Services
Maughan-Brown, M	Director: Planning and Development
Rhode, M	Director: Technical Services
Adonis, D	Director: Community Services
Richardson, L	Town Electro-technical Engineer
Paulsen, M	Manager: Legal Services
Bezuidenhout, C	Manager: Communications and Customer Relations
Lakay, J	Manager: Council Committees and Councillor Support
Bridge, V	Manager: Information Technology
Ngalo, M	Legal Advisor
Swart, L	PA: Full time Councillors
Manyuka, K	Housing Clerk
Botha, M	Intern: Legal Services
Mtwa, S	Committee Officer

AUDIT COMMITTEE

Metelerkamp, N Chairperson: Audit Committee

1. WELCOMING ADDRESS BY THE SPEAKER

The Speaker welcomed Councillors, officials, the learners, the Knysna Rotary members and members of the public to the meeting.

2. PRAYER

The Speaker requested that all present take a moment of silence to open the meeting.

3. CODE OF CONDUCT**3.1 THE PROVISIONS OF SCHEDULE 1 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, 2000 [ACT 32 OF 2000]**

The Speaker drew the attention of Councillors to the Schedule 1 of the Local Government Municipal Systems Act, 2000.

RESOLVED

That the Code of Conduct for Councillors be noted.

MINUTES**3.2 DISCLOSURE OF INTERESTS BY COUNCILLORS****RESOLVED**

That it be noted that no member of the Municipal Council declared any interest in any item on the Agenda

4. COUNCILLORS: ABSENT**• WITH LEAVE**

None

• WITHOUT LEAVE

None

4A PRESENTATION

The Executive Mayor presented her "Welcome Speech" to Council as follows:

There is a saying in Tibetan, 'tragedy should be utilized as a source of strength.' However, we all know this is not easily done. We are still dealing with the sad farewell to Madiba, which is still fresh in our minds. And closer to home we feel deeply for the loss of our Municipal Manager and her family who are still dealing with the painful tragedy of losing loved ones.

Today is the beginning of our new cycle and the only comfort I have is the knowledge that no matter what sort of difficulties, how painful experience is, if we lose our hope and our energy to face our future with positive purpose we will lose our strength. And we do have a positive purpose!

As we start the New Year it is a time to re-asses the year past and I think there is so much for Knysna and this Council to be proud of and that gives us hope for our future.

We've had numerous successful events and a successful summer holiday season. These events and achievements are due to the hard work, commitment and determination of everyone here today. Organisers, volunteers and businesses that contributed to make this happen, thank you, from all of us.

The Municipality can celebrate the many goals we set and achieved. We delivered on our promise and can be proud of sound financial management that will take us in to a better future. Our clean audit lays the strong foundation that will inspire us to fulfil our commitments to our communities.

We have many highlights.

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The Integrated Strategic Development Framework (ISDF) has been launched. We have appointed four new directors and the Public Accounts Committee were put in place. We have reached our many targets regarding continued infrastructure development and our Ward allocations made a real difference in the lives of many. 2014 will hopefully not only follow in the footsteps of the previous year, but is bound to provide some of its own highlights.

It is election year. We celebrate twenty years of democracy. Twenty years of freedom in which much has been achieved. Human rights have been realised and our society is transforming. We live in a society where corruption is exposed, our Constitutional court our equality court, our Public Protector – this is a lot to be proud of. We also have a lot to strive for. Let us make this election year a year we again make the choice for freedom.

My hope for 2014 is that we as people from Knysna and South Africa, will, through hard work and commitment, look back at the end of the year and say that we have really made a difference where it matters most.

May we say that we as a Council, together with our community, that we worked hard to bring the necessary changes about.

Change, which will bring us closer together and change which will strengthen our communities. The important changes that will uplift our people and bring a balanced society about that will have hope for their future. We have come a long way but this is where Madiba's wise words again come to mind: "It cannot be done until it's done". Let this be our motto this year and let us be the town we are. A town where people and nature prosper!"

5. INTRODUCTION OF NEWLY APPOINTED STAFFCorporate Services

The Director Corporate Services, B Ellman, introduced the following new appointee in the Corporate Services Directorate who was appointed during December 2013:

Mr D Paulsen	Labour Relations Officer
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Community Services

The Director Community Services, D Adonis, introduced the following new appointees in the Community Services Directorate who were appointed during December 2013 and January 2014:

Mr M D Mortlock	Tractor Driver: Parks (Sedgefield)
Ms P Nxayi	General Assistant: Street Cleaning

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Financial Services

The Director Financial Services, G Easton, introduced the following new appointees in the Financial Services Directorate who were appointed during December 2013 and January 2014:

Mr G Avery	Credit Controller
Ms F Kruger	Manager: Expenditure (Supply Chain Management)
Ms A Sunkar	Manager: Budget Office
Ms L Spies	Administration Assistant: Income
Ms L Songqengqe	Administration Assistant: Income

Electro-technical Engineering department

The Electro-technical Engineer, L Richardson, introduced the following new appointee in the Electro-technical Engineering department who was appointed during January 2014:

Mr L Williams	Technical: Electrical Engineering
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Planning & Development

The Director: Planning & Development, M Maughan-Brown, introduced the following new appointees in the Planning & Development department who were appointed during January 2014:

Mr M C Penxa	Manager: Integrated Human Settlements
Mr R Pedro	Building Inspector

Technical Services

The Director Technical Services, GM Rhode, introduced the following new appointees in the Technical Services Directorate who were appointed during December 2013 and January 2014:

Mr C Dixon	Plant Operator: Water Purification
Ms VA Ketile	Supervisor: Sewerage Purification

6. CONFIRMATION AND ADOPTION OF MINUTES OF THE MUNICIPAL COUNCIL**6.1 Ordinary Municipal Council meeting: 28 November 2013**

It was unanimously

RESOLVED

That the minutes of the Ordinary Council meeting held on 28 November 2013

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as amended, be confirmed and adopted as a true reflection of the proceedings, with the exception of item CM05/11/13 that still needs to be verified by the recording and subject to the following:

- [i] That the amount of “*R1 238, 00*” as stated in item CMC05/11/13, be amended to read “*R1 238 000*”;
- [ii] That the wording “*Cllr Van Aswegen’s vote against the above resolution be recorded.*”, be inserted at the end of resolution CM05/11/13;
- [iii] That in item CM05/11/13 the recording of the Council meeting held on 28 November 2013 be checked for the correctness of paragraph six of the preamble, which reads as follows :

“At this time in the meeting Cllr Dyantyi stepped out of the Council Chamber and was not present during the voting process.”;
- [iv] That in item CM06/11/13[b] “*Section 80*” be replaced with “*Finance Committee*”;
- [v] That in item 10.1[b] the word “*that*” be inserted after “*September 2013*”, before the word “*was*”;
- [vi] That in item 10.3, in the heading, the word: “*DVELOPMENT*”, be correctly spelt to read “*DEVELOPMENT*”;
- [vii] That in item 10.7, the word “*Private*” be inserted after the word “*Pezula*” in the first line of the resolution;
- [viii] That in item 11c the recording be checked to confirm whether Cllrs Litoli and Witbooi voted for the approval of the “*Overflowing Sewer in Ward 8*” as an urgent matter.

6.2 Special Council: Motion of Condolences: 6 December 2013

It was unanimously

RESOLVED

That the minutes of the Special Council meeting held on 6 December 2013, be confirmed and adopted as a true reflection of the proceedings.

6.3 Special Council meeting: 12 December 2013

It was unanimously

RESOLVED

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That the minutes of the Special Council meeting held on 12 December 2013, be confirmed and adopted as a true reflection of the proceedings, subject to the following:

- [i] That in the second line of the postscript of item SC01/12/13 after “Sopeki” the wording: “... *and the Councillors announced their resignation as Committee members.*” be included and the words “*requested that their vote against the aforementioned resolution be minuted.*” be deleted.

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7. REPORTS & COMMUNICATIONS BY THE EXECUTIVE MAYOR

No reports were received at time of compilation of the agenda.

8.1 REPORT: EXECUTIVE MAYOR: 23 JANUARY 2014**CM01/01/14 TABLING OF THE DRAFT ANNUAL REPORT: 2012/2013 FINANCIAL YEAR**

Director: Corporate Services

Cllr De Vries raised concerns with the Annual Report 2012/2013 received by the Municipal Public Accounts Committee and thereafter changes were made.

Cllr Van Aswegen raised concerns with Council being expected to approve an Annual Report of which they have not seen a final version, as there are alterations made of which Council is unaware of.

Cllr Barrell advised that the Annual Report 2012/2013 that should serve at Council should be the final version and not have been altered as decided at the Municipal Public Accounts Committee.

Cllr Edge requested for a 10 minute caucus.

The Speaker agreed to grant the caucus, but after receipt of a reply to the Councillor's concerns from the Acting Municipal Manager and the Manager: Legal Services.

The Acting Municipal Manager responded and advised Council that the same copy of the Annual Report circulated to Council was circulated to MPAC and will also be available at all Council offices and libraries.

The Manager Legal Services with reference to the MFMA, Section 127(2), advised that she concurred with the three Councillors and that the final Annual Report should be approved by Council and not a draft version.

At 09: 35 the Speaker granted a 15 minute caucus.

At 09: 50 Cllr Edge advised that what Council is accepting the Report tabled at the Mayoral Committee meeting in 23 January 2014 and Council was unaware of any changes being made.

Cllr Edge, seconded by Cllr Hart, proposed that the word: "*draft*" be deleted in the entire report.

Cllr Van Aswegen requested to speak further on the matter.

The Speaker, however disagreed and asked the Councillor to sit and if not, to leave the meeting.

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The Speaker called the matter to a vote.

10 votes were recorded in favour of the original recommendation while no votes were recorded against the recommendation. 9 Councillors abstained from voting.

At 10:03 Cllr Van Aswegen left the Council Meeting.

The amended resolution as set out in the Agenda was thus carried.

RESOLVED

- [a] That the contents of the report regarding the Annual Report for the 2012/2013 financial year be noted;
- [b] That in terms of Section 127(2) of the Local Government: Municipal Finance Management Act, 2003, the submission of the Annual Report for the 2012/2013 financial year; be accepted;
- [c] That the Annual Report for the 2012/2013 financial year be submitted to the Municipal Public Accounts Committee for consideration and the preparation of an Oversight Report in terms of Section 129 of the Local Government: Municipal Finance Management Act, 2003, which is to be considered by the Municipal Council on Thursday, 27 March 2014;
- [d] That the Municipal Manager be requested to make public the Annual Report as stipulated in Section 127(5)(a) of the Local Government: Municipal Finance Management Act, 2003;
- [e] That the Municipal Manager be requested to submit the Annual Report to the relevant authorities as stipulated in Section 127(5)(b) of the Local Government: Municipal Finance Management Act, 2003.

Ref 9/1/2/9

File Number: 5/10/3

Execution Acting Municipal Manager
Director: Corporate Services
Manager: Administration

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Cllr Edge requested that the financial reports be submitted (to the Section 80 Committee) and discussed in the following order : Section 71 Report, followed by the Section 52 Report and then the Section 72 Report.

CM02/01/14 SECTION 71 REPORT FOR MONTH OF DECEMBER 2013

Director: Financial Services

RESOLVED

That the contents of the report regarding the Section 71 Report for December 2013 be noted.

File Number: 9/1/2/10
Execution: Acting Municipal Manager
Director: Finance Services
Manager: Budget Office

CM03/01/14 SECTION 52 REPORT FOR THE QUARTER ENDING DECEMBER 2013

Director: Financial Services

RESOLVED

That the contents of the report regarding the Section 52 report for the quarter ending December 2013 be noted.

File Number: 9/1/2/10
Execution: Acting Municipal Manager
Director: Finance Services
Manager: Budget Office

CM04/01/14 SECTION 72 REPORT FOR THE FINANCIAL YEAR 2013/14

Director: Financial Services

RESOLVED

- [a] That the contents of the report regarding the Section 72 report for the 2013/14 financial year be noted;
- [b] That an Adjustment Budget for 2013/2014 be prepared and considered by the Municipal Council by not later than Friday, 28 February 2014.

File Number: 9/1/2/10
Execution: Acting Municipal Manager
Director: Finance Services
Manager: Budget Office

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9.1 EDEN DISTRICT MUNICIPALITY

No reports were received at time of compilation of the agenda.

9.2 REPORT FROM THE SPEAKER

No reports were received at time of compilation of the agenda.

9.3 CHANGES IN WARD COMMITTEE MEMBERSHIP**RESOLVED**

- [a] That the contents of the report by the Speaker on changes in Ward Committee membership be noted;
- [b] That Rev Angie Picard be removed as member of Ward 2 Ward Committee;
- [c] That the Administration takes the necessary steps to remove the persons in (b) from the payroll system;
- [d] That the relevant Ward Councillors take steps as set out in Section 18 of the Ward Committee Constitution to fill vacancies created by the removal of Ward Committee members;
- [e] That after vacancy have been filled in terms of (d) above a report be submitted to the Municipal Council for information and approval.

File Number: 3/3/3/4

Execution: Manager: Public Participation
 Director: Corporate Services

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9.4 UPDATE ON WATER SITUATION

A verbal report was presented by Cllr L Hart.

10. URGENT MATTERS**a. COMMUNITY SAFETY IN THE GREATER KNYSNA BEACH FRONTS**

Cllr Sopeki raised concern with regard to the safety of the children in particular, and the lack of lifeguards to enforce safety measures and a watchful eye at beaches. She reminded Council that young kids have drowned at these beaches during the festive season.

The Speaker called the matter to a vote.

8 votes were recorded in favour of the matter being regarded as urgent while 10 votes were recorded against the matter being regarded as urgent.

The matter was thus not considered as urgent.

b. THE FILTHY CONDITION OF MUNICIPAL COUNCILLOR OFFICES OUTSIDE THE MAIN BUILDING

Cllr Litoli raised concern with regard to the dirty conditions Councillors have to work under in their offices, contrary to the condition of the offices of the fulltime Councillors in the main building.

The Speaker called the matter to a vote.

8 votes were recorded in favour of the matter being regarded as urgent while 10 votes were recorded against the matter being regarded as urgent.

The matter was thus not considered as urgent.

11. ITEMS IN COMMITTEE

See separate Minute.

12. CLOSURE

The Speaker thanked everyone who attended and the meeting concluded at 10:13.

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