



STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF THE SPECIAL

COUNCIL

MEETING HELD ON

27 December 2017

10:15 am



**MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, MUNICIPAL
BUILDINGS ON WEDNESDAY, 27 DECEMBER 2017
AT 10:15**

PRESENT

Councillors

Ald M A Masina – Executive Mayor
Cllr A M Mabena
Cllr M I Kgalema
Cllr J M Mitchell
Cllr M T E Mnguni
Cllr D J Motsepe
Cllr S D Nkademeng
Cllr A M Mahlangu
Cllr L K Mahlangu
Cllr R G Mamogale
Cllr A B Marumo
Cllr P M Masilela
Cllr Musa Masina
Cllr M N Mathibela
Cllr M Mbatiwe
Cllr T P Mnisi
Cllr T N Morufane
Cllr T P Motau
Cllr T S Motloung
Cllr T E Motsepe
Cllr M C Mphego
Cllr D L Paul

Cllr M J Sekgwele
Cllr D J Skhosana
Cllr M M Skhosana
Cllr T R Vilakazi
Ald R M Xaba
Cllr L J N Zondo
Cllr E M Bruiners
Cllr J Dyason
Cllr A S Grobler
Cllr P Mobango
Cllr K J Phasha
Cllr J P Pretorius
Cllr G H E Romijn
Cllr S J Roos
Cllr A O Thabatha
Cllr D A Stuurman
Cllr T N Van Zyl
Cllr M Hadebe
Cllr P Mailola
Cllr A Mangcotywa
Cllr L C Masemula
Cllr N J Mthombeni
Cllr E Sebesho

Absent

Cllr P Mailola
Cllr J P Duvenage
Cllr K P J Uys

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Officials

Mr B Khenisa	(Acting Municipal Manager)
Mr S M Mnguni	(Deputy Municipal Manager)
Ms E Wassermann	(Executive Director: Financial Services)
Mr M T Lelaka	(Executive Director: Infrastructure Services)
Mr M Masilela	(Director: Legal and Administration)
Ms P Mkosi	(Acting Executive Director: Community Services)
Mr L Bronkhorst	(Assistant Director: Administration)
Mr J Zulu	(Chief Administrative Officer)
Ms L Skosana	(Clerk Grade 1)

1 OPENING

The Speaker welcomed everyone present and declared the meeting open.

2 APPLICATIONS FOR LEAVE OF ABSENCE

2.1 Application for leave of absence in terms of Section 13 (1) of the Rules of Order

Resolved

2.1.1 **THAT** note be taken that Cllrs/Alds M C Mkhuma, A Struwig, H G De Klerk, S Wait, H F Niemann and E A Du Toit have applied for leave of absence and their leave were approved due to other obligations.

2.2 Application for leave of absence in terms of Section 13 (2) of the Rules of Order

- 2.2.1 Cllr J Matshiane
- 2.2.2 Cllr S M Malepeng
- 2.2.3 Cllr M C Mosoma
- 2.2.4 Cllr J Skosana

3 DISCLOSURE OF INTEREST

3.1 None

4 CONSIDERATION OF THE ATTACHED REPORTS

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REPORT OF THE SPECIAL MAYORAL COMMITTEE HELD ON
22 DECEMBER 2017

NON DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT the report by the Executive Mayor in respect of items SC05 & SC06/12/2017 be considered.

SC05/12/2017

FINANCES: DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF COUNCILLORS

5/11/1/1 (T)/yb

RESOLVED BY COUNCIL

1. **THAT** Council take note of the determination of upper limits of salaries, allowances and benefits of Councillors applicable from 01 July 2017.
2. **THAT** it be confirmed that sufficient funds are available on the Annual Budget to implement the annual remuneration of different members of the municipal Council for 2017/2018 financial year which include the provision of the MPAC Chairperson to become full-time from 01 January 2018 in line with Resolution C02/07/2017.
3. **THAT** the implementation of the tools of trade be delayed subject to cost implications being determined and the necessary budget provision being made on the annual budget.
4. **THAT** note be taken that if a Councillor is elected to serve on an intergovernmental structure of organised local government (such as SALGA), the relevant structure is responsible for the payment of accommodation and reimbursement of travel expenses.
5. **THAT** an application of concurrence be submitted to the MEC responsible for Local Government in the Province.

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6. **THAT** the upper limits as set out in Notice No. 1440 of Government Gazette No. 41335 of 15 December 2017 be approved for implementation from 01 July 2017, subject to concurrence being obtained from the MEC responsible for Local Government.
7. **THAT** the report in terms of Section 18(1) of Notice No. 1440 be submitted to the MEC responsible for Local Government in the Province by not later than 28 February 2018.

SC06/12/2017

LAND: ESTABLISHMENT OF A FLEA MARKET BUSINESS

14/1/1/1 (L)/nm

After the matter was discussed by Councillors the Executive Mayor informed the meeting that the following be added as paragraph 7 of the Recommendation by the Executive Mayor:

"7 **THAT** an investigation and further report be submitted on the alleged illegal encroachment of Erf 435 Mhluzi Extension 00."

RESOLVED BY COUNCIL

- 1 **THAT** the report regarding the proposals to establish a flea market on a portion of Portion 1 of Erf 12941 Mhluzi Extension 4 measuring 1000m² ("the property") utilising containers, be noted.
- 2 **THAT** Council confirms that the property is at this stage not needed to provide the minimum level of basic municipal services.
- 3 **THAT** the proposals be considered as the extension of the LED initiatives to revive township businesses.
- 4 **THAT** the proposals be used as a support services in developing Small, Medium and Macro Enterprises (SMME's) to benefit youth businesses.
- 5 **THAT** the proposals to establish the flea market be approved subject to the following conditions and adherence to all Council's By-laws and Policies:
 - 5.1 **That** the Accounting Officer be authorised to lease the property as an unsolicited bid.
 - 5.2 **That** the lease of the property be limited to three (3) years.
 - 5.3 **That** the applicants be allocated a portion of the property each measuring 500m².

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- 5.4 **That** an Engineer's Certificate to the effect that the containers are suitable for intended business activities must be furnished.
- 5.5 **That** all the containers must be painted and have sufficient ventilation.
- 5.6 **That** toilet facilities be provided on site.
- 5.7 **That** the containers be placed on a concrete slab.
- 5.8 **That** the area be kept neat, clean and properly maintained to ensure that the demarcated area does not interfere with the aesthetic view and value of the developed park.
- 5.9 **That** prepayment electricity meters be installed at a cost of the applicants and every lessee purchase their own electricity.
- 5.10 **That** the lessees shall ensure that noise and any environmental nuisance is avoided.
- 5.11 **That** the first lessee (applicant) shall have a permit to conduct the intended business and undertake selling of any perishable foodstuff.
- 5.12 **That** second lessee (applicant) shall have a permit to conduct the intended business.
- 5.13 **That** provision for parking of vehicles be provided.
- 5.14 **That** the rental for the property be fixed at R7,00 (Seven rand) per square metre per month.
- 5.15 **That** Council Resolution C54/11/2015, be rescinded.
- 6 **THAT** the proposed lease of the property be advertised in terms of Section 79(18) of the Local Government Ordinates 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 41 of the Council's Supply Chain Management Policy.
- 7 **THAT** an investigation and further report be submitted on the alleged illegal encroachment of Erf 435 Mhluzi Extension 00.

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DELEGATED POWERS

RESOLVED BY COUNCIL

THAT Council take note that no delegated matters were considered under this report.

AS

EXTRACT FROM THE 22ND/2017 MAYORAL COMMITTEE
HELD ON 14 DECEMBER 2017

NON DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT the report by the Executive Mayor in respect of item C04/12/2017 be considered.

C04/12/2017

**PERSONNEL: APPOINTMENT OF AN ACTING EXECUTIVE DIRECTOR:
CORPORATE SERVICES**

4/5/2/8 (C)/nm

With the consideration of this item the Director: Legal and Administration, Mr M Masilela recused himself from the meeting.

RESOLVED BY COUNCIL

- 1 **THAT** the report regarding the appointment of the Acting Executive Director: Corporate Services, be noted.
- 2 **THAT** in the meantime the Director: Legal and Administration, Mr Mduzuzi Masilela be appointed as the Acting Executive Director: Corporate Services from 18 December 2017 until the filling of the position.
- 3 **THAT** the MEC be requested in terms of Section 56 of the Municipal Systems Act to consider paragraph 2 above.

5 CLOSURE

Meeting adjourned at 10:50

SIGNED AT MIDDELBURG ON 25/01/18,

S P E A K E R  _____