

MAKANA MUNICIPALITY

**MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER
ON TUESDAY, 06 OCTOBER 2015 AT 15H00**

PRESENT:

Clr. N. Gaga - Executive Mayor
Clr. Y. Vara - Speaker
Clr. M. Matyumza
Clr. P. Ranchhod
Clr. J. Wells
Clr. L. Reynolds
Clr. E. Louw
Clr. N. Meti
Clr. K. Jela
Clr. M. Madinda
Clr. B. Bonani-Sali
Clr. L. May
Clr. X. Madyo
Clr. B. Jackson
Clr. N. Tyantsula
Clr. M. Khubalo
Clr. M. Tame
Clr. V. Kolisi
Clr. N. Masoma
Clr. M. Gojela
Clr. M. Phongolo

IN ATTENDANCE:

Acting Municipal Manager (Ms R. Meiring)
Acting CFO (Mr Crouse)
Acting Director Corp Serv: (Mr. Mager)
Acting Director: E.Infr. Serv. (Mr. Mlenzana)
Administrator (Mr. J. Gomomo)
Dir: Public Safety & Comm. (Mr. M. Planga)
Legal Manager (Mrs N. Mbanjwa)
Committees (Ms. L. Faltein)

ABSENT:

Clr. T. Ngeleza
Clr. B. Fargher - on leave
Clr. R. Platjje
Clr. M. Booysen – sick leave
Clr. P. G. Notyawa
Acting CFO (Ms. Khumalo) – council business

SC 1

OPENING

Councillor Fargher led the meeting with a prayer. The Speaker said the meeting would deal with the deferred matters from the previous Council meeting. She gave a word of gratitude to the MEC for availing himself to clarify matters of concern to the Council. She said the MEC, with the powers vested in him, had the right to come to the Council. She thereafter declared the meeting open.

SC 2

APPLICATIONS FOR LEAVE OF ABSENCE (WRITTEN APOLOGIES)

Nil.

SC 3

STATEMENT BY THE EXECUTIVE MAYOR

The Executive Mayor greeted everyone, and thereafter welcomed the MEC of Local Government and Traditional Affairs, Hon. Xhasa and the Provincial delegation who were present in the meeting. He reminded the meeting that the Council was still under Section 139(1)b), a decision that was taken by EXCO on the 17 March 2015. He said the Council would remain under administration until an assessment report on the status of the recent intervention was received. He thanked the MEC and his team for availing themselves to come to Makana and further expressed his hope that those matters which could not be finalized at the previous Council meeting would be dealt with in full.

SC 4

OFFICIAL ANNOUNCEMENTS BY THE ACTING MUNICIPAL MANAGER (MM)

Nil.

SC 5

DISCLOSURES OF INTEREST (BY ANY MEMBER ON ANY ITEM THAT FORMS PART OF THE AGENDA)

Nil.

SC 6

ANY PRESENTATION BY OUTSIDE BODIES/INSTITUTIONS

Nil.

SC 7

REPORTS BY THE ACTING MUNICIPAL MANAGER (AS PER AGENDA)

SC 7.1

SALARY AND WAGE COLLECTIVE AGREEMENT

CONSIDERED:

Report dated 23 September 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The salaries has not been offset in terms of the financial implications.
- b) The R350.00 Non-Pensionable Owners Allowance will be paid to those employees who qualify for such benefit after the investigating has been done to check who is suppose to get the R350.00.

The Council **RESOLVED:**

- a) THAT the action of the acting Municipal Manager of instructing the acting Chief Financial Officer to implement the salary and wage Collective Agreement during September 2015 be **CONDONED**.
- b) THAT the following recommendation made to the Ordinary Council meeting of 15 September 2015 be **APPROVED**.
 - THAT the Directorate of Finance and Directorate of Corporate and Shared Services particular the Human Resources Section, take all reasonable steps to implement the general across the board salary adjustments, increases in the minimum wage, increase in housing allowances and the payment of Housing Allowances to Gap Market employees for the financial year 2015/16.
 - THAT all municipal employees covered by the terms and conditions stipulated in the Salary and Wage Collective Agreement Circular 08/2015 receive an increase of seven per cent (7%) with effect from 01 July 2015.
 - THAT with effect from 01 July 2015 the minimum wage payable for municipal employees within the sector be Six Thousand and Fourteen Rand and Ninety Three (R6 014.93) per month.
 - THAT with effect from 01 July 2015, the maximum employer contribution to an employee's accredited medical scheme shall not exceed Three Thousand Eight Hundred and Seventy One Rand (R3 871.00).

- THAT with effect from 01 July 2015 newly appointed employees shall join a Defined Contribution Retirement Fund operation in the municipality.
 - THAT with effect from 01 July 2015, the monthly employer contribution towards the Defined Contribution Retirement Funds shall remain capped at eighteen per cent (18%) of the monthly basic salary of all employees.
 - THAT any employee who currently receives a monthly contribution rate that is higher than eighteen per cent (18%) will retain such higher monthly employer contribution rate.
 - THAT with effect from 01 July 2015 the Home Owners Allowance shall increase to a flat rate of Seven Hundred Rand (R700.00) per month.
 - THAT all Gap Market employees who, upon the implementation of this agreement, earn a basic salary of R8 000.00 per month or less and who do not own or receive any form of housing assistance or do not participate in the current or any other Home Owners Allowance scheme shall be paid a Non-Pensionable Allowance of R350.00 per month with effect from 01 July 2015, provided that only one benefit is paid per household.
- c) THAT any shortfall in the salary and allowance budgets be addressed during the budget adjustment process.
- d) THAT the acting CFO calculate and summaries accurate figures and according to financial implications and submit a report to FAME (F) Portfolio Committee meeting to the Mayoral Committee and next Council meeting.

SC 7.2

RESIGNATION OF CLR. RACHEL MADINDA-ISAAC

CONSIDERED:

Report dated 22 September 2015 from the acting Municipal Manager.

The Council **NOTED** the resignation of Clr. Rachel Madinda-Isaac.

The Council **RESOLVED** THAT the acting Municipal Manager will notify the Independent Electoral Committee about the vacancy and other processes will follow.

SC 7.3

APPOINTMENT OF CHIEF FINANCIAL OFFICER

CONSIDERED:

Report dated 21 September 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The report on the auctioning of the Council resolution.
- b) A response letter from the MEC's office has not been signed.
- c) Same applicant of non-concurrence will be considered.

SC 7.4

APPLICATION TO PURCHASE ERVEN 1482, 1487, 1488, 1479, 6322, 6344 AND 6474 TO
ERRECT A MOSQUE: GRAHAMSTOWN MUSLIM ASSOCIATION

CONSIDERED:

Report dated 29 September 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the disposal of Erven 1482, 1487, 1488, 1479, 6322, 6344 and 6474 be considered once the necessary processes/ requirements are completed.
- b) THAT the Town Planners check if the applicant did make an application to Department of Cooperative Governance.
- c) THAT the item be DEFFERED back to the Mayoral Committee meeting with necessary attachments and full information for discussion and decision making.
- d) THAT after the Mayoral Committee decision on the matter the item be tabled to the next Council meeting.

SC 7.5

POSSIBLE SALE OF LAND: ERVEN IN OATLANDS AND ERVEN IN ORSMOND TERRACE, FINGO VILLAGE

CONSIDERED:

Report dated 21 September 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT Evern 1359, 1360, 1361, 1362, 1368, 1369, 1370, 4705, 4707, 4708, 4709 Orsmond Terrace, Fingo Village be rezoned from “Industrial” to “Residential 1”.
- b) THAT the item be DEFFERED back to the relevant Portfolio Committee and Mayoral Committee meeting with current information and after that be submitted to the next Council meeting.

SC 7.6

APPLICATION FOR PROPOSED CLOSURE OF PUBLIC OPEN SPACE IN TERMS OF MUNICIPAL ORDINANCE 20 OF 1974

APPLICATION FOR PROPOSED REZONING IN TERMS OF SECTION 17 OF THE LAND USE PLANNING ORDINANCE 15 OF 1985: ERF 6220, GRAHAMSTOWN

CONSIDERED:

Report dated September 2015 from the acting Municipal Manager.

The Council **NOTED** the plans must be processed and the work should start immediately.

The Council **RESOLVED** THAT the application for the rezoning from POS 1 to POS 2 for Erf 6220 Rhini submitted by Fourways Consultancy Services on behalf of Makana Local Municipality be APPROVED in terms of section 17 of the Land Use Planning Ordinance (Ordinance 15 of 1985) and Municipal Ordinance 20 of 1974.

SC 7.7

REPORT ON THE LITIGATION BY MAKANA UNITY LEAGUE

CONSIDERED:

Report dated 25 September 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The report on the litigation by the Makana Unity League.
- b) There is only 30 days to sort out the landfill site issue.
- c) The Environmental Health Department need money from the Council to hire vehicles because the bulldozer has been out of commission for eight months.
- d) The Environmental Health Department should think of other ways of fencing the landfill site other than fencing hence the fence has been stolen by the community three times.
- e) The Executive Mayor will engage the office of the MEC for funding.
- f) The landfill issue should be monitored at the Portfolio Committee level. The Legal Services Manager should be part of that process.

The Council **RESOLVED:**

- a) THAT the work plan for the rehabilitation of the landfill site be APPROVED.
- b) THAT an amount of R1 003 200 be set aside for the implementation of the work plan.
- c) THAT the Director: Community and Social Services source funding from the private sectors for the rehabilitation work plan.
- d) THAT the Director: Community and Social Services organize a presentation for all the Councillors on the landfill site.
- e) THAT Mr. Estherhuizen cost the need for vehicles in his Department and meet Mr. M. Crouse to work on the issue of hiring or purchasing vehicles for Environmental Health Department.

SC 7.8

ELECTION OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE CHAIRPERSON AND ADDITIONAL MEMBERS

CONSIDERED:

Report dated 21 September 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT Councillor M. Pongolo and Councillor N. Meti be elected as new MPAC members.
- b) THAT Councillor M. Pongolo be elected as the Chairperson of the MPAC.
- c) THAT the appointment of co-opted members to serve on the MPAC be APPROVED.

SC 7.9

REPORT FROM THE AUDITOR GENERAL FOR THE YEAR ENDED 30 JUNE 2014

CONSIDERED:

Report dated 02 October 2015 from the acting Municipal Manager.

The Council **RESOLVED** THAT the letter from Auditor General dated the 24th March 2015 be APPROVED.

SC 7.10

MEMBERSHIP CHANGES TO PORTFOLIO AND OTHER COMMITTEES AND COUNCILLORS SERVING ON OUTSIDE BODIES

CONSIDERED:

Report dated 02 October 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The minor changes proposed to Portfolio and other Committees and to Council's representatives on outside bodies by the Executive Mayor.
- b) Councillors should attend the outside bodies meetings and report back to the Council.

The Council **RESOLVED** THAT a letter be written to outside bodies informing them about the Councillors serving in outside bodies Committees.

SC 7.11

PUBLIC GATHERINGS AND PETITIONS

CONSIDERED:

Report dated 30 September 2015 from the acting Municipal Manager.

The Council **NOTED** Since the Public and Gathering Committee should consist of 5 members which are Councillors. There would 3 members from the African National Congress and 2 members from the Democratic Alliance.

The Council **RESOLVED:**

- a) THAT Councillor K. Solomon, Councillor M. Madinda and Councillor P. Ranchhod for ANC be elected.
- b) THAT Councillor B. Jackson and Councillor L. May for DA be elected.
- c) THAT Councillor P. Ranchhod be elected as the Chairperson of the public gatherings and petitions Committee.
- d) THAT the terms and reference of the public gatherings and petitions Committee be submitted to the next Council meeting.

SC 7.12

REPRIORITISATION OF 2014/15 MIG PROJECTS

CONSIDERED:

Report dated 25 September 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the reprioritization of the 2014/15 MIG Projects be APPROVED.
- b) THAT the savings from the 2014/15 MIG Projects brought forward by the reprioritization process be utilized for the 2015/16 MIG Projects.

SC 7.13

RIEBEECK EAST ALTERNATIVE BULK WATER SUPPLY

CONSIDERED:

Report dated 25 September 2015 from the acting Municipal Manager (MM) to the Special Council meeting.

The Council **RESOLVED:**

- a) THAT a further development of groundwater resources in combination with adequate water treatment and aquifer management as immediate and short term option to be implemented. Detailed investigations to be conducted following this prefeasibility study be APPROVED.
- b) THAT a detailed investigation for connecting to Alicedale Water supply including further investigation of catchment areas for possible dam construction with Riebeeck East as a second and long term solution be conducted.

The meeting ended at 17h45

SPEAKER

DATE