

CONFIDENTIAL

**MINUTES
OF A
SPECIAL MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

**CITY HALL
BLOEMFONTEIN**

**WEDNESDAY
DECEMBER 8, 2021
AT 10:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**



**MINUTES OF A
SPECIAL MEETING
of the
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL
held
IN THE CITY HALL
BLOEMFONTEIN
on
WEDNESDAY, 8 DECEMBER 2021
at 10:00**

ATTENDANCE REGISTER

POLITICAL LEADERSHIP			
#	NAME	PARTY	LEAVE
1	<u>Speaker</u> Cllr Lockman (Stefani Bernadette)	ANC	
2	<u>Executive Mayor</u> Cllr Siyonzana (Mxolisi Ashford)	ANC	Left at 10h45
3	<u>Deputy executive Mayor</u> Cllr Mothibi-Nkoane (Maria Mapaseka)	ANC	
4	<u>Council Whip</u> Cllr Nikelo (Vumile Edwin)	ANC	
SECTION 79 CHAIRPERSONS			
5	Cllr Mokoakoa (Mpho Isaac)	ANC 29	
6	Cllr Nhlapo (Ntombi Anna)	ANC	
7	Cllr Qai (Alfred)	AIC	
8	Cllr Seleke (Puseletso Leticia)	ANC	
PR COUNCILLORS			
9	Cllr Campher (Zaandre MC)	DA	
10	Cllr Davies (Maryke)	DA	
11	Cllr De-Huis (Dikeledi Jane)	EFF	
12	Cllr De Kock (Valerie Belinda)	FFPlus	
13	Cllr Denner (John Henry)	FFPlus	
14	Cllr Dennis (Magdalene Elizabeth)	DA	
15	Cllr Ferreira (Thomas Ignatius)	DA	
16	Cllr Jonas-Malephane (Vuyelwa Eunice)	ANC	

17	Cllr Klaasen Raynie Sarah	DA	
18	Cllr Letsoko (Mantwa Sanah)	EFF	
19	Cllr Lipale (Gopolang Jeremiah)	EFF	
20	Cllr Makau (Pitso Elias)	EFF	
21	Cllr Malebo (Deliwe Lettia)	EFF	
22	Cllr Maliela (Motiki Edwin)	DA	
23	Cllr Masoeu (Thapelo David)	DA	
24	Cllr Matsoetlane (Meditaba Joyce)	ANC	
25	Cllr Mogotsi (Mamahlape Elias)	EFF	
26	Cllr Mohlamme (Lebohang Lerato)	DA	
27	Cllr Mokoena (John Itumeleng)	AASD	
28	Cllr Mongale (Mojalefa William)	AASD	
29	Cllr Monyakoane (Ntwa Patrick)	ANC	
30	Cllr Morake (Molefi Andries)	ANC	
31	Cllr Moreeng (Kabelo Christopher)	DA	
32	Cllr Njiva-Lebajoa (Mamotse)	DA	Absent with apology
33	Cllr Ntshakazane (Eunice Xoliswa)	EFF	
34	Cllr Phohleli (Tsholwane Eddy)	EFF	
35	Cllr Ramatlama (Mpho Joseph)	EFF	
36	Cllr Rampai (Pule Joseph)	ACDP	
37	Cllr Rasoeu (Lempe Ernest)	DA	
38	Cllr Sebolao (Jankie Elisha)	EFF	
39	Cllr Shale (Nkahiseng Reginah)	EFF	
40	Cllr Snyman van Deventer (Elizabeth)	FFPlus	
41	Cllr Terblanche (Arthur Phillip)	DA	
42	Cllr Terblanche (Lesley-Ann Eurencia)	PA	

43	Cllr Thomas (Johannes Beleme)	EFF	
44	Cllr Thwala (Zwelinjane Jonathan)	DA	Absent with apology
45	Cllr Titi-Odili (Lulama Magdeline)	ANC	
46	Cllr Tladi (Motshewa Martha)	ANC	
47	Cllr Twala (Pani Sidney)	ATM	
48	Cllr van der Merwe (Rulhof)	DA	Absent with apology
49	Cllr van der Ross (Kevin Etienne)	PA	
50	Cllr Viviers (Benhardus Jacobus)	DA	
51	Cllr Vorster (Bram)	FFPlus	
52	Cllr Wewege (Mare-Lize)	FFPlus	
WARD COUNCILLORS			
53	Cllr Sefaki (Samuel)	ANC 1	
54	Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
55	Cllr Mochachamise (Tshepiso Oudious)	ANC 3	
56	Cllr Supi (Mahoko Harold)	ANC 4	
57	Cllr Lecoko (Lehlohonolo Nathaniel)	ANC 5	
58	Cllr Moiloa (Tshidiso Petrus)	ANC 6	
59	Cllr Rampai (Chabeli Frank)	ANC 7	
60	Cllr Nyaphudi (Likeleli Julia)	ANC 8	
61	Cllr Tlhakung (Betty Masetlhabi)	ANC 9	
62	Cllr Setlai (Teboho Lesley)	ANC 10	
63	Cllr Mosala (Motlhokung Theodorah)	ANC 11	
64	Cllr Hashatsi (Rafedile)	ANC 12	
65	Cllr Siteo (Nombulelo Dorcas)	ANC 13	
66	Cllr Lekgetho (Lebogang Winston)	ANC 14	

67	Cllr Mohibidu (Pulane Martha)	ANC 15	
68	Cllr Kruger (Caprice Logan)	ANC 16	
69	Cllr Mohatle (Mampone Sally)	ANC 17	
70	Cllr McKay (David Mark Campbell)	ANC 18	
71	Cllr Peter (Seth Qondile)	ANC 19	
72	Cllr Pretorius (Werner)	DA 20	
73	Cllr Lotriet (Pieter Adam)	DA 21	
74	Cllr Leech (Dulandi)	DA 22	Absent with apology
75	Cllr van der Walt (Tjaart Botha)	DA 23	Absent with apology
76	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	
77	Cllr Botes (Francois Rossouw)	DA 25	
78	Cllr van Niekerk (Hendrik Johannes Christiaan)	DA 26	
79	Cllr Banyane (Zachous Nechodemus)	ANC 27	
80	Cllr Tukula (Teboho Daniel)	ANC 30	
81	Cllr Mabena (Mere Joel)	ANC 31	
82	Cllr Menyatso (Thabang Victory)	ANC 32	
83	Cllr Mohono (Tshidiso Augustine)	ANC 33	
84	Cllr Tshwane (Kabi Daniel)	ANC 34	
85	Cllr Fantisi (Teboho Samuel)	ANC 35	
86	Cllr Makoloane (Itumeleng Justice)	ANC 36	
87	Cllr Ramolele (Mmota Simon)	ANC 37	
88	Cllr Matsoso (Molahloane Florenciah)	ANC 38	
89	Cllr Mogotloane (Thabo Joel)	ANC 39	
90	Cllr Pholoholo (Ntebaleng Petunia)	ANC 40	

91	Cllr Dintlhwane (Mantja Agnes)	ANC 41	
92	Cllr Mothupi (Maqoma Lazarus)	ANC 42	
93	Cllr Nkiane (Mpho Elizabeth)	ANC 43	
94	Cllr Pretorius (Selmé)	DA 44	
95	Cllr Mathe (Lisiwe Jeanette)	ANC 45	
96	Cllr Majoro (Mpho Samuel)	ANC 46	
97	Cllr Kganakga (Mokgadi)	DA 47	Absent with apology
98	Cllr Pretorius (Johannes Christiaan)	DA 48	
99	Cllr Moqolo (Lehlohonolo Joseph)	ANC 49	
100	Cllr Lelala (Makoa Cristophel)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

OFFICIALS PRESENT:

Exco Representatives

1. Mr T Mkaza Lead
2. Mr LX Ntoyi
3. Mr T Mawonga

Head of Departments MMM/CENTLEC

- | | | |
|----|-------------------------------------|-----------------|
| 1 | ACTING CITY MANAGER | Mr S More |
| 2 | CHIEF FINANCIAL OFFICER | Mr SE Mofokeng |
| 3 | HOD: ENGINEERING SERVICES | Mr M Ndlovu |
| 4 | HOD: HUMAN SETTLEMENT | Ms J Phaladi |
| 5 | HOD: SOCIAL SERVICES | Mr M Nkungwana |
| 6 | HOD: CORPORATE SERVICES | Mr D Nkaiseng |
| 7 | HOD: ECONOMIC AND RURAL DEVELOPMENT | Mr T Maine |
| 8 | CHIEF METRO POLICE | Mr I Kgamanyane |
| 9 | CENTLEC: CHIEF EXECUTIVE OFFICER | Mr M Sekoboto |
| 10 | GM: COMMITTEE SERVICES | Mr M Mothekhe |

Note by Secretariat

1. **Attendance Register:** Every member attending a meeting shall sign his/her name in the attendance register kept for this purpose before the commencement of the meeting.
2. **Leave Register:** In order to streamline administrative processes Councillors are friendly requested to submit applications for leave of absence in the appropriate register kept for this purpose. Members are requested to fill in this register 12 hours before the commencement of the meeting (Rule 22.2) (Yellow Form).
3. **Name-plates:** Councillors are friendly requested to please take along their name-plates and to display it throughout the meeting.
4. **Apologies during the course of the Council meeting:** Councillors are friendly requested to complete in full and submit the relevant apology form for this purpose (Yellow Form).
5. **Code of Conduct:** Councillors are reminded of item 3, Schedule 1 of the Code of Conduct for Councillors which reads as follows, namely:

Attendance at Meetings: A councillor must attend each meeting of the municipal council and of a committee of which that councillor is a member, except when:

- (a) leave of absence is granted in terms of an applicable law or as determined by the rules and orders of the council or
- (b) that councillor is required in terms of this Code to withdraw from the meeting.

6. **Meeting rules:**
 - i. All Councillors must arrive at **least 15 minutes before the commencement** of the Council and all other Committee meetings;
 - ii. Cellular phones **must be in silent mode** and **speaking on a cellular phone during the meeting is prohibited**; (Rule 50.2a)
 - iii. A Councillor who speaks must **confine his or her speech strictly to the matter under discussion**; (Rule 31)
 - iv. Unless expressly otherwise determined, a Councillor **may speak only once on a matter**; (Rule 32)
 - v. No speech shall exceed **five (5) minutes** in length without the consent of the Speaker. (Rule 34.1)
 - vi. Council members are reminded to uphold high level of good conduct during Council proceedings (No disruptions, no interruptions, no howling, no swearing to other Council members, less movement in the Chamber, no abuse of the PA system).

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**MINUTES
(OPEN COUNCIL)**

22.

OPENING

The commenced at 10h05.

The Speaker, Councillor SB Lockman, officially declared the meeting officially opened and welcomed everyone present.

NOTED.

23.

NOTICE OF THE MEETING

The Speaker read the notice as on page 2 of the agenda.

Councillor ME Dennis mentioned that if the meeting was special then items 27 and 28 as outlined on the index should be removed.

The Speaker explained that if the meeting was continuation of the inaugural meeting, it should have been within seven (7) days and that she was going to remove those two items when dealing with item 25: acceptance of the agenda.

NOTED.

24.

APPLICATIONS FOR LEAVE OF ABSENCE

All relevant leave of absence and apologies were recorded and minuted as such in the attendance list on the first pages of the minutes.

NOTED.

25.

ACCEPTANCE OF THE AGENDA

Note by Secretariat: Due to poor audio recording under this item, Councillors' speeches are not recorded verbatim.

Speaker confirmed that items 27 and 28 are removed from the agenda.

Councillor GDP Kotze requested that Council should pay attention to items that must serve in Council. He then referred to a letter from the National Treasury regarding the Metro Police that all activities associated with the Metro Police Service must stop with immediate effect and that disciplinary procedure with regards to all people involved should be initiated.

On a point of order Councillor MA Morake requested the Speaker that Councillor GDP Kotze should only deal with items on the agenda and that he knew the procedure to follow include an item in the agenda.

The Speaker requested that Councillors only deal with items in the agenda and put all those issues in abeyance and dealt with at the next meeting.

Councillor GDP Kotze responded on why the issues should be addressed and included in the agenda.

Councillor LM Titi-Odili raised a point of order and requested that the Speaker continue with agenda as is.

The Speaker reiterated that they only deal with acceptance of the agenda.

Councillor GDP Kotze stated that their media statement will be released after the meeting and the Speaker can answer the questions from the media.

The Speaker thereon called Councillor GDP Kotze to order. She then requested for a seconder for acceptance of the agenda taking into account the issues raised by Councillor ME Dennis.

Councillor VE Jonas-Malephane seconded the acceptance of the agenda.

The Council accepted the agenda with amendment as the official business of the Council meeting.

NOTED.

26.

ANNOUNCEMENTS

The Speaker read the first announcement as outlined on page 6 of the agenda.

In terms of the second announcement on the same page, the Speaker stated that a program from SALGA has been circulated to Councillors about a training scheduled from the 2nd of January 2022 with full and concise program which would be for four days and therefore encourage Councillors to attend so that they were on power with policy matters .

Councillor FR Botes commented: "Thank you, Madam Speaker. This announcement will benefit the residents of Mangaung. We as the residents of Mangaung are not sure if the water in Mangaung over the festive time will be enough. For the last 16 years ..."

The Speaker interjected and called Councillor FR Botes to order as it sounded like he was talking about water issues and whether Councillor FR Botes had an announcement.

Councillor FR Botes replied: “Madam Speaker through you, can I then ask the Executive Mayor to intervene in the prices of water over the festive time and for the future because we cannot tolerate...”

The Speaker again called Councillor FR Botes to order. She then asked what was happening in Council and requested the returning Councillors not to make it difficult as they know better and expected such from new Councillors as they might not know processes and procedures of Council.

Councillor M Davies remarked: “Madam Speaker I just want to verify, in this announcement (Ward Committee) it is said that the Ward Councillors will be engage on the election of Ward Committees, but if you look at the procedure manual on the election of Ward Committees, it clearly state that Ward and PR Councillors must be made part of the process. All that I want to ask is that you please also engage with PR Councillors in the process.”

The Speaker indicated that the announcement had been shared with Councillors via other platform however she would ensure that Secretariat include PR Councillors as well.

In addressing the issue raised by Councillor JC Pretorius with regards to covid-19 protocols, she instructed that the microphones be sanitised as it moves from one Councillor to the other.

Councillor JE Sebolao remarked: “Madam Speaker, I have a problem with audio here, it is not clear. We cannot hear properly. We are struggling to hear.

Secondly, I expected you Madam Speaker on your announcement that you will speak about the allege incident that happen last week here in the building of the Municipality when a Councillor was assaulted. I don't know why are you not saying anything about that because as Councillors irrespective of our political affiliation we are not safe and we need to come here with assurance that we are safe. We cannot just come here the next thing you find yourself laying in hospital. It is unacceptable, I want you to address that before we do anything. Let us talk about that incident that happened last week to one of our Councillors. Thank you, Madam Speaker.”

The Speaker responded: “Thank you Councillors. I don't think...to keep us safe and that is what we will do. If we find any of the people who were in the building last week, we will take interdict measures because we cannot be placed at risk. You were right when you said we need to be safe and what has happened to one of the Councillors last week, we totally condemn it to the highest form. So, what I have done in a week, before this meeting, I made sure that all safety measures are put in place. I want to put your mind at ease, I don't think we need to discuss it. I don't think is the item that needs discussion but maybe it requires me to give you an assurance that we have observed all safety protocols here and SAPS, Law Enforcement and Protection Unit are on standby.”

NOTED.

Note by Secretariat: Due to poor sound, the audio presentation of the Executive Mayor was poorly recorded.

The Executive Mayor presented his items and pointed out the following:

- He would ensure that they plan together, involving all parties.
- Within few days after appointment, they met with different political parties, and we discussed issues affecting residents of Mangaung
- For the next 100 days in office, that they would join hands together in ensuring that the lives of residents of Mangaung are changed.
- He was happy to present the items for discussion.

The Council Whip requested a 10 minutes ANC caucus before Councillors draw items for discussion and prior discussing item 27.4.

The Speaker indicated that it was noted and she will allow the 10 minutes ANC caucus when they reach the item and thereon allowed Councillors to draw items for discussion.

Councillor JE Sebolao requested the Speaker to allow the 10 minutes ANC caucus prior to drawing items because the ANC might withdraw an item that was drawn.

The Speaker responded that she would not allow dialogue as she heard the request of Council Whip and it would be allowed on the item.

After drawing of items, the Speaker thereon allowed the 10 minutes ANC caucus. After the caucus, the Council Whip provided feedback as follows: “Thank you, Honourable Madam Speaker. On item 27.4 like we requested caucus of 10 minutes , the feedback are like this: on this item there are four (4) recommendations:

- That the Council approves the report – (a)
- We propose that (d) be removed and would be left with (a), (b) and (c)
- On (b) we are saying on Council to consider the extension of the acting of Mr Sello More from November 1, 2021 until January 31, 2022. As the caucus of the ANC we are saying Mr Sello More must then be replaced by somebody else. The recommendation says Council consider the extension of Mr Sello More, we are therefore proposing subjected to approval by Council ...”

On a point of order, Councillor Pretorius JC commented that the Council was not yet on the item and the proposal can only be raised when dealing with the item.

The Speaker explained that the Council Whip was giving the feedback as they asked for caucus as they should have the decision and proposal already done. The Speaker thereon allowed the Council Whip to finish giving feedback to Council.

Council Whip continued: “(c) must remain as is and (d) be removed and that is our proposal Chairperson.”

NOTED.

1.

MANGAUNG METROPOLITAN MUNICIPALITY HANDOVER REPORT 2017 – 2022

The Speaker allowed Councillors who drawn the item to speak and emphasised that the Councillors' were limited to 5 minutes speaking time and stick to the item so that Council can have resolutions that should be implemented and thereon monitored.

Councillor PA Lotriet addressed the Council: “Thank you, Honourable Speaker. As a Council we are not starting on a good footing. I particularly request the residents of Mangaung to work through these reports with a magnifying glass. I know the residents will want to ask a lot of questions on these reports. Perhaps the residents will appreciate what we as opposition have to deal with.

These reports are testament to the dire situation of this Municipality. Everyone, including the opposition parties will have to lift their game substantially to assist in turning the Metro Municipality around. It is not the structure that fails residents, it is those in the structure that fails the residents.

The IDP is not implemented and projects are simply moved to the next year. This is evident by evaluating what was taken up in the IDP and which projects actually were budgeted for and implemented. This is making a mockery of consultation and respect for the needs of the community.

The MTREF budget and performance assessment paints the picture of financial ruin due to non-collection of debt especially from Government Departments and the underspending or reallocation of funds are evident by the deteriorating infrastructure and service deliver collapse.

The 2019/2020 Annual Report is another grim reminder that Mangaung is incapable of self-correcting. Every year we receive the same recommendations from the Auditor General to get our ducks in a row. It is simply not happening. We in the DA are not going to live with this, believe us. Thank you, Honourable Speaker.”

Councillor LM Titi-Odili addressed the Council: “Thank you, honourable Speaker. I think the item is written for noting. We are the new Council after tabling our budget in the last Council and now this is a handover report. These items are the items that we approved at the previous Council. Now, the new Councillors must take up where we are with budget that we had approved as Council. I think this is the right day for the hand over report to be tabled in this Council for noting to know the status of the institution. I support the item as is. Thank you, Honourable Speaker.”

Councillor VB De Kock addressed the Council: “Honourable Speaker and members of Council we hereby note the report with its annexures. While going through the report, I could not but wonder if the compilers of these reports did not feel a bit ashamed to put in on paper all the targets that were not reached, all the short comings and the lack of financial management.

A municipality must structure and manage its administration, budgeting, planning processes to give priority to the basic needs of the communities. On sanitation and bulk infrastructure only 4 of the 13 treatment plants are in good working conditions, 5 in fair condition and the other 4 are in poor condition.

7B

One of them, the Dewetsdorp Treatment Plant is not at all operation. Dewetsdorp resides more than 5000 residents/households with non-operational waste water treatment plant. How is the Mangaung Metro Municipality giving priority to the basic needs of these residents. Was the incorporation of district such as Naledi into the Metro in the best interest of the ratepaying residents?

The IDP doesn't make specific provisions for upgrading or repairs to infrastructure such as water and sewer in the Naledi District. We all know at least one of the District towns more than frequently doesn't have water. Yearly conditional grants are utilised for anything but the purpose it was intended for.

Debt due to the Metro is not recovered. In some instances large debtors made payments to the Metro in May this year, with that in mind, we should note that service delivery targets cannot be reached due to shortage of equipment, tools of trade, and lack of maintenance and repairs to machinery.

The Traffic Department show a very small income for this period but traffic officials feel offended because they did not receive their overtime payments. On the other hand, if the Metro supplied them with tools of trade such as fine books, the balance sheet might look better. Maybe the Metro should put structures and procedures in place to prosecute traffic offenders. At least we should note and be grateful for the completion of three kilometers fencing of the two landfill sites. In summary can we conclude that financial management, competent staff and a will to serve with conscious should be the focus of this Council. Thank you, Honourable Speaker."

Councillor CF Rampai addressed the Council: "Thank you Madam Speaker. Although this item is for noting let me congratulate the Executive Mayor for bringing the item today. As raw as it might be it shows character and the willingness to serve our people. not a good reflection, we agree with that. It shows how the Executive Mayor has been spending his 100 days.

As the ANC, we would like to appeal to all members of the opposition to digest the report and make use of it. Let us rise beyond party political lines and serve our people. Today, we are heeding the call made by the National Treasury to give a handover report to the new Council. This show our keenness interest to do better. Yes it might not be on a good start, Councillor PA Lotriet but if we work together, we can do more.

Councillor VB De Kock, we are aware of the shortcomings of the handover report, but we are appealing to all of you lets start afresh and build this Mangaung Metro. Let us forget about the shortcomings of the report , but lets think how much more can we do for our people. We are not happy as the ANC, with the way our people are living, we are not happy with conditions of our people, maybe where you are staying might look better, but go to the location, it is really bad and that kills us inside. So we appeal to all opposition parties, let us work together and do more for our people. Thank you, Madam Speaker."

Councillor JI Mokoena addressed the Council: "Thank you Honourable Speaker. When I read the report, I felt very alarmed and got into a panic mode, but then along the way something inside of me began to speak to say if you are in a panic mode...(inaudible – poor audio connection) to make sure the people of Mangaung have a better future.

The report has a lot of factual information that I appreciate from the Executive Mayor's office for complying with, might be statutory requirement, but at the same time for us as new Councillors to be of fair with the status quo on what we are facing. What is faced in this Municipality is not by the Executive Mayor alone, nor administration alone, it is by Council of Mangaung and that Council in terms of the law or the Municipality, it is this august house of 101 Councillors elected and the community out there. I have assurance that the community out there is looking forward to how this place can be turned around.

However, Honourable Speaker, one of the issues I thought about this report, it is not only for noting but also for Council to appreciate the challenges before them. It is to be able to see how short this Municipality has come and how further we need to go to be able to bring services and fix the mess in the City.

We have committed ourselves as AASD to be positive players in the name of progress for our people and that is why we would like to recommend an additional ...I don't know how you would normally deal with this report, it is said its for noting, but it contains so much information that needs to assist this Council to see what the Metro looks like and so for purposes of evaluation ...(inaudible – poor audio connection) and so I would like to see an additional resolution or recommendation that says either through the different committees of Council this report must be taken and in the coming six (6) months it must form part of the evaluation of the status quo of the Municipality.

This report Honourable Speaker has a shortcoming speak, It doesn't seem to be including the Financial Recovery Plan since it was under administration in 2019 in essence we don't know how that has pend out, whether there had been progress thereof. The second part I see as shortcoming, it doesn't include the letter from National Treasury, a very important letter to this Council and it is now two (2) months down the line since that letter. This Council needs to know what has happen to that and what actions had been taken in compliance to that because at the end of the day, it is this Council that remains accountable in terms of that letter of National Treasury. Looking at this, Honourable Speaker, that letter is very horrible letter for takeover of the current Council because processing forward, it is us who are responsible and accountable for that. To that extent, I would like to say thank you Honourable Speaker and I recommend that this report be distributed to different committees of Council and this Council must get to business of fixing the mess that is in this report. Thank you, Honourable Speaker.”

Councillor JE Sebolao addressed the Council: “Thank you, Honourable Speaker. With regard to the report as it is, we as the EFF have a serious challenge with that, we discovered that there are a number of things that are not noted in the report , it is our which that this report before we accept it, we must take it back, I don't know to committees but we must take it back, and relook because in that report Mangaung Municipality is under administration and it is quiet on administration that we are under. I would also suggest that we ask the Speaker and entire Council to refer the item back to the relevant stakeholder to attend to it. Thank you, Madam Speaker.”

The Speaker summarised that there was a proposal by Councillor JI Mokoena that the report be referred to Committees and letter from National Treasury be included.

No Councillor supported the additions as proposed by Councillor JI Mokoena as well as the referral back of the item by Councillor JE Sebolao.

Councillor E Snyman van Deventer requested clarity on voting as none of the Councillors did vote for, against and therefore all Councillors abstained from voting because the ANC only indicated that they supported the item as is.

Council Whip requested that the matter be put on vote and Councillor JC Pretorius also stated that in terms of the Rules the Council should vote by show of hands. Councillor JE Sebolao agreed that it be put on vote.

Council Whip indicated that the report was for noting and therefore they need not necessarily vote and they as the African National Congress noted it.

Councillor LM Titi-Odili also indicated that the item was for noting and it was clear on Standing Rules and Orders that items for noting were not voted for as the item was not for consideration and approval.

Councillor JC Pretorius referred to Rule 13 of Standing Rules and Orders that all matters will be decided by majority in the meeting.

The Speaker thereon allowed voting and announced the results. It was thereupon with 48 votes in favour, 12 votes against and 27 abstained

RESOLVED that the Mangaung Metropolitan Municipality's Council note the Hand-over report with the following annexures:

- (a) The revised 2021/2022 Integrated Development Plan,
- (b) The adopted 2021/22 MTREF budget,
- (c) The mid-year budget and performance assessment report for 2020/21, and the latest monthly financial statement, and,
- (d) The 2019/2020 Annual Report of the City

2.

MUNICIPAL FINANCE MANAGEMENT ACT (MFMA): PRELIMINARY BUDGET AND PERFORMANCE ASSESSMENT REPORT IN TERMS OF THE MFMA, SECTION 52(d), FOR THE QUARTER ENDED 30 SEPTEMBER 2021

Councillor ME Dennis addressed the Council: "Thank you, Madam Speaker. My first question is why is this a preliminary report? And second question why is it late?"

More questions:

- Page 5 - Service charges on fines: The percentage is -41% why were there no fines issued by the Traffic Department? Thus, no income for the cash strapped Municipality?
- Page 7 - On overtime: When is Mangaung ever going to get this issue under control? This reflects on the report as an unauthorised expenditure.
- Page 12 - Grants: Why was there an underspending of 15,7% on grants. Are you aware of the fact that not using allocated grants can lead to National Treasury reducing the amount for the next financial year?
- Page 14 - Projects: Why did Mangaung Metro only spent 11,47% of the budgets on projects? It should be 25% by now, for the first quarter of this year.

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- Page 15 - Outstanding debtors: Do you realize Madam Speaker, that the figures has risen an astronomical R606 million over the last six months? In other words, more that R100 million per month!
- Page 17 - Government and Domestic debts: What is the plan of action to get government to start paying its accounts. The debt has risen with an enormous amount of R86 million over the last six months to R181,1 million. Domestic debt grew with R620 million since March 2021. Why is it indicated in the report that MMM's recovery rate is 85% while it barely reached 73%?
- Page 20 - Cash flow: Are you and this Council aware of the fact that the cash flow decreased from R125,3 million in June to only R47,5 million end of this quarter, September 2021?
- Page 23 - Financial Ratios: Is Council aware of the fact that MMM is not able to pay its current or short-term obligations for this month? This is scary!
- Page 23 - Repairs and maintenance: Why is only 0.53%, half a percentage spent on repairs and maintenance while MMM's sewerage and water infrastructure is in such a bad condition? It has a very negative reflection on service delivery. On page 58 also on repairs and maintenance the report shows that 81,3% was spent on furniture and only a miserly 6,3% on water supply infrastructure?
- Page 53 - Monthly budget statement: Councillor and Staff benefits: Can Councillors and staff members be sure that MMM is paying pension fund and medical aid contributions on their behalf, since the report shows between 2% and 4% in different departments? It is also scary.
- Page 60 Why again an enormous amount of R372,1 million budgeted for an unlawful Metro Police Service?

I still have many more questions but I won't bother you with that today. Thank you, Madam Speaker."

Councillor B Vorster addressed the Council: "Thank you, Honourable Speaker. As the report is for noting, the answers are requested, namely:

Page 17: Relating to debtors by customer group

- 17.09% of outstanding debt is owed by businesses
- 25.05% is outstanding debt is owed by government to this Municipality

The two combined give a total of 42.14% of debt.

Questions:

1. What was done up until September 30, 2021 to collect, this outstanding debt especially with reference to business and government?
2. Is there any dialogue between the Municipality and government with regards to repayment or any repayment plan with regard to, up until the quarter of the outstanding debt of this Municipality?
3. More importantly, what will the new administration do to fast track the collection of these outstanding debts

Page 17: the chart shows 35.49% of outstanding debt is with regard to outstanding water accounts. Is that not one of the biggest factor that the City cannot pay water supplier, namely Bloemwater? This is one of the issues that this Council and the Executive have to give priority to.

On page 7 in the report, there is already overspending on overtime payment to date in the amount of just over R21 million. The Freedom Front Plus warned this Council on numerous previous occasions that this was a problem and it had to be addressed.

Questions:

1. Why is this unauthorised expense on overtime allowed and the reason thereof?
2. Why is overtime paid to the Metro Police, that only started to operate or should have been operating in the amount of R4.8 million? R 3.8 million over the year to date budget?
3. What will the new administration and the Council going to do about that?

The Freedom Front Plus therefore request that a full audit be concluded regarding salaries and workforce of the Municipality so that these kind of problems won't repeat in future.

Page 61 (Annexure D): Salary per vote

- The projected salaries of Social Services, Engineering Service, Water, Waste and Fleet Management and Metro Police will amount to more than the approved budget.

Questions:

1. Where will the funds come from if these projections are correct?
2. What will the new administration put in place to keep these salaries within the approved budget?

Lastly Honourable Speaker, this report overall does not indicate to good start to the financial year. Shouldn't the annual financial statements of 2020/2021 already be finalised by August 2021? Thank you, Madam Speaker."

Councillor JE Sebolao addressed the Council and further stated as follows: "Honourable Speaker, it is pleasing to know that in this coming year's budget, we would not have the 'cash cow', known as Metro Police which some wanted to so badly to implement.

Firstly, it was alleged that there were erroneous inputs in the books of Centlec, what is the status of the adverse electricity variance of R500 million and the depreciation?

Secondly, I just want to make a brief comment accompanied by few questions on the execution of the budget votes. The EFF would like to share this information regarding the revenue aspect and noted the following:

- a. Vote 5 – item of parks development and an audited 57% of the amount budgeted in the 2021 – as we speak it is the resident who took it upon himself to built a park in the township of Mangaung behind Home Affairs building because of the need in the area.
- b. Vote 6 – Planning – what is the reason for the big variance in Urban Planning and Enforcement Division which was not used in the previous years of assessment?
- c. Vote 7 – what is the status of the sub economic letting scheme 1, 2 and 3? What is the reason for the major deviation in property rental and disposal?
- d. Vote 8 – covid-19 and the lockdown had an adverse effect on our daily lives and economic living.

Madam Speaker, on expenditure, we want to check the following items as the EFF:

1. What is the main reason for the variance in the administrative cost for the votes 2, 4, 5, 8 and 11 for the year 2020 and 2021?
2. Vote 3 for Corporate Services – what is reasons for the variance in the payroll management now effected. The Committees in the Municipality do not sit even though here it is reflected that Committees' service were scheduled to increase, why is that?

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3. There are figures that relates to refurbishment of the Bloemfontein Zoo yet there is no reflection of it as a capital asset. What is the status quo of the Zoo?
4. What is the status quo of refurbishment of Gabriel Dichabe where an amount of R9.3 million was allocated?
5. What is the status and progress of Klipfontein Farm that was allocated land surveying and township establishment funds that are worth R3 million?

We are proposing and requesting that moving forward we make use of our Committees and they should fulfil our oversight roles. It is better to compare some of these figures with the actual work that they were supposed to do. I thank you, Madam Speaker.”

Councillor LM Titi-Odili indicated that as the ANC they supported the item of which the budget was approved in June 2021 and implemented in July 2021 and that some of the questions will be answered via Rule 38.

The Speaker stated that as the Executive Mayor was not in the meeting, the responses will be in writing.

Councillor MA Morake addressed the Council and further stated that he supported the item as submitted.

The Speaker stated that they would respond in writing. After she announced the voting results it was thereupon with 47 votes in favour, 5 votes against and 34 abstained

RESOLVED

That, in compliance with Section 52(d) of the MFMA

4. The Accounting Officer submits to the Executive Mayor this statement reflecting the implementation of the budget and the financial state of affairs of the municipality for the quarter ending 30 September 2021 and,
5. The Executive Mayor of the municipality must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality and,
6. In order to comply with Section 71(4) of the MFMA, the Accounting Officer ensure that this statement be submitted to National Treasury and the Provincial Treasury, in both a signed document format and in electronic format.
7. That Council takes note that this is preliminary financial information, final Section 52 Report will be submitted after finalization of the 2020/21 Annual Financial Statements.

3.

REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER ENDING SEPTEMBER 2021

Councillor JI Mokoena said to his colleagues that sometimes when things had been good, they should not be denied and encouraged them to walk the talk when they stated that they wanted cooperation in interest of the people of Mangaung. He stated that in the report, there were a lot of supply requests bids that closed around September, October and other were for a period of three years. That, Council had just dealt with the MFMA report in terms of Section 52d for quarter ended September 2021 as well as the handover report, which covered issues related to revenue and expenditure and in those reports, the expenditure seemed to be in line with what had been budgeted for, however the revenue was almost 20% - 30% less than expected. He furthermore indicated that, seeing that the Municipality was under administration, it would be in the interest of Councillors who took an oath, who would therefore want to know the status of the Financial Recovery Plan.

He therefore implore on the Executive Mayor and the administration to look at the Supply Chain Management requests and where feasible ensure that those that could be awarded for one year period be done as such and not 3 years as it tied and committed the new Council into long term contracts and thus making Council complicit and liable for decisions of things made in the past which might get the Municipality into further financial distress.

Councillor FR Botes asked clarity seeking questions as follows:

1. Page 8 of annexure, number 4, 6, 7 and 9 – all linked to Metro Police Service – that an amount of R122 790.00 was spent on branding, gifts, catering and decorating, wouldn't this amount end up as fruitless expenditure as all know about the illegal establishment of the Metro Police Service?
2. Page 27 – the fuel deviation specifically for the months of August and September 2021 was R2 150 000 and the reason given was that it was due to shortage of fuel during covid-19 lockdown, what about the month of September as the report covered until end September 2021?

Councillor LM Titi-Odili after deliberating on the item, stated that the ANC supported the report as is.

Councillor M Wewege addressed the Council as follows: "Madam Speaker although this item is only for noting. The Freedom Front Plus has a number of questions regarding the Supply Chain since there are very little to no information in this report.

Starting point 7, page 10: emergency open order – welding works needed on emergency basis for R 100 000, no further information. Can it please be clarified where and on what welding of a R100 000 was needed?

Page 11, point 11: this is interesting: plumbing works: housing scheme and old age homes: Omega, Alpha, Bloemhof Flats and Stillerus for R440 102, 15 as I know from personal experience none of these old age home's plumbing is in order as I get monthly more than five complaints from each of them. There are also no sign of plumbing works being done, so for when it is scheduled? When and where and what type of plumbing works were done at these homes?

Point 17. On page 11: welding works – supply, delivery and erection of steel configured containers for the amount of R779 731, 09 with no further information. Steel configured containers, where and for what purpose?

And so, we can continue, but I have to conclude with a few more ridiculous examples from this report.

1. Corporate gifts for the launch of Metro Police, total unit price R111, 18 with the available budget of R1 million.
2. Catering for launch of Metro Police, total unit price R117, 90 with the available budget of R 1 million
3. Decorating items for launch of Metro Police, total unit price R71 714, 50 with the available budget of R1 million.

Is this not fruitless and wasteful expenditure?

These are all examples of how the Mangaung Metro has no regards for loyal taxpayers money that may end up as wasteful expenditure. Our Metro residents deserve that their hard earned money go to service delivery and into improving the community they work and stay in.

As stated numerous times in the past by Freedom Front Plus, how are we supposed to fulfil Council's oversight role if the report on tenders contains not nearly enough information? How can the recommendation be that Council take note of this report, if this is the only information we receive? I thank you, Madam Speaker.”

Council Whip started reflecting on the process of reporting the performance of the Supply Chain Management. He appreciated that the process was fair and transparent and further commented the Executive Mayor for tabling this report to Council. That some of the projects listed in the report emanated from short-term, to medium term (3 years) it was important to note that in the event of misstatement on the report, both MPAC and office of the Auditor General will be in a position to identify such inadequacies.

After the Speaker announced the results, it was thereupon with 49 votes in favour, 39 votes against and 0 abstained

RESOLVED that Council take note of the Supply Chain Management report for the first quarter ending September 2021.

4.

SECTION 56 MANAGERS: RECRUITMENT AND SELECTION REPORT: VACANT POST OF THE MUNICIPAL MANAGER

Councillor GDP Kotze addressed the Council: “Thank you, Madam Speaker. The Democratic Alliance approve the report and we concur that this Metro Municipality needs competent City Manager because the pervious appointment by the ANC ended in a total disaster. On the 22nd of November the Executive Mayor said that he undertook to be a good Executive Mayor for all the residents of the Metro regardless of which political party they voted for...”

The Speaker interjected to indicate that there were officials present including the official referred to on the item and therefore allow them to leave the meeting so as to discuss the item In Committee and all social media platforms be disconnected.

In response Councillor GDP Kotze indicated that normally officials would leave if the item was within Council and that this was the Executive Mayor's report that served, and none of the members would be named within the report and therefore they were welcomed to stay.

On a point of order, Councillor JC Pretorius remarked: "Madam Speaker, this item is not in Committee. We are not discussing officials personal details. This is for Council to decide and to approve that this post must be advertised. So there is no reason for them to leave and this must be open to the public. Thank you, Madam Speaker."

The Speaker responded: "You know why Councillors, before we spoke about items drawn, the ANC made a presentation that they do not agree with the recommendation as is, they then proposed that the current Acting City Manager be replaced and that is why we would now not allowed it for debate because we don't know who would be in here. The current Acting City Manager's name had already been mentioned after the ANC Whip made a presentation about their discussions. Remember, we then decided we would go from 1 to as per the agenda. However, because the ANC has already opened it like that, I would not know who of the officials sitting here would be named.

So, just for protection and the credibility of the process, they had already walked out even before I announced it. So if they are not prejudiced by it and there is no reason for us to continue, I propose that we continue with them not being present because we do not know what the debates will lead to. Remember the first three Councillors might not have any name or any issue with the item and then you look at the last two might have and then we have already discussed it. I want us to proceed like that Councillors."

Councillor JC Pretorius requested a 10 minutes caucus for opposition.

Councillor E Snyman van Deventer remarked: "If you say there might be a proposal for the Acting City Manager from the ANC, I will propose that they speak before the rest of the Councillors because after they spoken on their preferred candidate who might be casper the friendly ghost for all we know, we have no input in that and we can just vote. I will recommend that you let the ANC speak before the rest of the opposition. Thank you, Madam speaker."

The Speaker granted the opposition a 10 minutes caucus. After the caucus, Councillor JC Pretorius asked the Speaker whether did she rethink her decision to continue with In Committee?

The Speaker responded: "Councillor let us proceed as In Committee because were already sentiments raised by the ANC which might include names. So I am just catering for what could and could not be. If there are no names it is fine, I do not think it would be any prejudice to have it this way. I am not sure why the insistence for the officials being present."

Councillor JC Pretorius indicated that unfortunately the items must be discussed in the public as it was a very important item on the agenda and it was clear that the ANC wanted to change a lot of things on the item and as opposition, they cannot condone that and thus walking out resulting the meeting not to quorate and that meant the Speaker had to close the meeting.

The opposition parties, namely: the DA, EFF, FFPlus, AASD, ACDP walked out of Council meeting from 12h49.

The Speaker thereon stated that Councillor can walkout however they should not disturb the house as she need to confirm if Councillors present were quorating or not.

Prior continuation of the meeting, the Speaker allowed Secretariat Unit to count and confirm the numbers of Councillors. The Speaker then reported as follows:

ANC – 46

Opposition – 4

The Speaker asked whether the two Councillors who walked in were counted and thereafter requested Secretariat Unit to reconfirm the numbers. The Speaker reported that ANC – 48

Opposition – 4

And that they were a quorum of 52 (50% + 1) in the Council and could therefore proceed with the meeting. Then if the Speaker is included, the total was 53 Councillors.

Note by Secretariat: Detailed minutes under this under are captured separately, as the item was discussed In Committee and only the resolution captured.

After voting, it was thereupon, unanimously

RESOLVED that

- (a) Council approves the report
- (b) Council approves the extension of the acting of Mr Sello More from November 1, 2021 until January 31, 2022.
- (c) Council approves that the position of the City Manager should be advertised in line with the provisions of both the Local Government Municipal Systems Act,32 of 2000 as well as the Local Government; Regulations of appointment and Conditions of Employment of Senior Managers (2014) and
- (d) Council approves that the process of recruitment be dealt with internally.

5.

REQUEST FOR APPROVAL TO ACQUIRE LAND FOR INFORMAL SETTLEMENTS TO BE RELOCATED

The Council Whip , remarked as follows: “Honourable Speaker, on the item, we support the item, but with amendments on it. We agree that the Municipality should source the land however, all due process must await the correctly constituted Mayoral Committee so that the Member of the Mayoral Committee: Human Settlement could process this matter correctly.

We also propose that the...as much as there was valuation conducted, when the assessment was done; perhaps when everything is constituted and Committees are there, the land be reassessed again and therefore the Municipality can buy, but we agree that the item should go. Thank you, Honourable Speaker.”

The Speaker then announce the voting results in terms of the amendments as proposed by the Council Whip , she thereafter adjourned the meeting for 5 minutes for a comfort break prior to commencing with items of the Speaker.

After voting, it was thereupon unanimously

RESOLVED

- (a) that the item be kept in abeyance to allow processing by the relevant Section 80 Committee as well as Mayoral Committee to properly advice the Council and
- (b) that the properties be reassessed/ revaluated.

28	REPORTS OF THE SPEAKER
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28.1.

THE MAYORAL COMMITTEE AND WARD PARTICIPATORY SYSTEM

The item was not drawn for discussion.

RESOLVED that the Metropolitan Council re-affirm the Mayoral Committee System combined with the Ward participatory system.

28.2.

DESIGNATION OF MANGAUNG METRO OFFICE BEARERS AS FULL-TIME COUNCILLORS

The item was not drawn for discussion.

RESOLVED

- a) That the Council designate the Speaker, Executive Mayor, Deputy Executive Mayor, Members of the Mayoral Committee, the Chairperson of Section 79 Committees as well as the Council Whip as full-time Councillors;

- b) That in order to maintain continuity and co-ordination, it is hereby proposed that the official working hours of full-time Councillors be the same as those of the administrative employees of the Council and
- c) That full-time Councillors not be allowed to conduct any form of employment other than that of the Council.

28.3.

ELECTION OF THE CHAIRPERSONS OF THE SECTION 79 COMMITTEES

The Deputy Executive Mayor nominate nominated Councillor MI Mokoakoa as a Chairperson of MPAC and she was seconded by Councillor MM Tladi. No other nominations were received.

For Chairperson of Public Places and Street Naming, Councillor LM Titi-Odili nominated Councillor PL Seleke and was seconded by Councillor MJ Matsoetlane with no other nominations.

Councillor NA Nhlapho was nominated as Chairperson for the Remunerations Committee by Councillor VE Jonas-Malephane and it was duly. No other nominations were received.

For the Chairperson of Rules Committee, Councillor TKW Mokgothu nominated Councillor MT Mosala and it was seconded however Councillor MT Mosala declined the nomination.

Thereafter, the Council Whip proposed that the election of the Chairperson for Rules Committee be kept in abeyance to allow consultative processes.

Councillor PL Seleke nominated Councillor CF Rampai and seconded by Councillor MI Mokoakoa.

Councillor MJ Matsoetlane seconded the proposal by the Council Whip .

The Speaker thereon explained that there were two proposals on the table and they would have to be voted on. She further asked the Council Whip how should this matter be dealt with seeing that the proposal came from the same party.

The Council Whip responded that the Speaker must ensure fairness however he was against subjecting the matter to vote and rather caucus as the ANC, but he humbly requested that it be put on hold for engagements.

For the Chairperson of Petition and Community Liaison, Councillor VE Jonas-Malephane nominated Councillor A Qai and was seconded by Councillor TKW Mokgothu.

The Speaker reiterated that as there were only three political parties, it would be advisable if the Chairperson of Rules Committee is left vacant as per the proposal of the Council Whip.

Councillor PL Seleke raised a concern that the Speaker never asked other Councillors who had been nominated for their for their availability and rather nominate Councillors who were willing as they were all there as Councillors of Mangaung Municipality and not of the ANC.

The Speaker stated that Councillor PL Seleke was right and she wanted to confirm availability after the nominations were seconded. She then asked all Councillors who were nominated whether they were available or not and all confirm their availability.

The Speaker requested to pause for a short break to allow the engage with the Council Whip.

After the short break, the Speaker allowed Councillors to vote for the four (4) chairpersons of Section 79 Committee excluding the Rules Committee Chairperson.

It was thereupon unanimously

RESOLVED

- (a) That the composition and terms of reference of the mentioned Section 79 Committees be noted.
- (b) That the Municipal Council elected Chairpersons of the mentioned Section 79 Committees amongst members of Council, namely:
 - i. Public Places and Street Naming: **Councillor Puseletso Leticia Seleke**
 - ii. Remunerations: **Councillor Ntombi Anna Nhlapo**
 - iii. Petitions and Community Liaison: **Councillor Alfred Qai**
 - iv. Municipal Public Account: **Councillor Mpho Isaac Mokoakoa**
- (c) That the Chairpersons of each Section 79 Committee be designated as a full time Councillor.
- (d) That the election for the Chairperson for Rules be kept in abeyance for further engagements.

28.4.

ADOPTION OF THE LANGUAGE POLICY AND PROMOTION OF MULTILINGUALISM WITHIN THE CITY

The item was not drawn for discussion.

RESOLVED

- a) That the Council endorse three official languages, Sesotho, Afrikaans and English;
- b) That Council endorse the two Administrative Language namely Setswana and isiXhosa;

- c) That the choosing and self-worth of each members language preference should be respected and
- d) That where practically possible, the Speaker should ensure that provision of simultaneous interpretation services is rendered during all Municipal Council proceedings.

28.5.

MANGAUNG METROPOLITAN MUNICIPAL COUNCIL STANDING RULES AND ORDERS

The item was not drawn for discussion.

RESOLVED

- a) That the Metropolitan Council re-affirm the current Standing Rules and Orders as proclaimed by gazette number 44 of 15 July 2016 and
- b) That as and when required; revision, amendments or removals would be considered by the Municipal Council during the term of office.

28.6.

COUNCIL MINUTES: MIGRATION FROM VERBATIM MINUTES TAKING TO ACTION/RESOLUTION BASED MINUTES

The Deputy Executive Mayor under recommendation (b) proposed the amendment to reflect that both verbatim and action/resolution based minutes be approved.

She was seconded by Councillor TD Tukula

After voting, it was thereupon unanimously

RESOLVED

- (a) That Council take note of the report and
- (b) That Council approve that both the verbatim minutes taking and action/resolution based minutes taking methods.

29	QUESTIONS
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None.

NOTED.

30	MOTIONS
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None.

NOTED.

31	IN COMMITTEE REPORTS
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The Report on Section 56 Managers: Recruitment and Selection Report: Vacant Post of the Municipal Manager (i.e. item 27.4) was discussed 'In Committee' and thus minuted separately.

NOTED.

32	CLOSING OF THE SPECIAL COUNCIL MEETING
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The Special Council meeting officially closed at 13h59.