

CONFIDENTIAL

**MINUTES
FOR AN
ORDINARY MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

**CITY HALL
BLOEMFONTEIN**

**WEDNESDAY
MARCH 9, 2022**

AT 10:00 (INITIALLY SCHEDULED FOR
MONDAY, 7 MARCH 2022 AT 14H00)

**MANGAUNG
METROPOLITAN
MUNICIPALITY**



**MINUTES OF AN
ORDINARY MEETING
of the
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL
held IN THE CITY HALL
BLOEMFONTEIN
on
WEDNESDAY, 9 MARCH 2022
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	
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	
MEMBERS OF THE MAYORAL COMMITTEE (SECTION 80 CHAIRPERSONS)			
9	Cllr Titi-Odili (Lulama Magdeline)	ANC	
10	Cllr Morake (Molefi Andries)	ANC	
11	Cllr Matsoetlane (Meditaba Joyce)	ANC	
12	Cllr Mogotloane (Thabo Joel)	ANC 39	
13	Cllr Tladi (Motshewa Martha)	ANC	
14	Cllr Mosala (Motlhokung Theodorah)	ANC 11	
15	Cllr van der Ross (Kevin Etienne)	PA	
16	Cllr Twala (Pani Sidney)	ATM	
17	Cllr Jonas-Malephane (Vuyelwa Eunice)	ANC	

PR COUNCILLORS			
#	NAME	PARTY	LEAVE
18	Cllr Campher (Zaandre MC)	DA	
19	Cllr Davies (Maryke)	DA	
20	Cllr De-Huis (Dikeledi Jane)	EFF	
21	Cllr De Kock (Valerie Belinda)	FFPlus	
22	Cllr Denner (John Henry)	FFPlus	
23	Cllr Dennis (Magdalene Elizabeth)	DA	
24	Cllr Ferreira (Thomas Ignatius)	DA	
25	Cllr Klaasen Raynie Sarah	DA	Absent with apology
26	Cllr Letsoko (Mantwa Sanah)	EFF	
27	Cllr Lipale (Gopolang Jeremiah)	EFF	
28	Cllr Makau (Pitso Elias)	EFF	
29	Cllr Malebo (Deliwe Lettia)	EFF	
30	Cllr Maliela (Motiki Edwin)	DA	
31	Cllr Masoeu (Thapelo David)	DA	
32	Cllr Mogotsi (Mamahlape Elias)	EFF	
33	Cllr Mohlamme (Lebohlang Lerato)	DA	
34	Cllr Mokoena (John Itumeleng)	AASD	
35	Cllr Mongale (Mojalefa William)	AASD	
36	Cllr Monyakoana (Ntwa Patrick)	ANC	Absent without apology
37	Cllr Moreeng (Kabelo Christopher)	DA	
38	Cllr Njiva-Lebajoa (Mamotse)	DA	
39	Cllr Ntshakazane (Eunice Xoliswa)	EFF	
40	Cllr Phupha (Ntsoaki Agnes)	PA	
41	Cllr Phohleli (Tsholwane Eddy)	EFF	

42	Cllr Ramatlama (Mpho Joseph)	EFF	
43	Cllr Rampai (Pule Joseph)	ACDP	
44	Cllr Rasoeu (Lempe Ernest)	DA	
45	Cllr Sebolao (Jankie Elisha)	EFF	
46	Cllr Shale (Nkahiseng Reginah)	EFF	
47	Cllr Snyman van Deventer (Elizabeth)	FFPlus	
48	Cllr Terblanche (Arthur Phillip)	DA	
49	Cllr Thomas (Johannes Beleme)	EFF	
50	Cllr Thwala (Zwelinjane Jonathan)	DA	
51	Cllr van der Merwe (Rulhof)	DA	Absent with apology
52	Cllr Viviers (Benhardus Jacobus)	DA	
53	Cllr Vorster (Braam)	FFPlus	
54	Cllr Wewege (Mare-Lize)	FFPlus	
WARD COUNCILLORS			
55	Cllr Sefaki (Samuel)	ANC 1	
56	Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
57	Cllr Machachamise (Tshepiso Oudious)	ANC 3	
58	Cllr Supi (Mahoko Harold)	ANC 4	
59	Cllr Lecoko (Lehlohonolo Nathaniel)	ANC 5	
60	Cllr Moilola (Tshidiso Petrus)	ANC 6	
61	Cllr Rampai (Chabeli Frank)	ANC 7	
62	Cllr Nyaphudi (Likeleli Julia)	ANC 8	
63	Cllr Tlhakung (Betty Masetlhabi)	ANC 9	
64	Cllr Setlai (Teboho Lesley)	ANC 10	
65	Cllr Hashatsi (Rafedile)	ANC 12	

66	Cllr Siteo (Nombulelo Dorcas)	ANC 13	
67	Cllr Lekgetho (Lebogang Winston)	ANC 14	
68	Cllr Mohibidu (Pulane Martha)	ANC 15	
69	Cllr Kruger (Caprice Logan)	ANC 16	
70	Cllr Mohatle (Mampone Sally)	ANC 17	
71	Cllr McKay (David Mark Campbell)	DA 18	Absent with apology
72	Cllr Peter (Seth Qondile)	ANC 19	
73	Cllr Pretorius (Werner)	DA 20	
74	Cllr Lotriet (Pieter Adam)	DA 21	
75	Cllr Leech (Dulandi)	DA 22	Absent with apology
76	Cllr van der Walt (Tjaart Botha)	DA 23	
77	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	Absent with apology
78	Cllr Botes (Francois Rossouw)	DA 25	
79	Cllr van Niekerk (Hendrik Johannes Christiaan)	DA 26	
80	Cllr Banyane (Zachous Nechodemus)	ANC 27	
81	Cllr Tukula (Teboho Daniel)	ANC 30	
82	Cllr Mabena (Mere Joel)	ANC 31	Absent without apology
83	Cllr Menyatso (Thabang Victory)	ANC 32	
84	Cllr Mohono (Tshidiso Augustine)	ANC 33	
85	Cllr Tshwane (Kabi Daniel)	ANC 34	
86	Cllr Fantisi (Teboho Samuel)	ANC 35	
87	Cllr Makoloane (Itumeleng Justice)	ANC 36	
88	Cllr Ramolele (Mmota Simon)	ANC 37	
89	Cllr Matsoso (Molahloane Florenciah)	ANC 38	

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	
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

- | | |
|---|--------------------|
| 1. Acting City Manager | Mr M Nkungwana |
| 2. Chief Financial Officer | Mr SE Mofokeng |
| 3. HOD: Social Services | Mr M Nkungwana |
| 4. HOD: Engineering Services | Mr M Ndlovu |
| 5. HOD: Planning | Mr BS Mthembu |
| 6. HOD: Economic and Rural Development | Mr T Maine |
| 7. HOD: Corporate Services | Mr D Nkaiseng |
| 8. HOD: Fleet and Waste management | Mr S More |
| 9. Chief Metro Police | Mr KI Kgamanyane |
| 10. Chief Executive Officer: Centlec | Mr M Sekoboto |
| 11. General Manager: Committee Services | Mr Motete Mothekhe |
| 12. Secretariat officer | Ms R Mamatela |
| 13. Secretariat Officer | Ms M Morakabi |

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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5
MINUTES
(OPEN COUNCIL)

43.
OPENING

The meeting commenced exactly at 10h00.

The Speaker confirmed that 82 Councillors were present and she officially declared the meeting opened and extended a word of welcome to everyone.

NOTED.

44.
NOTICE OF THE MEETING

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

NOTED.

45.
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.

46.
ACCEPTANCE OF THE AGENDA

Councillor M Davies stated that since the documents for the adjustment budget were not availed to Councillors, the item be removed. She then indicated that she had requested the Speaker to add an item on the agenda on payment of political office staff be included.

Councillor JC Pretorius seconded the proposal to remove the adjustment budget whereupon the Executive Mayor advised that Council should wait and deal with the proposal to withdraw the adjustment budget when presenting the items as he would not be far from what she proposed.

Councillor JE Sebolao raised a concern with regard to the report of Audit Committee that did not attach the report of the former City Manager, as highlighted as such in their report.

NOTED.

47.

MOTION OF SYMPHATHY AND CONGRATULATIONS

Councillor ZMC Campher passed his motions as follows: “Thank you, Madam Speaker. We sympathise with each and every one of the families who have not only lost loved ones but who are being displaced from the place they call home. This is on the Russian war with Ukraine.

Historic loyalty does not trump declarations of war. The ANC government must use our BRICS connection and counsel moderation and peace to the Russian government. Government must also ensure that Russia is held accountable to the international law. Unless South Africa does all it can to condemn the invasion and urge Russia to withdraw, it will be complicit in this needless war and have the blood of multitudes on its hands.

This is the stance of the Democratic Alliance Darren Bergman on the Ukraine, Russian war. This ANC needs to do more to rectify, especially being the self-proclaimed liberation movement that it is. We sympathise with each and every one of the families. The UN has recorded 406 deaths and 801 injuries among Ukraine’s civilian population since 24 February 2022. Our hearts also go out to each and every animal who has been lost or rendered homeless due to this lawlessness. We call on the public of South Africa to aid in every manner possible!

I would like to congratulate our matriculants of the Free State and Mangaung on their sterling job on achieving such high standards of passing and achieving of Bachelors Passes. This takes sure determination and grit, taking into consideration the circumstances that most of our pupils have had to endure with the little service delivery happening within the Province. We must reveal that even though students have done so well, up to 36 still have not received their bursaries as promised by the MEC of Education, Tate Makgoe. We will do what we can to support you as that is exactly what you need to take yourself further in this world! Well done on the hard work to each and every student! I thank you, Madam Speaker.”

Councillor DL Malebo conveyed her motions as follows: “Thank you, Madam Speaker. As the Economic Freedom Fighters caucus we would like to send the following messages of condolences to the families of fighter and the secretary of Ward 27, fighter Dipuo Mafanti and fighter Vuyiswa (Monki) Chaka. We also seize this moment to send our deepest condolence to two families from Ward 6 Pieter Swart whose children drowned in Heidedal quarry, the families has tragically lost their children in a drowning incident that took place in a quarry behind Twin City Mall recently.

Madam Speaker, this dangerous quarry continues to claim lives of innocent children in Heidedal for many years now without any intervention from government or authorities. When the same happened in QwaQwa where children drowned in a similar fashion in a quarry in Maluti a Phofung, the Premier of the Free State quickly jumped into action and promised swift action to ensure the closure of the dangerous quarry, but in Heidedal, every week, devastated parents continue to discover gruesome drownings of their children and nothing has been done by the Mangaung Municipality.

For how long, Madam Speaker, should destitute families in Heidedal continue to count corpses of their children before the Municipality can close or secure the dangerous quarry which has become known as the valley of death to the residents of Heidedal in Ward 16? What will it take for the Municipality to begin to take the plight of residents Heidedal serious?

5B

Finally, let me also take this opportunity to congratulate the Sebete Boys known as Mathaithai, an inspirational football team from Botshabelo for reaching the last 16 stage of the Nedbank Cup 2021/2022 season. Madam Speaker the boys have made us proud by succeeding where many have failed and have made us proud by putting up a formidable fight against the serial PSL and African Champions last night.

Madam Speaker, this is a team that comes from the dusty streets of Botshabelo which went on to lift up the flag of Free State and Mangaung in particular very high. Hae ya lala ya kupa! Congratulations boys for making us proud and your qualification in the last 16 is an achievement on its own....Halala! Thank you, Madam Speaker.”

Councillor SQ Peter conveyed his motion as follows: “The African National Congress ifunu kuthi iyavelana na bantu ba se Ukraine nga le ntlekelayo e ba veleleyo and also the African National Congress encourage peaceful talks between Russia and Ukraine from the invasion of Ukraine since the 24 February 2022. We therefore emphasise the call by the ANC President, your excellency Honourable Cyril Matamela Ramaphosa to the UN Security Council to pursue a peaceful and diplomatic resolution. This is also informed by the decision of the Republic of South Africa to abstain from the General Assembly vote on Russia because the resolution does not create a conducive environment for diplomacy, dialogue and mediation.

The ANC welcomes and applaud countries that has opened their borders and welcomed over 1 million refugees from Ukraine. We therefore hope that the ongoing conflict or war between Russia and Ukraine will conclude peaceful and speedily resolved because as it is stance it affects global economy negatively. Let peacefulness and calmness prevail so that stability mhlaba wonke, jikelele is achieved.

We also pass a message of congratulations, to Councillor Bheki Stofile, the Speaker of Matjhabeng local Municipality on his election as SALGA National President. We believe with his vast experience, knowledge and expertise, SALGA is in good hands.

We will also like to congratulate Councillor Mapaseka Mothibi-Nkoane on her election as NEC member of SALGA.

The congratulatory messages further goes to the Lejweleputswa Speaker, Councillor Mathabo Leeto for being elected as SALGA Free State Chairperson. On the same note of congratulatory messages we welcome the election of Mangaung Metro Municipality Speaker, Councillor Stefanie Lockman-Naidoo as NCOP member and also Councillor Puseletso Seleke as PEC additional member. *Aluta!*”

Councillor CL Kruger conveyed motion of congratulations as follows: “Madam Speaker, yesterday the 8th March we commemorated international women’s day and devoted to celebrating the achievements of women in seeking gender equality. The theme for this year was breaking the bias. The campaigners are urging people to call out gender stereotyping and discrimination when they see it. Achieving gender equality and empowering women and girls is the unfinished business of our time and the greatest human rights challenge in our world currently says the United Nations Secretary General.

5C

Phumla Williams writes: 65 years ago our nation was a very different place to what it is today; oppression occurred on a daily basis and women enjoyed almost no rights. It was a society characterised by repression, subjugation and tyranny.

The 1954 Women's Charter called for a single society that recognises that women do not form a society's separate from the men and therefore share the problems and anxieties of our men and join them to remove social evils and obstacles to progress. Our democratic breakthrough as South Africa in 1994 represented the start of our journey as an inclusive society that cares for all. The empowerment of women in South Africa is about dealing with a legacy of apartheid and the transformation of society particularly the transformation of power relations between woman, man, institution and law. It is also about addressing gender oppression, patriarchy, sexism and structural oppression.

It remains a sad fact that many women are still confined by both the circumstances and the prevailing patriarchy in society. Therefore, we must continue to fight the gender disparities that are evident across many areas of national life. The ANC is one of the political parties who are unapologetic in terms of empowering women and this is evident in their 50-50 gender parity deployment rule.

Madam Speaker, from local government up until national government we can see that it is evident that women constitute 50% of people from our local government until national parliament. Currently in Mangaung it is evident in the ANC deployment we sit with a Council of 50% females and we are even under the leadership in this Council of a female Speaker, Councillor Stefanie Lockman-Naidoo.

As we commemorates the strides that were made globally, in terms of women empowerment and gender equality, allow me to focus your attention also on the painful reality that women in Ukraine are currently suffering and it doesn't matter who is right or wrong; they say in political terms, *when two animals fight, it is the grass underneath that unfortunately pays the price*. We are saddened with the fact that females suffer the most during wars because they would be victims of rape, and even get impregnated during these wars. But mostly, any war results food security challenges and that affects us all. Our prayers is for the war to end and for the two countries to find common ground.

We also want to sympathise with families of the two children who lost their lives at Moshoeshoe Road in Rocklands. We also want to extend our gratitude to Mr Freddy Kenny for availing his personal resources for free in assisting the Municipality in cleaning parts of Mangaung especially these Wards 5, 15 and 16. Thank you, Honourable Speaker."

NOTED.

48.

ANNOUNCEMENTS

None.

NOTED.

49.

CONFIRMATION OF MINUTES

1. Special Meeting: Wednesday, 8 December 2021
2. Special Meeting: Wednesday, 8 December 2021 (In Committee)
3. Special Meeting: Wednesday, 26 January 2022 (Closed Meeting)

The Speaker indicated that point 2 and 3 under this item were minutes of closed sessions and will be confirmed under 'In Committee' item and therefore only confirm point 1.

Councillor LM Titi-Odili moved for adoption of the minutes of the 8th December 2021 and was seconded by the Council Whip.

The Councillors then voted to deal with minutes of closed session under 'In Committee' items: **78 voted in favour, 0 against and 12 abstained.**

RESOLVED

- (a) That the minutes of the closed session (point 2 and 3) be dealt with under item of "in committee".
- (b) That the minutes as set out above (point 1), copies of which had been furnished electronically to members, be taken as duly adopted and confirmed.

The Executive Mayor presented the items as follows:

“Thank you, Madam Speaker. On Monday we had a Mayoral Committee meeting and we raised few matters. We spoke about the dirtiness of Mangaung as well as the potholes and gave instructions to officials and we had repeatedly warn them that if there is no change, we are going to do something on each Directorate. We said to them they are highly paid and we don't understand why this City looks like this. Last year we indicated that we are going to join the Vuma Awards, by so saying, we were forcing them to do something about the City. We went further to say, we are going to sign performance contract with Mayoral Committee Members so that they play oversight in their Departments or portfolios and also assist Ward Councillors. We want everyone to do what is expected.

Madam Speaker, Mathaithai when leave Botshabelo, I so wish I was part of them. They left Botshabelo and played in Pretoria; it is a milestone and they deserve to be congratulated.

There is a young boy in Mangaung, Dean Burmeste, who went to George and played in the Dimension data. He represented Mangaung, the Free State and South Africa very well. He is now the champion of Dimension data. Last year, the champion was Wilco Nienaber and I think it is proper to congratulate both of them who are both from here Mangaung. It is important for us as a City to put separate fund to assist all sporting quotes which the people of Mangaung must contribute towards and all political parties are going to be part of that so that they play an oversight to that fund. I am saying this, this weekend, we need to congratulate the City for hosting in Mangaung 'The Open' Champion. Yes, the City didn't contribute anything. It started small but I think it is a milestone that will bring investors in our City. It is so bad that the world was here and the City was so dirty.

Madam Speaker, it cannot be right that our women are abused and treated badly and we, as men are quiet about it. It is for us as men; as Councillors to sympathise but at the very same time do something. I am now encouraging, making a call to all Ward Councillors to have sessions in their Wards on matters that affects our women, children and young people where they live and we are also going to make a road show. We must sympathize with our young girls and women to make sure that we understand their plight, we are part of them.

I was watching the television when there were unrests in KwaZulu Natal and I saw how they lost their investments which also happened in Gauteng. It was just an unrest, it was not a war. Then again I watched the television and I have seen buildings that went down by war between Ukraine and Russia. It was so sad when parents lost their children in the process and that created orphans, divorces and that in its self creates poverty.

As a position of our government is to encourage peace and we understand that the after effects of war that is happening outside our borders which is affecting us on oil etc. We as Mangaung we are encouraging our leaders wherever they are, whatever platforms they are getting, to sympathize with those involved and do everything in their power to encourage peaceful settlements.

6A

The Whip of DA requested us to withdraw the adjustment budget. I must indicate that we requested an extension to table it by the 15th of March 2022 which was granted and so the adjustment budget is done but yet waiting for National Treasury to come back to the Municipality and therefore as it is not yet back, the item is withdrawn.

We are also withdrawing the item on Macro organizational design (item 50.2). The item on recruitment and selection report (item 50.2) we are also withdrawing it as well as the report on the City Manager. All other items not mentioned, would be entertained by Council. Thank you Madam Speaker.”

Councillor JC Pretorius requested that the Executive Mayor provide reasons why the items were withdrawn and he responded:

- That on the report dealing with the macro structure, the Municipality had currently nine (9) HODs and National Treasury was reducing to seven (7) and thus combining some departments therefore the EMT was busy with that and that the week either Tuesday or Wednesday, there will be Council meeting to consider the report, i.e. by the 15th March 2022.
- That the item on recruitment was talking to item 50.2, hence it was also withdrawn.
- That the report received from the Acting City Manager, due to a short period of time, the item would be part of the meeting scheduled for the 15th March 2022.
- That most of the item would be resubmitted on Tuesday, 15th March 2022.

The Executive Mayor reiterated that the following items were withdrawn, namely: Item 50.1, item 50.2, item 50.3 as well as item 55.1 and that item 50.4 would be discussed.

Councillor JE Sebolao raised a concern regarding items that had been withdrawn and further stated that documents of Council were regarded as confidential until Council had resolved on them. That the Executive Mayor spoke about golf that Councillors do not know about and the EFF had written Rule 38 question asking questions about the golf and that this matter be investigated.

The Speaker as well as Councillor LM Titi-Odili requested that Councillor JE Sebolao confine himself to what has been raised and items on the agenda.

Councillor E Snyman van Deventer requested that the Executive Mayor explain why withdrawing item 55.1.

On a point of order, both the Council Whip and Councillor MA Morake stated that it was unprocedural that when the Executive Mayor withdraw items, then the matter would be entertained and he in fact did explain why the items were withdrawn and that they would still be entertained at the next scheduled Council meeting.

Councillors were of the opinion that items should not be submitted to Council to be withdrawn and therefore ensure that item follows the route of Committees/subcommittee prior to submission to Council.

The Speaker mentioned that item 55.1 would also not be discussed as the Chairperson of the Audit Committee rendered an apology.

Councillor JI Mokoena requested clarity on two issues, namely:

- That in terms of compliance of the adjustment budget which must be finalised before 28th February 2022 and the Executive Mayor withdrew the item and therefore Council was not compliant which meant that Council would not take responsibility for something that the Executive were suppose to bring to Council.
- That on item 50.2 reports had been tabled regarding the 105 staff members. The fact that the macro structure for the placement of staff in the public office bearers offices has not been finalised, some of the party PAs were not paid as they were put in the same basket of people who were not appointed, and by withdrawing the item, Council would be penalising people who did the right things in a proper manner.

The Speaker explained that the Executive Mayor did indicate why the adjustment budget was withdraw and the item on political staff would be dealt with under item 53: motions.

The Council Whip requested a 10 minutes ANC caucus and thereafter reported back to Council that they agreed that all items be referred back as requested by the Executive Mayor to the meeting to be scheduled for the 15th March 2022.

Councillor JC Pretorius, Councillor JE Sebolao as well as Councillor MW Mongale were against the withdrawal of item 55.

After an in-depth discussions on which items withdrawn or not, the Speaker then put this matter to a vote.

Councillors thereupon voted for discussions of items 52.1, 53 excluding 55, namely: 51 voted in favour, 41 against and 2 abstained.

The Councillors of the Economic Freedom Fighters walked out of the meeting at 11h45.

Councillors thereupon voted for discussion of items 52.1, 53 including 55, namely: 29 voted in favour, 51 against and 1 abstained.

Councillor E Snyman van Deventer requested that it be noted in the minutes that the Freedom Front Plus voted against the exclusion of item 55.

NOTED.

6C

**1.
MANGAUNG METROPOLITAN MUNICIPALITY: ADJUSTMENT BUDGET 2021/2022
FINANCIAL YEAR**

WITHDRAWN.

**2.
APPROVAL OF MACRO ORGANISATIONAL DESIGN AND THE POLITICAL OFFICES
ORGANISATIONAL DESIGN**

WITHDRAWN.

**3.
RECRUITMENT AND SELECTION REPORT: REQUEST TO THE MUNICIPAL COUNCIL TO
ADVERTISE THE SENIOR MANAGERS POSITIONS – HEADS OF DEPARTMENTS**

WITHDRAWN.

**4.
REPORT ON THE SELECTION PANEL FOR THE VACANT POSITION OF THE CITY
MANAGER**

WITHDRAWN.

51	REPORTS OF THE SPEAKER
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1.

MID-YEAR AUDIT COMMITTEE REPORT TO COUNCIL – REPORT NUMBER 1 OF 2021/2022 FINANCIAL YEAR

The item was not dealt with and referred to the next Council meeting as the Chairperson of the Audit Committee, Mr MNG Mahlatsi formally rendered his apology as he had a presentation of Department Annual Plans for 2022/2023 financial year to the IPC Subcommittee on Social Transformation.

NOTED.

52	REPORTS FROM MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
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1.

FUNCTIONING OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE: MPAC

Councillor MI Mokoakoa requested to withdrawn the item and be referred to the meeting scheduled for 15th of March 2022. Councillor JC Pretorius indicated that it was late to withdraw as they had already voted for the item to be deliberated on whereupon the Speaker also mentioned that they had already adopted the agenda and Councillor MI Mokoakoa did not advice that the item be withdrawn.

The Chief Whip indicated that it was normal to withdraw the item if one feel that it is not supposed to be presented. However other Councillors expressed their dissatisfaction that the item was withdrawn at this stage.

Councillor JI Mokoena remarked:

“Speaker I just want to implore on you, you are the person who supposed to ensure that this Council functions lawfully and legally and as Councillors we execute our executive and legislative functions and we provide our oversight. It cannot be that the Council is rendered ineffective and not serving the people of Mangaung because of the incompetence and malfunctioning of the executive. We come here and have the difficulty of having to allow us to do our work that depend to a large extend on what the executive would be bringing to this Council. I really want to implore on you that this Council must function and it is your responsibility. I really implore on you to do whatever you can to ensure that, with the Executive Mayor and the Whip of Council you begin tell-tail signs of the dysfunctions of Council within three (3) months, it is inappropriate, not serving the people of Mangaung, is unlawful and I don’t think all of us should be proud to be working away because of the fact that almost half of the agenda has been withdrawn because of nothing that has to do with our ability to want Mangaung to function, but a dysfunctional executive. Thank you Madam Speaker.”

WITHDRAWN.

MOTION SUBMITTED BY THE DEMOCRATIC ALLIANCE ON THE NON-PAYMENT OF POLITICAL STAFF: PAs OF POLITICAL PARTIES

Councillor M Davies presented the motion as follows:

“Thank you, Madam Speaker. During our Council meeting on the 22nd of February 2022, we took certain decisions with regard to the appointment that were made in the political offices which you brought to Council. That has now have the effect that the PAs to the political parties have not received their salaries this month and as I understand, the big issue is with the people that got appointment in January 2022. I would like us to further make recommendations on this because the resolution we made was now interpreted in a certain way; that everyone is now be seen as “illegal workers” in the political office so that we can just state that specifically our PAs were duly appointed and were appointed correctly that they receive their salaries. There should be a deferential between which are “legal” political appointments and which are “illegal”.

Councillor JC Pretorius seconded the motion by Councillor M Davies and further remarked:

- That why did this happened?
- That it was unacceptable that the PAs were not given their salaries for the month because of the Council resolution interpreted wrongly.
- That Council must resolve that the three (3) months period must be extended to the PAs of every political parties and within this period their contracts be finalised for appointment.
- That the Council Whip, as this was his responsibility, promised that this would be sorted out and he must reply and give reasons on why this had happened?

Council Whip responded as follows:

- That the issue might be in the interpretation of the resolution of Council in relation to political staff.
- That the matter would need to be deliberated further in understanding what exactly what the Council was referring to when dealt with political staff with regards to incorrect appointments and that he understood that the only correct process in appointing anyone in the institution is when the post was advertised and then a person get appointed.
- That the Council heard that these matters were supposedly be taken to court for Council to clarify how Council it.
- That the only responsibility of Council, is on appointing Section 56/57 managers and in relation to any other positions, it was the prerogative and responsibility of the administrators to ensure seamless process.
- This matter should not be resolved by Council, but should be as it was entrusted with the responsibility of the Acting City Manager deal with it, to follow all those due processes.
- That the multi whippery go back and request the audience of the Acting City Manager in terms of dealing with this matter and find amicable solution.
- That it cannot be right that there are people who had been working for whole month and not getting paid.
- That the issues of political staff be dealt with in a correct manner.

Councillor TM Mosala stated that she was covered by Council Whip as everyone who were working in the political offices were appointed the same way.

Councillor M Davies explained that they were not asking for Council to decide who gets appointed or not, that Council took a resolution on the 22nd of February 2022 which then have consequences that staff were now not paid, but asking that a differentiation be made on legal and illegal political appointed so that those who were legally appointed get their salaries and those illegally that where the investigation will take place.

The Executive Mayor clarify that issues of appointed below Section 56 and 57 were not matters of this house but that of the City Manager and queries regarding that, should go to the Office of the City Manager.

Councillor JI Mokoena remarked: "The point I understood Councillor M Davies to be saying that there was a resolution taken on basis of the report presented in a meeting held and a resolution taken about those specific appointment but that resolution seems to have been interpreted to include all those other positions that according to Councillor M Davies and myself were appointed lawfully in terms of this particular process.

I do agree with the Executive Mayor that we cannot be discussing issues of procedures of appointments for those below the level indicated. But the matter is here and it has been raised by those accounted to and appointed by political parties. The whip was in the meeting on which it was agreed on the process of going ahead with those appointment.

I still say Honourable Speaker, I think this breakdown and functionality of this institution is taking a different level because this matter should have been addressed before it even get to this meeting, but it was never addressed. It is almost a month that people who have been lawfully appointed have not been paid because of confusion relating to unlawful and illegal appointments.

I do agree with the Executive Mayor but can you please do the responsible thing you are assigned to do. Deal with issues on your plates and don't allow us to discuss things that are on your domain and its your responsibility. It is executive failure that is making us to be addressing this particular matter here and you know about it, the whip and the Speaker knows about it. Why cant you separate these issues and address those that are not part this Council has resolved on at the meeting that was held. That is the point Councillor M Davies was making which is what I am supporting. Let us not mix things because we then punish everybody, even those that have done right, you want to bring them into fault. Please Honourable Speaker, can the Executive Mayor do his job, please. Thank you, Honourable Speaker."

Councillor JC Pretorius seconded the proposal that the matter be referred to the Acting City Manager, who must decide on it however taking note that he has the powers to resolve the matter, he must then report back to Council.

The Speaker thereon stated that the matter was the responsibility of Acting City Manager who must tend to it and provide the report by 15th March 2022.

It was unanimously

RESOLVED

- (i) Council note the motion submitted and further note the inconvenience caused to innocent political staff on this issue.
- (ii) That this matter is the responsibility of the Acting City Manager and thus instructed to attend to it.
- (iii) That Acting City Manager should note the context and administrative issues raised on this matter in the Council meeting held on the 22 February and 9 March 2022.
- (iv) That the Acting City Manager is requested to provide report or feedback in the next Council meeting on the issues relating to payment of political staff.

54

QUESTIONS**QUESTIONS IN TERMS OF RULE 38 OF THE STANDING RULES AND ORDERS****Councillor FR Botes remarked:**

- That Rule 38 should be described as rule disaster as it had been years struggling with the issue.
- that as Councillors were voted in by community of Mangaung, they receive questions from the community of which they do not have answers hence in terms of the Standing Rules and Orders, ask the administration for answers for those questions.
- That looking at the previous Acting City Managers, Councillors did not get answers and that the current Executive Mayor was the Speaker the previous term and he said he will intervene but did not have any success on the matter. That Speaker to intervene and help Councillors to get answers from the administration.
- That he had submitted eight (8) which had not been answered and the latest was dated 3rd March 2022.
- That the HoDs were not honest with Councillors and therefore the Acting City Manager should take them to task for not answering.

Councillor TD Masoeu commented as follows: "Honourable Speaker, the DA did not accept the letter received from the Acting City Manager. Rule 38 of the Standing Rules and Orders clearly states that all questions received at least 10 (ten) days prior the ordinary Council meeting must be answered and published in the ensuing meeting. The list of outstanding questions is also incomplete as many questions send by the DA Councillors are still outstanding. Another issue is PAIA (Promotion of Access to Information Act) applications that are part of these list as the PAIA manual of Mangaung Metro Municipality clearly states that PAIA applications must be answered within 30 days.

We demand an urgent meeting with Acting City Manager and HoDs within seven (7) days after this Council meeting. The DA will give a complete register of all outstanding Rule 38 questions since 2016 to the Acting City Manager and HoDs. We will then give all HoDs seven (7) days to answer the questions.

If the Acting City Manager and HoDs do not adhere to our demand, the DA caucus will implement the following steps:

- (a) All answered questions will be published in the media and maybe the Executive Mayor will then assist with answers to these questions.
- (b) The DA will lay a complaint with Chairperson of a Committee on Public Accounts SCOPA, Mr Mkhuleko Hlengwa to investigate why the administration of this Metro Municipality restrict Councillors from doing proper oversight.
- (c) The DA will also lay a complaint with SALGA, Councillor Parks Tau to investigate HoDs who do not want to answer questions.
- (d) The Auditor General red flacked Council for not doing proper oversight for 2020/2021 financial year. We will lay a complaint with Auditor General, Mrs Tsakani Maluleke to investigate why Councillors are restricted from doing proper oversight.

Madam Speaker, through you, we ask the following to the Executive Mayor, several clarity seeking questions that were asked by Councillors on the reports received by Councillors, have not been answered as yet by the Executive Mayor. Can the Executive Mayor please explain why these questions have not been answered? Thank you, Honourable Speaker.”

The Speaker stated that by the 31st of March 2022, Councillors should have received answers to all questions.

Councillor TKW Mokgothu supported the 31st of March 2022 as the due date for answering all Rule 38 questions.

It was thereupon unanimously agreed that all Rule 38 questions be answered by the 31st of March 2022.

55	REPORTS TO BE DEALT WITH IN COMMITTEE
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1.

REPORT RECEIVED FROM ACTING CITY MANAGER REGARDING THE ADMINISTRATIVE ISSUES AND MATTERS CONCERNING THE HOD: CORPORATE SERVICES

WITHDRAWN.

56	CLOSING OF THE ORDINARY COUNCIL MEETING
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Prior closing, the Speaker thanked all for attending the meeting.

The meeting officially closed at 12h30.