



CONFIDENTIAL

**MINUTES
of a
SPECIAL MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

**COUNCIL CHAMBER
FIRST FLOOR
BRAM FISCHER BUILDING
BLOEMFONTEIN**

**FRIDAY
13 OCTOBER, 2023
AT 14:30**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**

**MINUTES OF A
SPECIAL MEETING
of the
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL
held IN THE COUNCIL CHAMBER, FIRST FLOOR, BRAM FISCHER BUILDING
BLOEMFONTEIN
on
FRIDAY, 13 OCTOBER 2023 at 14:30**

ATTENDANCE REGISTER

OFFICE BEARERS COUNCILLORS			
#	NAME	PARTY	LEAVE
1	<u>Speaker</u> Cllr Mathae (Bongani Lawrence)	ANC	
2	<u>Acting Executive Mayor</u> Cllr Nthatisi (Gregory Mosala Solomon)	ANC	
3	<u>Acting Council Whip</u> Cllr Nikelo (Vumile Edwin)	ANC 28	
SECTION 79 CHAIRPERSONS			
4	<u>Rules</u> Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
5	<u>Municipal Public Accounts Committee</u> Cllr Makoloane (Itumeleng Justice)	ANC 36	
6	<u>Petition and Community Liaison</u> Cllr Morake (Molefi Andries)	ANC	
7	<u>Remunerations</u> Cllr Tladi (Motshewa Martha)	ANC	
8	<u>Public Places and Street Naming</u> Cllr Mogotloane (Thabo Joel)	ANC 39	
INTERIM MMC: CHAIRPERSON OF SECTION 80 COMMITTEES			
9	<u>Economic Development and Spatial Planning</u> Cllr Jonas (Vuyelwa Eunice)	ANC	
10	<u>Waste and Fleet Management</u> Cllr Mosala (Motlhokung Theodorah)	ANC 11	
11	<u>Performance Management, Monitoring and Compliance</u> Cllr Tsoleli (Sibongile Pearm)	ANC	
12	<u>Infrastructure and Engineering</u> Cllr Soqaga (Vusumzi Simon)	ANC	
13	<u>Finance</u> Cllr Kruger (Caprice Logan)	ANC 16	
14	<u>Human Settlements</u> Cllr Nhlapo (Ntombi Anna)	ANC	
15	<u>Public Safety and Transport</u> Cllr Titi-Odili (Lulama Magdalena)	ANC	
16	<u>Rural Development</u> Cllr Twala (Pani Sidney)	ATM	

17	<u>Community Services</u> Cllr Qai (Alfred)	AIC	
18	<u>Corporate Services</u> Cllr Letawana (Manthuse Maria)	ANC	
PR COUNCILLORS			
#	NAME	PARTY	LEAVE
19	Cllr Campher (Zaandre MC)	DA	
20	Cllr Davies (Maryke)	DA	
21	Cllr De-Huis (Dikeledi Jane)	EFF	
22	Cllr De Kock (Valerie Belinda)	FFPlus	
23	Cllr Denner (John Henry)	FFPlus	
24	Cllr Dennis (Magdalena Elizabeth)	DA	
25	Cllr Ferreira (Thomas Ignatius)	DA	
26	Cllr Klaasen Raynie Sarah	DA	
27	Cllr Letsoko (Mantwa Sanah)	EFF	
28	Cllr Lipale (Gopolang Jeremiah)	EFF	
29	Cllr Makau (Pitso Elias)	EFF	
30	Cllr Malebo (Deliwe Lettia)	EFF	
31	Cllr Maliela (Motiki Edwin)	DA	
32	Cllr Masoeu (Thapelo David)	DA	Absent with apology
33	Cllr Matsoetlane (Maditaba Joyce)	ANC	
34	Cllr Mogotsi (Mamahlape Elisa)	EFF	
35	Cllr Mohlamme (Lebohlang Lerato)	DA	
36	Cllr Mokoena (John Itumeleng)	AASD	
37	Cllr Mongale (Mojalefa William)	AASD	
38	Cllr Moreeng (Kabelo Christopher)	DA	Absent without apology
39	Cllr Mtshakazane (Eunice Xoliswa)	EFF	

40	Cllr Njiva-Lebajoa (Mamotse)	DA	
41	Cllr Phohleli (Tsholwane Eddy)	EFF	
42	Cllr Phupha (Ntsoaki Agnes)	PA	
43	Cllr Ramatlama (Mpho Joseph)	EFF	
44	Cllr Rampai (Pule Joseph)	ACDP	
45	Cllr Rasoou (Lempe Ernest)	DA	
46	Cllr Sebolao (Jankie Elisha)	EFF	
47	Cllr Shale (Nkahiseng Reginah)	EFF	
48	Cllr Snyman-Van Deventer (Elizabeth)	FFPlus	
49	Cllr Terblanche (Arthur Phillip)	DA	
50	Cllr Thomas (Johannes Beleme)	EFF	
51	Cllr Thwala (Zwelinjane Jonathan)	DA	Absent without apology
52	Cllr van der Ross (Kevin Etienne)	PA	
53	Cllr van Rensburg (Corize)	DA	
54	Cllr Viviers (Benhardus Jacobus)	DA	
55	Cllr Vorster (Braam)	FFPlus	
56	Cllr Wewege (Mare-Lize)	FFPlus	

WARD COUNCILLORS

#	NAME	PARTY WARD	LEAVE
57	Cllr Sefaki (Samuel)	ANC 1	
58	Cllr Machachamise (Tshepiso Oudious)	ANC 3	
59	Cllr Supi (Mahoko Harold)	ANC 4	
60	Cllr Lecoko (Lehlohonolo Nathaniel)	ANC 5	
61	Cllr Moilola (Tshidiso Petrus)	ANC 6	

62	Cllr Sehloho (Siza Clement)	ANC 7	
63	Cllr Nyaphudi (Likeleli Julia)	ANC 8	
64	Cllr Tlhakung (Betty Masetlhabi)	ANC 9	
65	Cllr Setlai (Teboho Lesley)	ANC 10	
66	Cllr Hashatsi (Rafedile)	ANC 12	
67	Cllr Siteo (Nombulelo Dorcas)	ANC 13	
68	Cllr Lekgetho (Lebogang Winston)	ANC 14	
69	Cllr Mohibidu (Pulane Martha)	ANC 15	
70	Cllr Mohatle (Mampone Sally)	ANC 17	
71	Cllr McKay (David Mark Campbell)	DA 18	
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	
76	Cllr van der Walt (Tjaart Botha)	DA 23	
77	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	
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 Matsephe (Dikololo Elias)	ANC 29	
82	Cllr Tukula (Teboho Daniel)	ANC 30	
83	Cllr Mabena (Mere Joel)	ANC 31	

84	Cllr Menyatso (Thabang Victory)	ANC 32	
85	Cllr Mohono (Tshidiso Augustine)	ANC 33	
86	Cllr Tshwane (Kabi Daniel)	ANC 34	
87	Cllr Fantisi (Teboho Samuel)	ANC 35	
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	VACANT	47	
98	Cllr Pretorius (Johannes Christiaan)	DA 48	
99	Cllr Lekhwele (Mohanuwa Julia)	ANC 49	
100	Cllr Monare (Thabo Nicholas)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

PRESENT

OFFICIALS

- | | |
|--|-------------------|
| 1. Acting City Manager | Ms MJ Ntshudisane |
| 2. CEO: Centlec | Mr M Sekoboto |
| 3. Acting Chief Financial Officer | Ms N Sitishi |
| 4. Acting HoD: Corporate Services | Adv N Mpangane |
| 5. Acting HoD: Social Services and Public Safety | Ms MA Mafisa |
| 6. Acting HOD: Fleet | Mr F Nel |
| 7. Acting HoD: Technical Services | Mr R Masobeng |
| 8. Acting HOD: Transport | Mr C Manyungwana |
| 9. Head: Office of Speaker | Mr K Tsitsi |
| 10. Acting GM: Committee Services | Ms X Qilo |
| 11. Acting Manager: Council Support | Ms R Mamatela |
| 12. Secretariat | Ms KD Mokoena |
| 13. Secretariat | Ms K Nziweni |

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).
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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6
MINUTES
(OPEN COUNCIL)

159.

OPENING

(MOMENT OF SILENT CONTEMPLATION FOR MEDITATION AND PRAYERS)

The meeting commenced exactly at 14h30.

The Speaker, Cllr BL Mathae declared the Special Council meeting officially opened and requested all to observe a moment of silence for meditation and prayers.

He further referred the Council to page 3 of the agenda on administrative matters (i.e. House-keeping rules).

NOTED.

160.

NOTICE OF THE MEETING

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

NOTED.

161.

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.

162.

ACCEPTANCE OF THE AGENDA

Cllr ME Dennis requested not to proceed with this meeting as Council need to self-correct where proper election as described in the Structures Act must take place, she read her speech as follows; if you continue with this meeting today you need to warn each Councillor.

Point of Order, Cllr TM Mosala asked how did Councillor ME Dennis came to a conclusion that the Speaker was not correctly elected when she walked out of Council on the day of the election?

Cllr ME Dennis responded that according to the Structures Act each Municipal Council must have a chairperson who will be called the Speaker and who will act on behalf of the Speaker they must be chosen amongst the Councillors or a City Manager can be elected to act as the Speaker.

On a point of order, Cllr MM Letawana remarked: "I thought that Councillor ME Dennis would limit herself to notice of the meeting however she is way above as she is talking about an item that is not even on the agenda."

Cllr ME Dennis continued: "The Acting Speaker, Cllr PM Mohibidu presided as the Acting Speaker in contravention of the Municipal Structures Act and for Council to correct itself the Speaker needs to call Council ,and Council has corrected itself on numerous occasions during this year. The decision of appointing the Audit Committee was rescinded on the 28th July and the extension of the previous Audit Committee by amending its decision therefore the self-correction can be done too regarding the appointment of the Speaker. Item 166.2 and 166.4 must be withdrawn as there are two court cases pending."

Cllr M Davies raised a point of order that the Standing Rules and Orders made provision that Council can within three (3) months rescind or amend a resolution and it has been done in this Council.

The Speaker explained that the item on the election or appointment of the Speaker was not part of the agenda and if a Councillor wanted to submit and present it to Council, there were processes to follow, and therefore it cannot be presented in the meeting.

Cllr MJ Mabena commented: "Honourable Speaker, there is a standard agenda and we have a way of running this Council, Councillors have raised numerous points however not sure what will the Secretariat will scribe therefore let us move according to the agenda and if Councillors don't agree with the agenda they can vote on which item to be removed."

Cllr TM Mosala moved for the acceptance of the agenda with the addendum.

Cllr JE Sebolao commented: "When Council started, the Code of Conduct for Councillors was addressed however Councillors are not behaving and we need to listen to one another, on which item were you elected as the Speaker? These people who are howling they must just go appear in court as people were killed."

Cllr DE Matsephe indicated that Cllr JE Sebolao be requested to withdraw the statement he made as he was making allegations that people were hiring others to kill them.

Cllr LM Titi-Odili seconded the acceptance of the agenda.

Cllr JI Mokoena commented: "Can it be place on record that there was correspondence given to the Acting City Manager and the office of the Speaker in relation to the guidance of this meeting, I thought when the meeting started there was going to be a response on the bases of what was submitted to the office of the Acting City Manager.

That correspondence is important for Councillors that are in Council and one of the letters that was addressed related to the correspondence of 166.2 and 166.4 in relation that there is matter up for durational review hence the items were requested to be withdrawn, the second part requested the Acting City Manager to always guide Council and that letter as a Councillor I needed the Acting City Manager to assist me in determining the sitting of today's meeting and whether am I right in coming to this Council meeting, as a result I would like to place on record from that letter that was quoted in terms of section 39.1 from the local perspective."

Point of Order, Cllr CL Kruger asked whether the letter that the Councillor wanted to read, was it addressed to the City Manager and how was it relevant to Council?

Cllr JI Mokoena continued and read the letter as follows: "The above-mentioned meeting has been convened by the Speaker and the Acting City Manager, it is common that the meeting that was on the 20th September 2023 that the election of the Speaker was done unlawful and it was a contravention of the Municipal Structures Act Section 36."

Cllr E Snyman-Van Deventer moved for the adoption of the agenda without items 166.2,166.3 and 166.4.

The Speaker stated that he responded to issues raised in relation to the meeting of 20th September 2023, as stated earlier there is a prescribed period within the Councillors to can rescind the Council decision.

Cllr JI Mokoena seconded Cllr E Snyman-Van Deventer.

The Council voted for the acceptance of the agenda with addendum: **51 voted in favour, 44 against and 0 abstained.**

Thereafter, they voted for agenda as is with the removal of items: **44 voted in favour, 52 against and 0 abstained.**

Based on the outcome of the votes, the Speaker declared that the agenda was adopted with the addendum.

NOTED.

163.

ANNOUNCEMENTS

Cllr JI Mokoena announced and place it on record that he did table in the meeting the letter that was submitted to Acting City Manager and further mentioned the following: "In the letter, I indicated that Annexure A part 2 in the disciplinary regulation of Senior Managers states serious act of misconduct and her action of duty is grossly negligent and did not advice Council accordingly.

And I assume she will take personal liability for litigations for decisions that will be taken today, also this should be placed on record that the letter would be given to national minister of conduct regarding the Acting City Manager in not having to do her duty.”

Cllr GDP Kotze asked whether the HOD for water supply was in the Chamber, as there were several areas that were still without water and it had been 3 days now, therefore the Acting HOD should excuse himself and get water tankers to the affected areas that were still without water.

Cllr MJ Ramatlama made the following announcements: “The Lemo festival coming to an end this weekend therefore we encourage the people of Mangaung to go support one of our own, Mr F Kenny and Mr B Moseme which their progressive initiative which stimulated the township economy. Tonight, Lemo is hosting Women to Women and tomorrow it will be the final event of the festival which is Global Stage, we ask the people of Mangaung to go and support and leave these thieves known as the ANC who are hallucinating about Macufe coming back next year. We will elaborate more in the next Council meeting of the role these 2 gentlemen mentioned played in the Community.”

NOTED.

164.

DECLARATION OF INTEREST

None.

NOTED.

Acting Executive Mayor presented the items and requested the Council to allow him to withdraw item 165.1 as there was work that still needed to be done and thus needed much more consideration.

NOTED.

1.

IMPLEMENTATION OF GOVERNMENT GAZETTE NO 48789 DATED 14 JUNE 2023 (UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGERS)

WITHDRAWN.

1.

ADJUSTMENT IN THE DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS PAYABLE TO DIFFERENT MEMBERS OF MUNICIPAL COUNCILS FROM 1 JULY 2022

Cllr MM Tladi addressed the Council: “Honourable Speaker, I am going to deal with the upper limits of Councillors that were gazetted by the Minister for 2022-2023, upper limit for Councillors we have a gazette that clearly stipulates that Councillors are supposed to receive their upper limits. In terms of the cell phone allowance, data, travelling allowance, out of pocket expenses, the benefit for Councillors to attend school, benefit for risk cover for Councillors in terms of the policy when they pass on and in terms of the property when their houses and property is damaged and the last one would be the tools of trade for Councillors. As the Committee we set, and we agreed with all the recommendations and we are going to note what the Minister is saying to us in terms of the gazette. The last recommendation states that after all the calculations has been done by administration those calculations should be brought back to the Committee for them to check if Councillors were remunerated accordingly because previous we had problems were Councillors were not remunerated accordingly.”

Cllr ZN Banyane supported the recommendation as is and that they took note as the Committee of the benefits that the Councillors should receive. Councillors have also received computers which they were not using as there were issues with those computers.

Cllr JB Thomas remarked: “It is difficult as we are hearing those points that have been made but it is painful to the Community that we are leading in this Council, our community are in trouble as it needs services however today we are in a situation where we need to make a vote for our benefit and not for the benefit of the Community.

The truth is our community does not have water and the roads are not in good condition but today we are happy that our money is going to be increased, we as the EFF as we do not have a choice but it is a disgrace.”

Cllr E Snyman-Van Deventer remarked: “It seems like the report is noted however Council should deliberate this as it is important therefore, I would want to draw your attention on recommendation (d) admin to calculate retrospectively and submitted to the Section 79 Committee, that should be taken in account that we approve which it has not been done. There is a problem with noting we need to consider that Municipality is bankrupt we cannot go this far and accept.”

Cllr JH Denner delivered his speech as follows: “We all know that Mangaung has problems than we can count, the problem that is staring us in the face at the moment is ANC unscripted ness we to say the lack of moral principles and behaviour that is not honest and fair. We sit here with a document that is informing us with adjustments more specially the upper limits this has not been discussed yet it is tabled in the meeting today not for discussing and consideration but just for noting, the reason there is an upper limit it implies that there is a lower limit but you don’t have to accept the upper limit or everything always.

You are allowed to take the financial of the Municipality into account and determine salaries accordingly, Mangaung is under intervention we cannot pay our creditors such as our BEE service providers who cannot in return pay their subcontractors and they sum up to R50 million. We have no choice to as for donations for fuel for dumping but Council want to accept the upper limit, Mangaung still continue to charge for services which are not delivered effectively, horror stories are going on that the employees are sabotaging the day to day work. Can all of us stand in the mirror and ask ourselves that we have made a correct decision by approving this item, the tax payers of Municipality and the teachers, nursing staff looking after patients, the firemen and women, the police force trying to keep us safe receive half of these increases in their salaries why should members of the Council receive more salary increase the FFPlus is against any increase. The Municipality priority should not be with increases but rather with service delivery and fixing the impossible financial crises the ANC has left Mangaung with, the FFPlus recommends that no increases should be awarded to Councillors and any party in this Council and if they have a conscious they should not agree.”

Cllr D Leech addressed the Council as follows: “Although inflation is very high and salaries in general throughout South Africa do not necessarily reflect the substantial increase in cost of living, the DA would like to please request this house to consider the guidelines of cost containment measures as announced by National Treasury, considering point 1.8 which refers to possible savings, compensation of employees. We want this house to please review its financial status as well as the National Governments debt which amounts to R4.7 trillion by the end of 2022 that debt must be paid back that is why this cost containment has been send through to several departments of Government. The question is, can Council today say we can afford this increase.”

Cllr MM Tladi responded as follows: “Councillors of the opposition are politicking without substance they don’t want to tell the Community that they went to the office of the Acting City Manager and the office of the HOD almost every day to find out when is this item coming to Council, today they see cameras that points them to the Community of Mangaung they want to act, and when the budget for the City was made they were not there to vote for the budget.”

The Speaker announced the voting results as follows: 52 voted in favour, 26 against and 15 abstained.

It was thereupon

RESOLVED

That Municipal Council:

Noted adjustment in the Determination of Upper Limits of Salaries, allowances and Benefits of Municipal Councils determined by Ms Thembisile Phumelele Nkadimeng, MP, the Minister of Cooperative Governance and Traditional Affairs.

- a) Noted that the MEC for CoGTA granted concurrence for implementation of the adjusted Upper Limits of Salaries, Allowances and Benefits for Municipal Councils.
- b) Noted that adequate budgetary provision had been made in budget vote line entry for Councillors' salary and benefits in the 2023/2024 financial year and approval is granted for implementation in the current 2023/24 financial year.
- c) That the administration must calculate retrospectively, the payments to be effected and submit to the Section 79 Committee: Remunerations and Benefits before implementation and payment be effected by the 31st October 2023.

2.

ELECTION OF THE EXECUTIVE MAYOR

Cllr E Snyman-Van Deventer requested a 20 minutes caucus.

The Speaker presented the report as in the addendum and prior granting a 20 minutes caucus. Cllr MW Mongale raised a point of order that the Speaker read the presentation that was not his, that it was the report of the Executive Mayor. That on the addendum, page 5 of the report, was signed by the Acting Executive Mayor.

The Speaker thereon allowed a FF Plus caucus as requested. After the FF Plus caucus, Cllr E Snyman-Van Deventer provided feedback as follows: "The FF Plus took into account that there is an interdict against the election of the Executive Mayor and the Council Whip that was due to the election of 14th April 2023 and, therefore it is still sub-judice and we request you to please take this into consideration and to postpone this election taking also in account the current Acting Executive Mayor and Acting Council Whip, are still in accordance with the previous Council decision of acting until the 28th of October and therefore, we still have time to put these items on the agenda of the next meeting."

The Speaker stated that he would allow Councillors to vote, however he was not at liberty to remove the item. The item was duly accepted and therefore form part of the agenda of the Council meeting and the Council Whip concurred with the Speaker.

Cllr JC Pretorius remarked: “It is strangely that you start off first by agreeing to the mistake on the document, then a correction would be done. Therefore these items can be removed as there is new information that this is an illegal documentation because, you did not sign it and the Executive Mayor cannot sign for his own election.”

The Speaker indicated that he would not remove the items as the agenda was adopted by the house. Secondly, he reiterated that he had taken ownership for the administrative error and it was something that will be corrected. The Speaker then requested that a duly signed page be distributed to Council.

Cllr D Leech asked how can it be an administrative fault if a document stated subject: The election of the Executive Mayor and signed by him; that could not be an administrative fault, unless people in the office of the Executive Mayor were signing for him or an Executive Mayor signs documents that he did not read.

Cllr M Davies commented: “Yes, we accepted the agenda, but when we got to the reports of the Executive Mayor, he withdrew his items therefore why can the Executive Mayor remove the items but the Speaker cannot remove his items because the agenda was adopted. This report in front of us compiled by Acting HOD, Adv Mpangane is misleading Council as there is a court case and has got no bearing in Council because those two cases are with regards to the decisions that Council took and it has all bearings in Council.”

Cllr MW Mongale commented: “Thank you, Cllr BL Mathae. The biggest challenge here is that the Speaker is new in this Council and in the past, there used to be a Speaker where items would be withdrawn numerous times and in this particular case I am talking to your conscious, as the Speaker you have a legacy to protect and part of protecting that legacy is to be seen as none partisan. Even at the court of law it will be an embarrassment to the Municipality. as they always try to solve their matters through court.”

On a point of order Cllr CL Kruger said: “This is your house and as we can guide you with withdrawing the items, the final decision abides with you.”

Council Whip agreed with Cllr CL Kruger because what Cllr MW Mongale was saying, he wanted to make the Speaker as if he was an unreliable person, and that the Speaker did acknowledge that indeed the report was from his office as well as the technical error.

Cllr JE Sebolao requested that Councillors respect each other. He raised a concern with what Cllr Mantsane said and that she did not know his father and that she cannot claim that he lost his father. The Speaker indicated that the recording will be checked.

The Speaker reiterated that he accepted and take ownership with regard to document.

The Acting City Manager confirmed that in terms of the paperwork required to undertake elections process such as the ballot papers, they were ready for Council to go through the election process.

Cllr MW Mongale requested for 10 minutes caucus and it was granted as such. Thereafter, he provided feedback: “Thank you, Cllr BL Mathae. We agreed that we would not participate in the elections as the matter has been raised with the Speaker, the court judgement of the then City Manager, Mr S More against the Metro Police were the court sat and they ruled that the Municipality was absent, therefore the Speaker is absent on the bases that the document was not submitted by yourself instead, it was submitted by the Executive Mayor.”

The Speaker confirmed that the comments were noted and anyone had the right to seek legal recourse, as the Country’s jurisprudence was in a manner that allowed anyone whose rights were infringed to can seek relieve in that regard.

Cllr GDP Kotze raised a point of order and the Speaker asked on what rule was he calling a point of order. Cllr GDP Kotze remarked that the Speaker was the guardian of Councillors privileges and they were representatives. The Speaker interjected and ordered Cllr GDP Kotze to sit down and as he continued to speak, Speaker reprimanded him to not point a finger at him. The Speaker thereon ordered him leave the meeting.

On a point of order, Cllr M Davies stated: “We would want to state as the DA, we will not participate in illegal process, and according to the code of conduct of Councillors, the regulations that was gazetted, point 5.1 states: *a Councillor votes in favour or agrees with the proposed resolution that is before the meeting which conflicts with any regulations applicable to local Government is in breach of the code* therefore to protect ourselves to not be in breach of the code the DA will not be participating with the elections.”

Cllr E Snyman-Van Deventer stated that the FF Plus will not be participating in the election processes.

Cllr GJ Lipale also stated that it be minuted that the EFF would not be participating with the elections.

Cllr PJ Rampai, that the ACDP will not participate with the elections.

Cllr NA Phupha that PA will not participate with the elections.

Cllr TM Mosala indicated that the ANC wanted Council and the community to note that the Speaker had self-corrected to an extend that all Councillors present in the Chamber have received the corrected and signed document.

Cllr MA Dintlhwane nominate Cllr GMS Nthatisi and was seconded by Cllr LJ Nyaphudi. Cllr GMS Nthatisi accepted the nomination.

As there were no other nominations, the Speaker declared Cllr GMS Nthatisi as the Executive Mayor of Mangaung Metropolitan Municipality. He then afforded the newly elected Executive Mayor an opportunity to address the Council.

The Executive Mayor addressed the Council as follows: “I will like to thank Council for the cooperation, as I recalled, all the Council resolutions since 2021, mistakes get committed and upon the realisation of signing the document under review. Therefore I can speak for the administration that the process that they are undergoing is to interview the HODs, a mistake can be committed and I feel sorry for them. Thanked all and promised a sound and close relationship. Festival taking place and requested communities and all to join hands tomorrow as cleaning the City, and it is starting at 7am we will be attending to all corners.”

Cllr SP Tsoleli conveyed congratulatory message as follows: “On behalf of ANC, congratulate the newly elected Executive Mayor she read her speech as follows: let me take this opportunity on behalf of the National African Congress and congratulate the newly elected Executive Mayor, in congratulating him the ANC wishes to remind you that we went out to the community of Mangaung whereupon they spoke to them and promised them that it will provide service delivery. Therefore, here is an opportunity to fulfil what we as the ANC promised the community of Mangaung, go and make sure that the manifesto of ANC gets implemented the way it was invented.

We wish you well as your work is going to be difficult but when doing that job remember that it is important to always afford the opportunity to our community in making sure that we give them service delivery. With those few words as you deliver the services you must remember the words that were once said by our former President Mr Thabo Mbeki, “*when you are tasked with the responsibility of fetching water for the people in the river, when you get to the river don’t listen to the music of the frog*”

It was thereupon

RESOLVED that Council took note of the report and elected one Councillor, **Cllr Gregory Mosala Solomon Nthatisi** to serve as the Executive Mayor on a full-time basis.

3.

ELECTION OF THE DEPUTY EXECUTIVE MAYOR

The Speaker presented and read the report.

Cllr MA Morake nominated Cllr LM Titi-Odili and was seconded by Cllr SC Sehloho. Cllr LM Titi-Odili accepted the nomination.

As there were no other nominations, the Speaker declared Cllr LM Titi-Odili as the Deputy Executive Mayor of Mangaung Metropolitan Municipality. He then afforded the newly elected Deputy Executive Mayor an opportunity to address the Council.

The Deputy Executive Mayor addressed the Council: “Thank you Speaker. I am here today elected by Councillors of this house, we must make sure that the people of Mangaung receive the services as they deserve better in terms of the service delivery. I am the supporter to the Executive Mayor another wing, another thinker, we grew up in the tranches of the African National Congress and our duty in this Council is to make sure that we implement the manifesto of the African National Congress and that we promise to the citizens of Mangaung. As we are a team with the MMC’s we will make sure that we implement the manifesto and we deliver to the community of Mangaung. I want to thank all Councillors of the ANC for giving me this opportunity to be the Deputy Mayor of Mangaung to lead and implement.”

Cllr TM Mosala conveyed her congratulatory message as follows: “Let me take this moment to greet the newly elected Deputy Executive Mayor who hails from the streets of Mangaung and who grew up within the ranks of the movement. Not only did she led the ANC women’s league in Mangaung which was called Motheo than, she also led the young women’s network were she was serving in the province as the Deputy Chairperson of the province young women’s network which its mandate is to lobby and advocate for young women. She also led as the provincial deputy secretary of the South African youth Council, from there she led the region of the women’s league and subsequently she became the provincial task team for women’s league which according to the mandate she executed well by making sure that we have a successful provincial conference of the women’s league.

She led not one term but several in the region and still leading now as the deputy secretary of the ANC in Mangaung, she is equal to the task because she is serving the third time in this Council and she has served in different portfolios at some point she was the chairperson of MPAC, the MMC Finance and currently she has been serving as the MMC of Public Safety hence we say as the ANC she is equal to the task. We want to quote Ms Winnie Madikizela-Mandela in 1966 when she said to those who are opposing us “*when you strike a women you strike a rock*” therefore she is ready for the task.

It was thereupon

RESOLVED that the Council elected one Councillor, **Cllr Lulama Magdalena Titi-Odili** to serve as the Deputy Executive Mayor on a full-time basis.

4.

ELECTION OF THE COUNCIL WHIP

The Speaker presented and read the report.

**Cllr MS Mohatle nominate Cllr VE Nikelo and was seconded by Cllr TD Tukula.
Cllr VE Nikelo accepted the nomination.**

As there were no other nominations, the Speaker declared Cllr VE Nikelo as the Council Whip of Mangaung Metropolitan Municipality. He then afforded the newly elected Council Whip an opportunity to address the Council.

Council Whip Cllr V Nikelo addressed the Council: “Words of gratitude and thanked the political organisation that he is part of and for trusting him. On the 31st August last year in the same chamber, I indicated to the African National Congress, there was motion of no confidence that was brought against the African National Congress and I said in that meeting and quoted the poem by Maya Angelou “*And Still I rise*”.

I indicated in that meeting that the African National Congress which an organisation which has been entrusted by Mangaung. However, we have started the journey with most of the political parties that are represented in Mangaung and the journey that we have started will be the journey that will continue in terms of the multi-party and make sure that we unite.”

Cllr MJ Mabena congratulated the Council Whip as follows: “Today the Council Whip is where he belongs and he understand the strategic objective of the African National Congress from the dusty area of Botshabelo is where he comes from but when you look at Botshabelo now it is not the same. The experience that he has in this Council is very important as each and every speaker in this Council when they are in trouble, they speak to the Council Whip.”

It was thereupon

RESOLVED that the Council elected one Councillor, **Cllr Vumile Edwin Nikelo** to serve as the Council Whip on a full-time basis.

1.

ANNUAL WORK PLAN OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE 2023/2024

Cllr IJ Makoloane delivered his speech as follows as presenting the item: “I am delighted that we as the MPAC office managed to find each other and put this plan for Council to approve, in the meeting held on the 28th August 2023 and the 26th September 2023 respectively the Committee discussed and resolved on annual workplan 2023/2024. The Committee on deliberating on the matter understood that this workplan must reflect the timeframes in the MFMA, planning, budgeting cycles, preparations as well as oversight report on the annual report.

In summary, this annual workplan 2023/2024 covers amongst others the public participation and public hearings in line with section 29 of the MFMA. Number 2 the quarterly report of the Mayor on the implementation on the budget and the state of affairs on the Municipality SDBIP in line with section 52(D) of the MFMA. Performance in line with section 52, number 4 mid-year budget performance assessment of Municipal and Centlec in line with section 8 of the MFMA. Lastly unforeseen and unavoidable expenditure in line with section 29 of the MFMA, the MPAC realizes that under normal circumstances this annual workplan was supposed to serve and approved by Council earlier this year however none functioning of the MPAC for some time affected its operation and this period was between 16th March 2023 to the 31st July 2023. In conclusion it is therefore again this background to present MPAC annual workplan 2023/2024 for Council’s approval.”

Cllr VB De Kock addressed the Council as follows: “The FF Plus supports the work of MPAC and we also acknowledge the important oversight role that MPAC plays on activities on the financial crises of the Metro. We request the acting City Manager and if whenever appointed the new City Manager they support MPAC to fulfil their very important role, also the City Manager and the HOD’s also whenever appointed will see to it that anybody invited to an MPAC meeting. It is such a disgrace that invitees do not pitch when they are invited to meetings they are undermining the work of Council. For example the problems found by auditor general should be attended too and if not we will never get a clean audit, we cannot ignore the role of MPAC.”

Cllr PJ Rampai remarked: “Greetings to all, as the ACDP I would like to encourage the MPAC Committee as I am part of it again we as the MPAC if we can get the strength to work. Number two is that the Committee of MPAC pleads to all officials who are invited to attend the meeting because if they don’t attend the MPAC Committee falls behind.”

Cllr JE Sebolao remarked: “I will like to take this opportunity to add on a few on what the Chairperson of MPAC has presented however I have a problem because we spoke about the issue of the Acting City Manager in our Committee but the Chairperson did not touch on that, as the Acting City Manager did not attend the meeting instead she send officials with unsigned documents and she knew that we do not deal with unsigned documents. Can the resolutions of MPAC be taken into consideration and be implemented as there are many outstanding resolutions.”

Cllr MJ Mabena remarked: “Now can see where going as this plan is important and it addresses all the things that must be done, again it is going to deal with disciplinary matters and embark on oversight.

This report will also deal with managers who are not performing very well, very important is that when we deal with our IDP's we will consult with the Community on all matters that are affecting Mangaung therefore as the ANC we support this report as it is going to deal with issues affecting Mangaung."

Cllr MW Mongale stated that: "There is a red flag of officials that has been raised who are frustrating MPAC, there must be consequence management and there should be a plan on how those officials are going to be disciplined and if the Acting City Manager is not attending the meeting and sending junior staff there must be consequences."

The Speaker responded that will be dealt with as it was one of the key concerns and the Chairperson should ensure that the communication extended to the office of the Speaker as the responsible office.

Council voted unanimously

It was thereupon

RESOLVED that the Municipal Council approved the proposed work plan for the **2023/2024** financial year.

168	IN COMMITTEE REPORTS
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1.

REPORT OF THE SELECTION PANEL ON THE SELECTION, RECRUITMENT AND APPOINTMENT OF THE CITY MANAGER AT MANGAUNG METROPOLITAN MUNICIPALITY

The Speaker requested all HODs, officials, media and the public in the gallery to be excused from the meeting and that the live streaming be switched off as the items would be dealt with "In Committee".

Prior to commencing with the meeting after a 1 hour caucus, the Speaker confirmed that 72 Councillors were present in the meeting and thus quorating.

As these items are dealt with In Committee, the discussions are minuted separately and only the voting outcomes and the resolutions of the Council are outlined below.

It was thereupon

RESOLVED that:

- a) The Council noted that the selection panel for the recruitment and selection of the City Manager executed the task assigned by Council and report detailing the process followed through.
- b) The Council appointed Mr Sello More as the preferred candidate for the position of the City Manager at Mangaung Metropolitan Municipality.
- c) The appointment is on a three (3) years fixed term performances-based contract not exceeding a period of one year after the election of the next Council, starting from 01 November 2023.
- d) Should Mr Sello More be unavailable to accept the position, the next preferred candidate in order of sequence must be considered.

2.

APPOINTMENT OF BOARD OF DIRECTORS FOR CENTLEC FOR A PERIOD OF THREE (3) YEARS FROM 01 NOVEMBER 2023 UNTIL 31 NOVEMBER 2026

The voting results were as follows: **51 in favour, 0 against and 15 abstained.**

RESOLVED that the Council:

- a) Appointed seven (7) persons to serve as Board of Directions at Centlec for a period of 3 years as of 01 November 2023 until 31 November 2026, namely:
 1. **Mr Barlow, Donald Ronald – Local Government**
 2. **Mr Mopeli, Makhabane Alec – Legal**
 3. **Ms Mahanoe, Gomolemo – Civil Engineer**
 4. **Ms Ramphaka, Gratitude Tsholofelo – Risk**
 5. **Ms Mfata, Matseliso Bernice – Accountant and Audit**
 6. **Mr Mokitlane, Modise Casalis – ICT**
 7. **Mr Baloyi, Norman Tinyiko – electrical Engineer**
- b) Appointed one (1) person, **Mr Mokitlane, Modise Casalis** to serve as Chairperson of Centlec board and non-executive Director of the Board.
- c) Appointed one (1) person, **Ms Mfata, Matseliso Bernice** to serve as Deputy Chairperson and non-executive Director.
- d) Designated one (1) Councilors, **Cllr Vusumzi Simon Soqaga** as shareholder representative at the Board.
- e) Delegated the Executive Mayor to designate a municipal representative, **Cllr Caprice Logan Kruger** to attend meetings of the Board with no voting rights.

3.

REALIGNMENT OF APPROVED MACRO ORGANISATIONAL STRUCTURE AS OF 01 JULY 2023

The voting results were as follows: **63 in favour, 0 against and 6 abstained.**

It is thereupon

RESOLVED that the Municipal Council:

- a) Noted that the pilot project initiated by national CoGTA in collaboration with provincial CoGTA has been revived as of August 2023 with Mangaung Metropolitan Municipality as pilot project for implementation of prototype and development of fit for purpose micro-organizational and service delivery model to remedy challenges facing the metro.
- b) Noted the report and execute and executive decision taken by the acting Executive Mayor regarding placement of acting Heads of Departments outlined in the table below in accordance with the redesigned approved macro-organizational structure.

Table A		
Approved Macro Organisational Structure 2022/2026		
New Approved Department	Relocated Department or function	Realignment acting Heads of Department
1. Office of the City Manager	IPTN has been split into operations and planning. The operation IPTN is relocated to Community Services, whilst Transport Planning resides with Planning.	Community Services, Planning, Economic, Rural and Human Settlements.
2. Corporate Services	Fleet Management	Adv Nkateko Mpangane
3. Finance	Payroll	Ms Nomathamsanqa Sitishi
4. Planning, Economic Development and Human Settlements (with transport planning)	<ul style="list-style-type: none"> • Planning • Human Settlements • Economic and Rural Development (with transport planning) 	Ms Nkateko Mabunda
5. Community Services (with transport services)	<ul style="list-style-type: none"> • Social Services • Waste Management • Transport Services (IPTN) 	Mr Francois Nel
6. Public Safety and Security	<ul style="list-style-type: none"> • Traffic • Law Enforcement • Disaster Management • Emergency Services 	Ms Mahoholi Mafisa
7. Engineering Services renamed to Technical Services	Mechanical Workshop	Mr Itumeleng Masobeng

9D

- c) That Council ratify the executive decision taken by the Executive Mayor regarding placement of acting Heads of Departments in accordance with the redesigned approved macro-organizational structure.

169	MOTIONS
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None

NOTED.

170	CLOSING OF THE SPECIAL COUNCIL MEETING
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The Speaker officially closed the meeting at 22h00.

**SECRETARIAT UNIT
COMMITTEE SERVICES**