

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON TUESDAY, 24 MAY 2022 AT 09:00

PRESENT

Councillors

Councillor EM Sidego (Speaker) (DA)
Alderman HJ Smit (Executive Mayor) (DA)
Councillor FE Klazen (Deputy Executive Mayor) (GOOD)
Alderman K Adams (DA)
Alderman BC Klaasen (DA)
Councillor P Daniels (DA)
Councillor S de Bruin (DA)
Councillor G Franse (DA)
Councillor D Swart (DA)
Alderman JJ Visagie (DA)
Councillor AL Gili (ANC)
Councillor JS Mouton (ANC)
Councillor MJ Ndaba (ANC)
Councillor N Nogcinisa (ANC)
Councillor N Phatsoane (ANC)
Councillor K Yisa (ANC)
Councillor J Zalie (ANC)
Councillor J Cloete (PA)
Councillor JP Fredericks (FF Plus)
Councillor LA Hardnek (Witzenberg Party)
Councillor P Heradien (ICOSA)
Councillor GG Laban (Witzenberg Aksie)
Councillor IL Swartz (EFF)

Officials

Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluzi (Director: Corporate Services)
Ms L Nieuwenhuis (Manager: Legal Services)
Mr A Hofmeester (Manager: IDP)
Ms R Hendricks (Manager: Communication and Marketing)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr C Titus (Committee Clerk)
Ms MJ Prins (Word Processor Operator)
Mr R Rhode (ICT Administrator)
Mr J Pieterse (Senior ICT Officer)

Other attendees

Mr D McThomas (Designated Chairperson) (Municipal Manager Breede Valley Municipality)
Mr G Caswell (Deputy Director: Specialised Support, Department of Local Government)
Mr K Makan (Director: Municipal Governance, Department of Local Government)

3. MOTIONS AND NOTICE OF SUGGESTIONS

3.1 Motion: Request for urgent meeting to table a motion of no confidence and to request the removal of the Speaker from office (3/2/2)

A motion from the DA coalition, dated 18 May 2022, is attached as **annexure 3.1**.

Mr D McThomas, Chairperson of the meeting, introduced himself and mentioned that he is duly designated by Mr A Bredell, Western Cape Minister of Local Government to act as Chairperson for the meeting in respect of a motion of no confidence and to request the removal of the Speaker from office in terms of the applicable legislation. He read the relevant letter.

Remarks

Councillor MJ Ndaba: Requested information on what grounds did the MEC appoint the Chairperson for the meeting. The Chairperson referred to the letter of appointment, but were simultaneously interrupted by Councillors from the opposition coalition.

Councillor K Yisa: Requested Speaker J Mouton to remove the Chairperson from the meeting.

Speaker Mouton: Mentioned that people unknown to her are attending the meeting, probably from the office of the MEC. The process followed is unfair, because as Speaker she did not receive notice from the MEC of any person to chair her meeting. As Speaker she requested time to consider the meeting in respect of the signed motion. The request for time was not granted by the Executive Mayor. The notification of the meeting was signed by the Municipal Manager at the time.

Chairperson: Responded that there is proof that Speaker Mouton was not willing to sign the agenda for the meeting. The Municipal Manager could sign off the notification as he was still in office at the time.

Councillor MJ Ndaba: Enquired who has called the Special Council meeting.

Chairperson: Read the letter of designation received from Mr Bredell, Western Cape Minister of Local Government, in respect of the request for the Special Council meeting. Mr David McThomas, Municipal Manager of Breede Valley Municipality, is designated as Chairperson of the meeting.

Furthermore the Chairperson read the request from the majority of Council calling for a Special Council meeting. On request Alderman HJ Smit tabled an email proof to Speaker Mouton to call a Special Council meeting. The email was duly signed by Alderman Smit, Executive Mayor.

Speaker Mouton: Mentioned that she never refused to call the Council meeting. On 6 May 2022 she requested the Municipal Manager, Mr David Nasson, to arrange a Special Council meeting to appoint an Acting Municipal Manager. The meeting did not take place due to her illness from 10 May 2022. On 16 May 2022 she was called to a meeting by the Executive Mayor. The Mayor informed her that the purpose of the meeting was to appoint an Acting Municipal Manager. The Executive Mayoral Committee members were all in attendance. She was informed that the meeting was about the appointment of Mr David Nasson as the Acting Municipal Manager. The Speaker requested the Municipal Manager to appoint an Acting Municipal Manager on which Mr Nasson replied that he preferred that the Speaker must use her powers. The Executive Mayor adjourned the meeting.

Alderman J Visagie: Raised a point of order that meeting procedures be followed and the meeting accordingly be opened.

Speaker Mouton: Mentioned that she only discovered on 18 May 2022 that a motion, requesting a Special Council meeting, had been signed.

Chairperson: Repeated the purpose of the meeting and opened the meeting properly. The meeting was constituted in terms of the content of the agenda.

Various remarks were made from the floor, which included several Councillors from the opposition side i.e. MJ Ndaba, AL Gili, P Heradien and K Yisa. The meeting erupted in shouting.

Chairperson: Mentioned that a caucus break was requested for ten minutes from 09:35 until 09:43.

Chairperson: Requested after the caucus break that respect for the meeting be displayed and not to disrupt the proceedings. Speaker Mouton and Councillor MJ Ndaba were identified in this regard and requested to honour the meeting.

Much disruption followed from both sides of the floor and Councillor N Nogcinisa started singing, followed by more Councillors of the opposition side.

Chairperson: Continued with the meeting and Alderman JJ Visagie proposed and Alderman K Adams seconded the motion that Speaker J Mouton be removed as Speaker of the Council.

Thus no other proposals submitted the Chairperson called for a vote in terms of hands.

13 Votes were casted by showing of hands in favour of the removal of Speaker J Mouton as Speaker of Council.

The Chairperson declared that Councillor J Mouton is removed as the Speaker of Council.

RESOLVED

that Councillor J Mouton be removed as Speaker of the Witzenberg Municipal Council.

BESLUIT

dat Raadslid J Mouton verwyder word as Speaker van die Witzenberg Munisipale Raad.

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY
AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN ENIGE
(3/1/2/1)**

This item was not addressed.

NOTED

**3.2 Election of a Speaker
(03/1/1/4)**

The prescribed nomination form is attached as **annexure 3.2**.

The Chairperson called for nominations to elect a Speaker.

Councillor D Swart proposed and Councillor EM Sidego accepted the nomination as Speaker.

The Chairperson called for a vote by show of hands. 13 votes were in favour of Councillor EM Sidego as the newly elected Speaker. Thus there were no other proposals.

The Chairperson declared that since there were no other proposals, Councillor EM Sidego is duly elected as Speaker of the Witzenberg Municipal Council. The Chairperson handed over the chair to Councillor Sidego.

RESOLVED

that Councillor EM Sidego be duly elected as the Speaker of the Witzenberg Municipal Council.

BESLUIT

dat Raadslid EM Sidego behoorlik verkies word as die Speaker van die Witzenberg Munisipale Raad.

4. COUNCIL-in-COMMITTEE