



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2019-08-14

MINUTES

SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-08-14 AT 10:00

Detailed account of the meeting proceedings is available on audio recording, which is obtainable from The Municipal Manager's Office per Request for Information (RFI)

MINUTES
SPECIAL MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2019-08-14
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MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2019-08-14 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

TO The Speaker, Cllr WC Petersen (Ms) [Chairperson]
The Executive Mayor, Ald G Van Deventer (Ms)
The Deputy Executive Mayor, Cllr N Jindela

COUNCILLORS

F Adams	LK Horsband (Ms)
FJ Badenhorst	MC Johnson
FT Bangani-Menziwa (Ms)	DD Joubert
Ald PW Biscombe	N Mananga-Gugushe (Ms)
G Cele (Ms)	C Manuel
PR Crawley (Ms)	NE Mcombring (Ms)
A Crombie (Ms)	XL Mdemka (Ms)
Z Dalling (Ms)	C Moses (Ms)
R Du Toit (Ms)	RS Nalumango (Ms)
J Fasser	N Olayi (Ms)
A Florence	SA Peters
AR Frazenburg	MM Pietersen
E Fredericks (Ms)	WF Pietersen
T Gosa	SR Schäfer
E Groenewald (Ms)	Ald JP Serdyn (Ms)
JG Hamilton	N Sinkinya (Ms)
AJ Hanekom	P Sitshoti (Ms)
DA Hendrickse	LL Stander
JK Hendriks (until 11:20)	E Vermeulen

Officials:

Municipal Manager (Ms G Mettler)
Director: Corporate Services (Ms A De Beer)
Director: Infrastructure Services (D Louw)
Director: Planning and Economic Development (T Mfeya)
Chief Financial Officer (K Carolus)
Director: Community and Protection Services (G Boshoff)
Senior Manager: Governance (Ms S De Visser)
Manager: Communications (S Grobbelaar)
Manager: Local Economic Development (W Moses)
Senior Manager: Roads & Transport (J Fullard)
Senior Manager: Solid Waste Management (S Haider)
Senior Administration Officer (Ms T Samuels)
Interpreter (J Tyatyeka)

1.	OPENING AND WELCOME
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The Opening and welcome of the Speaker can be summarised as follows:

“Good morning to:

- The Executive Mayor, Alderman Van Deventer
- The Municipal Manager, Ms. Geraldine Mettler
- All other Alderman and Ladies
- All Councilors
- All Directors and Staff members present
- All Members of the Public and especially Mr. Pelser from the Stellenbosch Ratepayers Association

Allow me to WELCOME ALL of YOU TO THIS Special Meeting. I sincerely hope that you will enjoy the inputs and discussions from the different speakers and may we enjoy a fruitful meeting.

As Part of my notices here today, allow me to Congratulate the Councils Rules Committee for the excellent peace of work done that have now been Promulgated in the Government Gazette as Council’s Policy: **Standing Rules of Order for the meetings of Council and its Committees**. Councillors please note that the By-law on the Rules of Order starts officially today and all Councilors must please familiarize themselves with the rules especially rule 6.5 on the topic Serving of Notice.

Birthdays

The following Councilors celebrated their birthdays the past month

- Councilor Lucinda Horsband-5 August
- Councilor Ansaaf Crombie-11 August
- Councilor Jeremy Fasser-13 August
- The Deputy Mayor will also have his birthday later in the month on 24 August 2019 while the Single Whip Cllr. Paul Biscombe will be celebrating his on 28 August 2019.

Allow me also to say to our Moslem Sister and Brothers – Happy EID MUBARAK

- Op ‘n somber noot wens ons alle sterkte toe aan die drie families van Klapmuts wat hul geliefde aan ‘n tragiese motor ongeluk verloor het sowel as die wat nog aansterk in die hospitaal.
- Ons dink ook aan die Universiteit van Stellenbosch en studente met betrekking tot die brand by Huis ten Bosch die afgelope week.
- Ek wil ook net Dankie se aan alle Vroue Raadslede wie vir hul onderskeie Wyke Vroue dag so lekker gevier het. Laat die Vroue Brullllll die hele Maand lank.
- Councillors please note that the following Council Meeting will take place on Wednesday August 28 starting at 10h00 sharp.
- Councilors please attend to the Disclosure of Interest forms and submit it to the Speakers Office before 23 August 2019.

We now move to the items on the agenda / Ons beweeg nou na die items op die Agenda.”

After the Speaker's opening and welcome, Cllr DA Hendrickse referred to Rule 6.5 of Council's Rules of Order By-Law that was promulgated on 2019-08-02 and enquired about the amount payable for hard copies of the Agenda. The Speaker responded that Cllr DA Hendrickse's enquiry is noted and being attended to.

Cllr F Adams requested that it be minuted that he is of the view that Council's Rules of Order By-law, is unconstitutional.

2.	APPLICATION FOR LEAVE OF ABSENCE
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2.1 The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr MD Oliphant	-	14 August 2019
Cllr Q Smit	-	14 August 2019

2.2 Permission was granted to Cllr JK Hendriks to leave the meeting earlier (at 11:20).

3.	DISCLOSURE OF INTEREST
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NONE

4.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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4.1	ROLL-OVER ADJUSTMENT BUDGET 2019/20
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

Special Council: 14 August 2019

1. SUBJECT: ROLL-OVER ADJUSTMENT BUDGET 2019/20

2. PURPOSE

To present the Roll-over Adjustments Budget for the 2019/2020 financial year to Council for approval.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

EXECUTIVE SUMMARY

Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

SPECIAL COUNCIL MEETING: 2019-08-14: ITEM 4.1

Clr DA Hendrickse requested that it be minuted that in the January 2019 Council meeting, the R12 million was taken off the budget.

He further requested that it be minuted that the appendix to this item was emailed on the afternoon of 2019-08-13.

RESOLVED (majority vote)

- (a) that the Adjustments Budget for 2019/2020 as set out in **APPENDIX 2**, be approved;
- (b) that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX 3, be approved; and
- (c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

The following Councillors requested that their votes of dissent be minuted:

F Adams; FT Bangani-Menziwe (Ms); C Gele (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); and N Sinkinya (Ms).

FOR FURTHER DETAILS CONTACT:

NAME	MONIQUE STEYL
POSITION	<i>Acting Senior Manager: Financial Management Services</i>
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8512
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	

4.2	CONTRACTS HAVING FUTURE BUDGETARY IMPLICATIONS – MUNICIPAL VALUER
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File No: 8/1
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: Special Council: 14 August 2019

- 1. SUBJECT: CONTRACTS HAVING FUTURE BUDGETARY IMPLICATIONS – MUNICIPAL VALUER**
- 2. PURPOSE**
 Council to approve in terms of Section 33(1) (c) MFMA, the contract to be entered into between the municipality and the municipal valuer for the compilation of the General Valuation Roll to be implemented on 1 July 2021.
- 3. DELEGATED AUTHORITY**
 Council to approve.
- 4. EXECUTIVE SUMMARY**
 A process as envisaged in Section 33, MFMA, is to be followed in order for the municipality to enter into a contract having budgetary implications beyond the three years covered in the current financial year's budget.
 This process has been initiated and is to be concluded by the council considering this report and adopting the relevant resolution.

SPECIAL COUNCIL MEETING: 2019-08-14: ITEM 4.2

RESOLVED (majority vote with abstentions)

- (a) that Council takes note that the intention to enter into a contract with a municipal valuer that will have future budgetary implications was advertised in terms of Section 33, MFMA and that no comments were received;
- (b) that the views and recommendations of National Treasury, Provincial Treasury and the Department responsible for local government were solicited and that no reasons for opposing the contract were received;
- (c) that the Council notes that the municipality will derive a financial benefit from the contract in the form of cost savings;
- (d) that the contract attached as Appendix A be approved; and
- (e) that the Municipal Manager be authorised to sign the contract on behalf of the municipality.

Councillors F Adams; G Cele (Ms); DA Hendrickse and LK Horsband (Ms); requested that their votes of dissent be minuted.

Councillors FT Bangani-Menziwe (Ms); N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); LL Stander; N Sinkinya (Ms) and P Sitshoti (Ms) requested that their abstentions be minuted.

4.3	PARKING TARIFFS AMENDMENT
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

Special Council: 14 August 2019

1. SUBJECT: PARKING TARIFFS AMENDMENT**2. PURPOSE**

To obtain Council's approval to amend the 2019/20 parking tariffs and to inform Council on status of Stellenbosch (CBD) parking management system.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

In order to effectively manage the parking demand within the Stellenbosch CBD, the Municipality previously proceeded with the implementation of a new parking management system.

The parking management system was implemented on 1 April 2019. The municipality had also recently implemented the 2019-2020 parking tariff increases. After assessing inputs from local residents (that the CBD has become inaccessible due to parking costs) and, taking into account the combined impacts of a new parking management system and the parking tariffs increases, a more detailed review of the parking tariffs was carried out.

A proposal is therefore tabled to reduce the parking tariffs, at all parking areas, to aid and promote accessibility within the CBD. The reduced parking tariffs will be in line with the previous financial year's (2018-2019) parking tariffs.

SPECIAL COUNCIL MEETING: 2019-08-14: ITEM 4.3**RESOLVED** (majority vote)

that Council approves the amendments to the parking tariffs, as shown in **APPENDIX 1**.

Cllrs F Adams; DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	CFO
DIRECTORATE	Finance
CONTACT NUMBERS	0218088528
E-MAIL ADDRESS	kevin.carolus@stellenbosch.gov.za
REPORT DATE	8 August 2019

4.4	THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND TO THE SUCCESSFUL LAND APPLICANTS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Valley of Opportunities

Special Council: 14 August 2019

1. SUBJECT: THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND TO THE SUCCESSFUL LAND APPLICANTS

2. PURPOSE

To request Council to take note of the recommendations to allocate vacant municipal land to the successful applicants and to give consideration for the allocation of land to one candidate that fall sort of one criteria.

3. DELEGATED AUTHORITY

In terms of Section 14 of the Municipal Financial Management Act (MFMA), Regulation 34(1) of the of the Asset Transfer Regulation and the Systems of Delegations adopted by Council on 2015-06-01, the **Municipal Manager** has the powers to grant rights to use, control or manage a fixed capital asset up to an annual contract value not exceeding R 1 000 000.

4. EXECUTIVE SUMMARY

The item deals with the allocation of vacant municipal land to successful land applicants after Council resolved on 28-03-2018 to advertise 12 pieces of vacant municipal agricultural land for leasing purposes. A full report on the process of allocation and recommendations is attached as **APPENDIX A**.

SPECIAL COUNCIL MEETING: 2019-08-14: ITEM 4.4

Amendment on recommendation (c) voted in. Recommendation (a) and (b) remain, and (c) below, added:

“(c) that the Policy be reviewed to address the unintended consequences.”

The following Councillors requested that their votes of dissent be minuted:

F Adams; FT Bangani-Menziwe (Ms); (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); and N Sinkinya (Ms).

RESOLVED (majority vote with abstentions)

that this matter be referred back to the Administration for further consideration and be resubmitted at the 28 August 2019 Council meeting.

FOR FURTHER DETAILS CONTACT:

NAME	Widmark Moses
POSITION	<i>Manager: Local Economic Development</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	021 808 8179
E-MAIL ADDRESS	<i>widmark.moses@Stellenbosch.gov.za</i>
REPORT DATE	23-07-2019

The meeting adjourned at 12:00.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**