

Bunbury City Council

Special Council Meeting Minutes

6 December 2010

To further consider matters associated with applications for the position of Chief Executive Officer.

In accordance with the provisions of Section 5.25(g) of the Local Government Act 1995 and Regulation 12(4) of the Local Government (Administration) Regulations 1996 this Meeting was advertised for public information, as follows:

- Notices posted on notice boards in the City's Customer Service Centre, libraries and internet website.



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Bunbury City Council Special Meeting Minutes

Minutes of a Special Meeting of the Bunbury City Council held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Monday, 6 December 2010.

Minutes 6 December 2010

NOTE: These minutes are subject to confirmation at the next Ordinary meeting of the Council.

1. Declaration of Opening by the Mayor

His Worship the Mayor David Smith declared the meeting open at 5.39 pm.

2. Record of Attendance, Apologies and Leave of Absence

PRESENT

Council Committee Members	
Presiding Member:	His Worship the Mayor, Mr D Smith
Deputy Presiding Member:	Deputy Mayor, Councillor B Kelly
Members:	Councillor J Jones
	Councillor S Craddock
	Councillor W Major
	Councillor N Whittle
	Councillor R Slater
	Councillor M Steck
	Councillor A Leigh
	Councillor K Steele (arrived late)
Councillor J Harrop	
Council Officers (Non-Voting):	
Administration Officer Corporate Services	Ms N Hribar
Others (Non-Voting):	
Members of the Public:	Nil
Members of the Press:	Nil

Cr Helen Punch was absent from the meeting
Cr Karen Steele arrived to the meeting during the discussion of Point 4 of the recommendations (see section 4)

LEAVE OF ABSENCE

Cr Derek Spencer on Leave of Absence from 27 November 2010 to 3 January 2011 (inclusive).

3. Disclosures of Interest - Local Government Act 1995

Nil

4. Business of the Meeting

The business of the meeting was to further consider matters associated with the application for the position of Chief Executive Officer.

Outcome – Special Council Meeting 6 December 2010

Pursuant to City of Bunbury Standing Order 15.10, Cr Leigh moved, Cr Craddock seconded *“the meeting to exclude members of the public and press to permit Confidential Business (as defined by the Local Government Act 1995 under Section 5.23) to be discussed.”* The motion was put to the vote and CARRIED 10 votes “for” / Nil votes “against”.

The members of the public, press and staff were asked to leave the Chambers.

The meeting began with an outline by the Mayor of the process gone through by the Selection Panel and confirming that the Panel had a tied vote after re-interviewing two of the candidates with three votes each, so it was not possible for the Panel to make a single recommendation to Council.

During the discussion the following recommendations were made:

The following recommendation was moved Cr Harrop, seconded Cr Major to become the motion under discussion:

“1. Council resolves to appoint Andrew Brien as the Chief Executive Officer of the City of Bunbury.”

The Mayor put this motion to the vote and was adopted to form part of the Council’s decision on the matter – CARRIED 6 votes “for” / 4 votes “against”

It was requested that the votes be recorded as follows:

For: Mayor D Smith, Cr Jones, Cr Whittle, Cr Major, Cr Slater,
Cr Harrop

Against: Deputy Mayor Cr Kelly, Cr Craddock, Cr Leigh, Cr Steck

The following recommendation was moved Cr Whittle, seconded Cr Harrop to become the motion under discussion:

“2. The term of the appointment be for a period of five (5) years commencing on a date before 2 April 2011, to be decided by the new Chief Executive Officer.”

The Mayor put this motion to the vote and was LOST 4 votes “for” / 6 votes “against”.

Cr Steck moved, Deputy Mayor Cr Kelly seconded the following amendment to the previous motion:

Change “five (5) years” to “four (4) years”. The Mayor put this amendment to the vote and was adopted to form part of the Council’s decision on the matter – CARRIED 7 votes “for” / 3 votes “against”.

The following recommendation was moved Cr Craddock, seconded Cr Major to become the motion under discussion:

- “3. *The remuneration for the new Chief Executive Officer to be a total of \$255,000 per annum, inclusive of the value of the provision of a motor vehicle by Council for private use, within Western Australia, and any superannuation contributions required of Council.*”

The Mayor put this motion to the vote and was LOST 4 votes “for” / 6 votes “against”

Cr Slater moved, Cr Harrop seconded the following amendment to the previous motion:

Change the amount of “\$255,000” to “\$250,000”. The Mayor put this amendment to the vote and was adopted to form part of the Council’s decision on the matter – CARRIED 6 votes “for” / 4 votes “against”.

The following recommendation was moved Cr Slater, seconded Cr Harrop to become the motion under discussion:

- “4. *The panel appointed to recommend a new Chief Executive Officer continue to operate to determine the terms of the contract and any unresolved issues relating to the new Chief Executive Officer.*”

Cr Steele arrived to the meeting during the discussion of this item and was present to vote on the matter.

The Mayor put this motion to the vote and was adopted to form part of the Council’s decision on the matter – CARRIED 11 votes “for” / nil votes “against”.

The recommendation was moved Cr Slater, seconded Cr Major to become the motion under discussion:

- “5. *The Council pay the reasonable relocation expenses of the new Chief Executive Officer, his family, furniture and personal effects.*”

The Mayor put this motion to the vote and was adopted to form part of the Council’s decision on the matter – CARRIED 11 votes “for” / nil votes “against”.

Cr Slater moved, seconded Cr Steck that the recommendations be moved as one whole motion. The Mayor put this motion to the vote and was adopted to become the Council’s decision on the matter.

Cr Slater moved, Cr Leigh seconded procedural motion 15.10 of the City of Bunbury Standing Orders that the Council meeting be reopened to the members of the public, press and staff. The procedural motion was put to the vote and CARRIED.

Council Decision 274/10

- 1. Council resolves to appoint Andrew Brien as the Chief Executive Officer of the City of Bunbury.**
- 2. The term of appointment be for a period of four (4) years commencing on a date before 2 April 2011 to be decided by the new Chief Executive Officer.**
- 3. The remuneration of the new Chief Executive Officer to be a total of \$255,000 per annum, inclusive of the value of the provision of a motor vehicle by Council for private use, within Western Australia, and any superannuation contributions required of Council.**
- 4. The panel appointed to recommend a new Chief Executive Officer appointment continue to operate to determine the terms of the contract and any unresolved issues relating to the new Chief Executive Officer.**
- 5. The Council pay the reasonable relocation expenses of the new Chief Executive Officer, his family, furniture and personal effects.**

CARRIED

11 votes "for" / Nil votes "against"
(Absolute Majority Vote Attained)

5. Close of Meeting

The meeting was declared closed at 6.25pm