

CONFIDENTIAL MINUTES

of

CONFIDENTIAL SPECIAL COUNCIL MEETING

Pursuant to the provisions of Section 84(1) of the Local Government Act 1999

HELD IN

COUNCIL CHAMBERS PLAYFORD CIVIC CENTRE 10 PLAYFORD BOULEVARD, ELIZABETH

ON

MONDAY, 21 SEPTEMBER 2015 AT 7:30PM

The meeting went into confidence at 7.33pm.

ATTENDANCE RECORD

MAYOR GLENN DOCHERTY – Principal Member

Cr Marilyn Baker Cr Samantha Blake Cr Andrew Craig
Cr Denis Davey Cr Shirley Halls Cr Michael Joy
Cr Duncan MacMillan Cr Dino Musolino Cr Jane Onuzans
Cr Max O'Rielly Cr Peter Rentoulis Cr Adam Sherwood

Cr Gay Smallwood-Smith

Also in attendance at the meeting:

Mr Mal Hemmerling Acting Chief Executive Officer

Special Council Minutes 2 21 September 2015

4.1 CHIEF EXECUTIVE OFFICER (CEO) RECRUITMENT PROCESS REPORT

Contact Person: Mayor Glenn Docherty

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE

This motion passed in open section of minutes

B. THE BUSINESS MATTER

ITEM 4.1 HAS BEEN RETAINED IN-CONFIDENCE FOR REVIEW AT THE ANNUAL REVIEW IN 2017 – RESOLUTION #2531

C. PROCEDURAL DECISION - TO DECIDE HOW LONG ITEM 4.1 IS TO BE KEPT IN CONFIDENCE

RECOMMENDATION

That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 4.1 be kept confidential:

- Attachment for Item 4.1 until the next scheduled annual review of confidential items.
- Discussion for Item 4.1 until the next scheduled annual review of confidential items.

COUNCIL RESOLUTION

1

Moved: Cr MacMillan Seconded: Cr Baker

That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 4.1 be kept confidential:

- Attachment for Item 4.1 to be reviewed and determined at the next annual review of confidential items.
- Discussion for Item 4.1 to be reviewed and determined at the next annual review of confidential items.

CARRIED

The meeting moved into open at 7.38pm

4.2 CHIEF EXECUTIVE OFFICER (CEO) APPOINTMENT AND EMPLOYMENT AGREEMENT

Contact Person: Mayor Glenn Docherty

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE

This motion passed in open section of minutes – refer resolution number 2280.

The meeting moved into confidence at 7.39pm

4.2 CHIEF EXECUTIVE OFFICER (CEO) APPOINTMENT AND EMPLOYMENT AGREEMENT

COUNCIL RESOLUTION 2281

Moved: Cr Baker Seconded: Cr Sherwood

That Mal Hemmerling be invited into the Special Council Meeting of the 21 September 2015

CARRIED

Mayor Docherty left the meeting at 7.40pm

Mayor Docherty returned to the meeting at 7.40pm

Mal Hemmerling entered the meeting at 7.40pm

Mal Hemmerling left the meeting at 7.57pm

B. THE BUSINESS MATTER

RECOMMENDATION

Option 1

- 1. That pursuant to Section 98(5) of the Local Government Act 1999, the Council appoints Mr Mal Hemmerling to the position of Chief Executive Officer of the Council on the terms and conditions set out in the contract of employment (Employment Agreement) attached to the report to the Council dated 21 September 2015 and titled "Chief Executive Officer (CEO) Appointment and Employment Agreement" relating to Item 4.2 (the Contract).
- 2. That the Council authorises the Mayor to enter into and execute the Contract on behalf of the Council.

Option 2

That the Council not agree with the Employment Agreement in relation to the following clauses of the Employment Agreement (as per Attachment 1):

1.							
2.							
3							

and notify Mr Hemmerling accordingly.

COUNCIL RESOLUTION

2282

Moved: Cr Sherwood Seconded: Cr Baker

1. That pursuant to Section 98(5) of the Local Government Act 1999, the Council appoints Mr Mal Hemmerling to the position of Chief Executive Officer of the Council on the terms and conditions set out in the contract of employment (Employment Agreement) attached to the report to the Council dated 21 September 2015 and titled "Chief Executive Officer (CEO) Appointment and Employment Agreement" relating to Item 4.2 (the Contract).

2. That the Council authorises the Mayor to enter into and execute the Contract on behalf of the Council.

CARRIED

C. PROCEDURAL DECISION - COUNCIL TO DECIDE HOW LONG ITEM 4.2 IS TO BE KEPT IN CONFIDENCE

RECOMMENDATION

NOTE: Not required if Option 1 of the Matter is resolved.

COUNCIL RESOLUTION

2283

Moved: Cr Sherwood Seconded: Cr Halls

That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 4.2 be kept confidential until the employment agreement has been executed by both parties:

- Attachment for Item 4.2
- Discussion for Item 4.2
- Decision for Item 4.2

CARRIED

The meeting moved into open at 8.17pm

4.3 PRESENTATION FROM NEWLY APPOINTED CHIEF EXECUTIVE OFFICERContact Person: Mayor Glenn Docherty

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE

This motion passed in open section of minutes - refer to resolution number 2284.

The meeting moved into confidence at 8.17pm

B. THE BUSINESS MATTER

Item discussed in confidence.

Presentation from newly appointed Chief Executive Officer occurred.

COUNCIL RESOLUTION

2285

Moved: Cr Baker Seconded: Cr MacMillian

That Council acknowledge and considered the presentation by Mr Mal Hemmerling entitled "CEO Structure Consultation with Council" held on 21 September 2015, and agreed in principle with the creation of a position for Deputy CEO of the City of Playford.

CARRIED

C. PROCEDURAL DECISION - COUNCIL TO DECIDE HOW LONG ITEM 4.3 IS TO BE KEPT IN CONFIDENCE

COUNCIL RESOLUTION

2286

Moved: Cr Craig Seconded: Cr Blake

That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 4.3 be kept confidential until the Chief Executive Officer has made relevant announcements and advised the Council that the information is no longer required to be kept confidential.

- Presentation for Item 4.3 and
- Discussion for Item 4.3
- Decision for Item 4.3

CARRIED

The meeting moved into open at 8.55pm