MINUTES OF THE 265TH SPECIAL COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF LOGAN
HELD AT THE COUNCIL CHAMBERS,
CITY ADMINISTRATION CENTRE, LOGAN CENTRAL
WEDNESDAY, 7 FEBRUARY 2018

MEETING COMMENCED
1.00 pm, 7 February 2018

PRESENT
Acting Mayor, Councillor C M Dalley (Chairperson)
Councillor L C Bradley
Councillor R B Lutton
Councillor S F Swenson
Councillor L A Koranski
Councillor J S Raven
Councillor S L McIntosh
Councillor L W Smith
Councillor P W Pidgeon
Councillor D R Power
Councillor T D Schwarz
Councillor J R Breene

IN ATTENDANCE
Chief Executive Officer S Kelsey .......... 1.00 pm - 1.02 pm
Director of Organisational Services R Strachan
Director of Road & Water Infrastructure S Trinca
Director of Community Services A Swain
A/Director of Strategy & Sustainability D Hansen
A/Director of Innovation & City Transformation R Martello
Secretariat & Legislation Program Leader S Hucknall
Meetings Services Officer K Verschuuren

ACKNOWLEDGEMENT OF COUNTRY
Acting Mayor, Councillor Dalley, opened the meeting by acknowledging the Traditional
Custodians of the land on which we are gathered, including Elders past and present.

LEAVE OF ABSENCE
31/2018  Resolved:  Cr Swenson, Cr Pidgeon
That His Worship the Mayor, Councillor T L Smith, be granted leave of absence.

Confirmed at the Ordinary Meeting of Council held on 20 February 2018

Chairperson
SPECIAL COUNCIL REPORTS

SP1 File No: 406572-1 Id No: 11752815
Refer to Confidential Agenda in accordance with
Section 275(1)(a) of the Local Government Regulation 2012

EMPLOYMENT CONTRACT MATTER

Sharon Kelsey, Chief Executive Officer, declared a real conflict of interest and excluded
herself from the meeting while this matter was debated and the vote was taken, due to
the following reason:

"The purpose of this meeting being to consider: Whether Council should make a
decision under clause 2.3 of the employment agreement entered into between the
Council and the Chief Executive Officer."

Sharon Kelsey, Chief Executive Officer, left the meeting at 1.02 pm, thus making herself
unavailable for the discussion.

32/2018 Resolved: Cr Pidgeon, Cr Breene
That the report be received for discussion.

At this stage of the meeting, the time being 1.03 pm, moved Councillor Lutton seconded
Councillor Swenson, the meeting was closed to the public in accordance with
Section 275 (1) (a) of the Local Government Regulation 2012.

The general discussions, opinions of others and documentation presented to the closed
meeting are to be kept confidential until otherwise resolved by Council.

At this stage of the meeting, the time being 1.20 pm, moved Councillor Swenson seconded
Councillor Pidgeon, the meeting was re-opened to the public in accordance with Section
274 of the Local Government Regulation 2012.

33/2018 Resolved: Cr L W Smith, Cr Swenson
That, having considered the requirements of the Local Government Act 2009 in relation
to the role of a chief executive officer, the terms and conditions of the Chief Executive
Officer Employment Agreement and all other relevant matters, including all relevant
correspondence and relevant reports received by Councillors, Council resolves that:

1. Pursuant to clause 2.3(b) of the Chief Executive Officer Employment Agreement:
   (a) The Agreement be terminated by the giving of two weeks' notice; and
   (b) The Chief Executive Officer be paid two weeks of the Remuneration Package
       in lieu of requiring the Chief Executive Officer to serve her period of notice.

2. Mr Silvio Trinca be appointed as Acting Chief Executive Officer until further Council
   resolution.
In accordance with Section 272 (2) (b) (Minutes) of the Local Government Regulation 2012 a division was called in relation to this motion.

For 7 Acting Mayor, Councillor Dalley, Councillors Lutton, Swenson, L W Smith, Pidgeon, Schwarz and Breene
Against 5 Councillors Bradley, Koranski, Raven, McIntosh and Power
Away 1 His Worship the Mayor, Councillor T L Smith
Abstained 0 N/A

In accordance with Section 260 (2) (d) (Procedure at meetings) of the Local Government Regulation 2012 a councillor present who fails to vote is taken to have voted in the negative.

CLOSE
The meeting terminated at 1.25 pm.
REPORT OVERVIEW

PURPOSE OF REPORT

The purpose of the report is for Council to consider whether Council should make a decision under clause 2.3 of the employment agreement entered into between the Council and the Chief Executive Officer.

Criteria: Direction

CORPORATE PLAN PRIORITY

Not applicable

Submitted under separate cover is a confidential report relating to the above matter.

For consideration.

Sharon Kelsey, Chief Executive Officer, declared a real conflict of interest and excluded herself from the meeting while this matter was debated and the vote was taken, due to the following reason:

"The purpose of this meeting being to consider: Whether Council should make a decision under clause 2.3 of the employment agreement entered into between the Council and the Chief Executive Officer."

Sharon Kelsey, Chief Executive Officer, left the meeting at 1.02 pm, thus making herself unavailable for the discussion.

32/2018 Resolved: Cr Pidgeon, Cr Breene

That the report be received for discussion.

At this stage of the meeting, the time being 1.03 pm, moved Councillor Lutton seconded Councillor Swenson, the meeting was closed to the public in accordance with Section 275 (1) (a) of the Local Government Regulation 2012.

The general discussions, opinions of others and documentation presented to the closed meeting are to be kept confidential until otherwise resolved by Council.

At this stage of the meeting, the time being 1.20 pm, moved Councillor Swenson seconded Councillor Pidgeon, the meeting was re-opened to the public in accordance with Section 274 of the Local Government Regulation 2012.
Resolved: Cr L W Smith, Cr Swenson

That, having considered the requirements of the Local Government Act 2009 in relation to the role of a chief executive officer, the terms and conditions of the Chief Executive Officer Employment Agreement and all other relevant matters, including all relevant correspondence and relevant reports received by Councillors, Council resolves that:

1. Pursuant to clause 2.3(b) of the Chief Executive Officer Employment Agreement:
   
   (a) The Agreement be terminated by the giving of two weeks' notice; and
   
   (b) The Chief Executive Officer be paid two weeks of the Remuneration Package in lieu of requiring the Chief Executive Officer to serve her period of notice.

2. Mr Silvio Trinca be appointed as Acting Chief Executive Officer until further Council resolution.

In accordance with Section 272 (2) (b) (Minutes) of the Local Government Regulation 2012 a division was called in relation to this motion.

For 7 Acting Mayor, Councillor Dalley, Councillors Lutton, Swenson, L W Smith, Pidgeon, Schwarz and Breene

Against 5 Councillors Bradley, Koranski, Raven, McIntosh and Power

Away 1 His Worship the Mayor, Councillor T L Smith

Abstained 0 N/A

In accordance with Section 260 (2) (d) (Procedure at meetings) of the Local Government Regulation 2012 a councillor present who fails to vote is taken to have voted in the negative.

Adopted by Council at its meeting of 07/02/2018 Minute No 33/2018