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# MINUTES

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## SPECIAL MEETING OF COUNCIL

Held on  
**Wednesday, 5<sup>th</sup> November 2008**  
at 6.00 pm  
City of Albany Council Chambers

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**APPOINTMENT OF CHIEF EXECUTIVE OFFICER****1.0 DECLARATION OF OPENING**

The Mayor declared the meeting open at 6.07pm.

**2.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

|   |              |
|---|--------------|
| <b>Mayor</b>  | MJ Evans, JP |
| <b>Councillors:</b>                                       |              |
| Breaksea Ward   | J Bostock    |
| Breaksea Ward   | D Wiseman    |
| Frederickstown Ward                                       | D Price      |
| Frederickstown Ward                                       | Vacant       |
| Kalgan Ward   | J Walker     |
| Kalgan Ward   | R Buegge     |
| Vancouver Ward  | Absent       |
| Vancouver Ward  | K Stanton    |
| West Ward   | N Williams   |
| West Ward   | D Wolfe      |
| Yakamia Ward  | J Matla      |
| Yakamia Ward  | G Kidman     |
| <b>Staff:</b>   |              |
| Manager Executive Services                                | C Grogan     |
| Corporate Governance Coordinator (Minutes)                | S Jamieson   |
| <b>Public Gallery and Media:</b>                          |              |
| 2 media representatives were in attendance and no public. |              |
| <b>Apologies/Leave of Absence:</b>                        |              |
| <b>Councillors</b>  |              |
| Vancouver Ward  | R Paver      |
| Frederickstown Ward (Resigned 04 Nov 08)                  | C Morris     |
| <b>Staff</b>  |              |
| Acting Chief Executive Officer                            |              |
| (Executive Director Corporate & Community Services)       | WP Madigan   |
| Acting Executive Director Works & Services                | P Brown      |
| Executive Director Development Services                   | R Fenn       |

**3.0 OPENING PRAYER**

The Mayor read the opening prayer.

*"Heavenly Father, we thank you for the beauty and peace of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen."*

**APPOINTMENT OF CHIEF EXECUTIVE OFFICER**

**4.0 PUBLIC QUESTION TIME**

Council's Standing Orders Local Laws provide that each Special Meeting of the Council shall make available a total allowance of 30 minutes, which may be extended at the discretion of Council, for residents in attendance in the public gallery to address clear and concise questions to His Worship the Mayor on matters relating to the business listed on the agenda.

Such questions should be submitted to the Chief Executive Officer, in writing, no later than 10.00am on the last working day preceding the meeting (the Chief Executive Officer shall make copies of such questions available to Members) but questions may be submitted without notice.

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

No public present.

**5.0 DECLARATIONS OF FINANCIAL INTEREST**

Nil

**6.0 CLOSED DOORS - REPORTS**

**ITEM NUMBER: 6.1**

**ITEM TITLE: – APPOINTMENT OF CHIEF EXECUTIVE OFFICER**

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**ITEM 6.1 – MOTION TO MOVE BEHIND CLOSED DOORS**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED COUNCILLOR WOLFE**

**SECONDED COUNCILLOR WALKER**

THAT Council **MEET BEHIND CLOSED DOORS** to consider CONFIDENTIAL report item 6.1 – Appointment of CEO in accordance with 5.23 (2) (a)(b)(c) of the Local Government Act 1995; being:

(a) a matter affecting an employee or employees;

(b) the personal affairs of any person;

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**MOTION CARRIED 11-0**

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**APPOINTMENT OF CHIEF EXECUTIVE OFFICER**

Item 6.1 continued

*The media vacated the Chamber at 6.11pm.*

*Manager Executive Services and Corporate Governance Coordinator remained in the Chamber.*

*Recruitment Consultant Mr Nicholas Crawley entered the Chamber at 6.12pm.*

*Councillor Wiseman left the Chamber at 6.20pm.*

*Manager Executive Services left the Chamber at 6.36pm and returned at 6.38pm.*

*Councillor Walker left the Chamber at 7.02pm and returned at 7.03pm.*

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**ITEM 6.1 – COMMITTEE RECOMMENDATIONS**

**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED MAYOR EVANS**

**SECONDED COUNCILLOR WALKER**

THAT Council:

- i) **APPOINT** Mr Paul Richards to the position of Chief Executive Officer at the City of Albany.
- ii) In accordance with the provision of section 5.36(2) of the Local Government Act 1995, **CONFIRM** that Mr Richards is suitably qualified for the position.
- iii) **OFFER** Mr Paul Richards a five year contract totalling \$250,000 per annum, to consist of 9% Superannuation (valued at \$22,500), a Volkswagen Passat (or similar) valued at \$15,147 using the Cullen Mercer Dell formulae, up to \$700 for professional membership organisation fees and a cash component of \$211,653.
- iv) **RECEIVE** the minutes of the CEO Performance Appraisal Committee held on the 5<sup>th</sup> November 2008.
- v) THAT Mr Nicholas Crawley and Ms Christine Grogan be congratulated for their professionalism and efficiency throughout the process of the recruitment and selection of the Chief Executive Officer.

**MOTION CARRIED 9-1  
ABSOLUTE MAJORITY**

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**Record of Vote:**

For: Mayor Evans, Councillors: Bostock, Price, Walker, Stanton, Williams, Wolfe, Matla, and Kidman.

Against: Councillor Buegge.

Item 6.1 continued

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**ITEM 6.1 – MOTION TO COME OUT FROM BEHIND CLOSED DOORS  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED COUNCILLOR PRICE  
SECONDED COUNCILLOR WALKER**

THAT Council **OPEN** the meeting to the public.

**MOTION CARRIED 10-0**

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The meeting was reopened to the public at 7.08pm. No members of the public returned to the Chamber.

Two media representatives returned to the Chamber.

The Mayor read the motions carried behind closed doors to the media representatives.

**7.0 CLOSURE OF MEETING**

There being no further business the meeting closed at 7.09pm.

Confirmed as a true and correct record of proceedings.

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D Wolfe  
**Deputy MAYOR**