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CITY COUNCIL MINUTES  
WORKSHOP

KERRVILLE, TEXAS  
NOVEMBER 28, 2017

On Tuesday, November 28, 2017, the Kerrville City Council workshop was called to order at 10:00 a.m. by Mayor White in city hall council chambers at 701 Main Street.

COUNCILMEMBERS PRESENT:

Bonnie White	Mayor
George Baroody	Mayor Pro Tem
Mary Ellen Summerlin	Councilmember
Vincent C. Voelkel	Councilmember
C. Warren Ferguson	Councilmember

COUNCILMEMBER ABSENT: None.

CITY STAFF PRESENT:

Mark McDaniel	City Manager
Mike Hayes	City Attorney
E.A. Hoppe	Deputy City Manager
Brenda Craig	City Secretary
Sandra Yarbrough	Director of Finance
Stuart Cunyus	Public Information Officer
Kim Meismar	Director of General Operations
Dannie Smith	Fire Chief
Stuart Barron	Director of Public Works
Drew Paxton	Director of Development Services
Sabine Kuenzel	Chief Planning Officer

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

**1. HOME OCCUPATION REGULATIONS**

Mr. McDaniel discussed difficulty enforcing the home occupation (HO) ordinance because some of the enforcement action was implied in the definitions section rather than stated in the body of the ordinance. Staff proposed a "clean up" of the existing ordinance, including registration and permitting of HOs, without a fee. He noted that homeowners were usually allowed more liberal use in their own home; however, when homeowners used the home as an enterprise to prosper financially at the expense of their neighbors, problems ensued.

Mr. Hayes recommended having a section in the zoning code that specifically delineated the regulations and standards under which a HO could operate. Currently, staff had been citing nuisance/junk conditions, not the regulations stated in the home occupation ordinance, to try to achieve compliance.

Ms. Kuenzel stated that in order to enforce any ordinance, staff must be able to cite the specific section that prohibited that activity; enforcement of HO regulations was the standard acceptable process. The planning and zoning commission recommended allowing HOs in residential areas, conditioned on the following: 1) registration, without a fee; 2) resident employees only (persons who work there live there, no outside employees); 3) enclosed storage; 4) no exterior alterations other than residential style; and 5) equipment, nuisances, deliveries, traffic.

Mr. Baroody proposed taking the regulations and proposed amendments of the HO ordinance and applying them to residential zones. If the prohibited activity or nuisance was illegal for a HO, it should be prohibited in all residential zones; it should be irrelevant whether the infraction was caused by a HO. It would be easier to enforce a prohibited activity and would maintain the residential character of neighborhoods. As written, certain nuisances in residential zones were only prohibited if the owner was operating a HO.

Council also discussed the following:

- Prohibit commercial signs in residential zones.
- Prohibit a homeowner from operating a HO in a residential zone and making a nuisance for the neighborhood.
- Send the matter to the comprehensive plan subcommittee for review and input.

Mr. McDaniel recommended enforcement of home occupations under the home occupation ordinance and proposed amendments.

**2. REVIEW, DISCUSS, AND PROVIDE DIRECTION REGARDING CITY OF KERRVILLE TRAFFIC ENGINEERING STUDY FOR WATER STREET, SCHREINER STREET, AND RIVERHILL BOULEVARD CORRIDORS (SCHREINER STREET AT HAYS STREET; SCHREINER STREET AT CLAY STREET; WATER STREET AT CLAY STREET; WATER STREET AT EARL GARRETT; WATER STREET AT G STREET; RIVERHILL BOULEVARD AT WINGED FOOT LANE; RIVERHILL BOULEVARD AT TURNBERRY CIRCLE; RIVERHILL BOULEVARD AT CANTERBURY LANE**

Mr. McDaniel noted the firm of GKW Engineering had completed the traffic engineering study and was prepared to make recommendations. At this time, money had not been budgeted; however, some of the smaller projects may be accomplished in-house. He requested direction on how to proceed.

There was question whether two councilmembers had a conflict of interest regarding certain intersections. Mr. Hayes noted there was no economic benefit to the councilmembers above that of the general public.

Jess Swaim and Angel Gonzalez, GKW Engineering, reviewed the criteria used to evaluate eight intersections in the city, and presented their recommendations.

Mr. Hoppe noted staff would prepare a finance plan and establish a prioritized list to bring to council for consideration.

**ADJOURNMENT.** The meeting adjourned at 12:01 p.m.

APPROVED: January 9, 2018

ATTEST:

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Bonnie White, Mayor

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Brenda G. Craig City Secretary