

CITY COUNCIL MINUTES
SPECIAL MEETING

KERRVILLE, TEXAS
NOVEMBER 13, 2012

On November 13, 2012, the Kerrville City Council special meeting was called to order by Mayor Pratt at 4:00 p.m. in the city hall council chambers, 701 Main Street.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Stacie Keeble	Mayor Pro Tem
Carson Conklin	Councilmember
Justin MacDonald	Councilmember
Gene Allen	Councilmember (arrived at 4:25 p.m.)

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Ondrias	Assistant City Manager
Cheryl Brown	Deputy City Secretary
Charvy Tork	Director of Information Technology Systems
Mike Erwin	Director of Finance
Robert Ojeda	Fire Chief
John Young	Police Chief
Kim Meisner	Director of General Operations
Jason Lutz	City Planner

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

DISCUSSION OF REGULATION OF GROUP HOMES IN THE CITY OF KERRVILLE

Mr. Parton noted four issues previously discussed regarding group homes:

1. What type of home was considered a group home?
2. What density restrictions on the number of residents?
3. What permit process should be required?
4. What inspection process would be best?

The following citizens spoke:

1. Robert Duncan stated he had a group home for nine years and there were very specific restrictions for his residents and they had good relationships with his neighbors. Mr. Duncan said he lived in a group home when he was trying to get sober and he wanted to help others. Each of his three group homes had a live-in manager.

2. Gracie McCutcheon said she did not believe that group homes should be allowed in residential areas.

3. Nikki Saurage said she owned two non-profit group homes and her residents were referred to her from treatment centers. She did not want the city to require any permitting or licensing, as she was already a non-profit home, and she would not be able to afford additional fees.

4. Cody Leicht said he operated a group home with approximately 29 residents outside of the city; he also had a second group home with 12 residents. He opined that the Fair Housing Act restricted the city as to what it could and could not do regarding group homes.

5. Grace Matuska said she operated a group home for women for five years. She understood the city's desire to require permits for group homes and asked to be allowed to work with staff on the permitting process. She asked what her property was zoned; Mr. Conklin said her neighborhood was zoned R-1, single family residential, which was the most restrictive zone. Ms. Matuska stated she would probably not be able to afford an annual fee of \$1,000 for a group home permit.

6. Becky Badd said she managed a group home and an annual fee of \$1,000 would put a strain on the smaller houses, which sometimes struggled to pay the electric bill.

7. Ed Skillern stated that he had no idea that there was a group home in his neighborhood, and that the Riverhill subdivision had specific restrictions for single family dwellings, including covenants and deed restrictions. Mr. MacDonald stated that Mr. Skillern should present his findings to the homeowners' association, and that the city would not have any jurisdiction in that matter.

8. Cheryl Arteburn said she owned the House of Hope, a non-profit group home in Riverhill, and she would be moving in February.

9. Joe David Chavez said he managed a group home and he agreed that the group home industry in the city needed better governance.

10. Janet Robinson said she lived in her home for 31 years, and she did not want a business in her residential neighborhood. She asked the meaning of R-1 zoning. Mr. Hayes explained that zoning did not restrict these types of homes as they were providing services to disabled people, which by definition included recovering addicts.

11. Luis Calavera said he owned twelve acres with two group homes and he opined that his residents were having a positive effect on his neighborhood.

12. Carolyn Lipscomb stated she agreed with permitting group homes and requiring inspections for fire and health safety.

The consensus of the council was to use Mr. Hayes' draft ordinance as a starting point and continue to work on finalizing the ordinance, taking the public comments into consideration.

ADJOURNMENT. The meeting adjourned at 5:51 p.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Cheryl Brown, Deputy City Secretary