

**DISTRICT VI ADVISORY BOARD  
MINUTES**

**Wednesday  
May 21, 2003  
7:00 p.m.**

**Evergreen Neighborhood Center  
2700 N. Woodland  
Lounge Clubroom**

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The District VI Advisory Board Meeting was held at 7:00 P.M. at Evergreen Neighborhood City Hall. In attendance were the District VI City Council Member, ten (10) District Advisory Board Members, (4) city staff, and (60) citizens. Approximately 74 were in attendance.

**Members Present**

Council Member Sharon Fearey  
Florena Schneweis  
David Pendergraft  
Annie Best  
Bob Schreck  
Maurine Willis  
Jaya Escobar  
Bob Wine  
John Cohoon  
C. Bickley Foster  
Dick Rumsey

**Member Absent**

Linda Matney  
Rosalie Bradley  
Kyle Irvin

**Guests**

Listed at end

**Staff**

Officer Paul Kimble, Patrol North  
Sgt. Henderson, Patrol North  
Terri Dozal, Neighborhood Assistant  
Scott Knebel, Planner

**Call to Order**

**Council Member Fearey** called the meeting to order at 7:08 P.M. and welcomed guests. DAB members were asked to introduce themselves and the area they represented.

**Approval of Minutes**

No minutes were submitted.

**Approval of Agenda**

The agenda was approved as submitted (Foster/Schreck 10-0)

**PUBLIC AGENDA**

*No items were submitted*

**STAFF PRESENTATIONS**

1. **Community Police Report**

*Officer Paul Kimble, Patrol North* introduced himself and gave his beat boundaries. *Kimble* stated there had not been many issues except for a few larcenies to autos, he said to keep valuables out of your car and make items (cell-phones, CD players) not visible if possible.

**Member Schreck** thanked *Officer Kimble* for his quick response with people parking on Sunday where they shouldn't be near the Moorings.

*Kimble* stated the Police Department is continuing to update the computer system and the "Neighbor's" section in the Wichita Eagle is continuing to show a small crime list. I will let you know when it is up and working again.

**\*\*\*\*\*Action Taken: Receive and File**

## PLANNING

2. **CON2003-00013** *Conditional Use to permit a 130-foot high monopole tower for T-Mobile on property zoned "GO" General Office and located north of 25<sup>th</sup> street North and east of Amidon.*

The DAB Members were provided the public notice and MAPD staff comments for review prior to the meeting. *Scott Knebel, Planner* presented the case and reviewed the staff recommendation with members and the public.

*Greg Ferris representative for the applicant* stated: 1) the property has been vacant for awhile; 2) he had looked at other land for this request; 3) cell phones are being used more for increased safety, reporting crimes immediately; 4) future use for data services such as accessing the internet, the towers will already be close to the residential area; and 5) this tower will allow coverage between the other towers already in the area.

Four members of the public were present to discuss this case, following are their comments. 1) This area is bordered by residential and we don't want a cell tower here; 2) four towers in this neighborhood area is too much; 3) will the tower's frequency interfere with satellite dishes, high wires and our homes and 4) totally against putting the tower in this area.

The DAB Members expressed the following: 1) Had the applicant looked into partnering with Westar towers; 2) will T-Mobile be the only user on this tower; 3) how many more towers are we going to have in District VI; 4) are there towers in other residential sites already; 5) if this isn't built what service would people not have and 6) we were told with the Cricket towers that it would be enough coverage in District VI and now we're being told we need another tower.

\*\*\*\*\* **Action Taken:** Motion to **DENY** due to the case not meeting the standards of the Wireless Master Plan. (**Schreck/Foster 10-0**)

2. **Special Events Policy**

Presentation on the Special Events policy to determine designated sites for special events including loud music was made by the neighborhood assistant. Included in the request was also support for purchasing five Sound Level Meters for use by Police and Environmental Health to enforce City Code, Chapter 7.41.

*Following are comments made by the public:*

*Dan Oropresa, 2437 N. Market, Cultural, freedom of speech ideas, start rewriting city code. People who have influence are given special consideration. No evaluation of these programs. Older people can't hear. Petitions against the loud music-creates hostility Institutions have lots of influence*

*Richard Lopez, 33<sup>rd</sup> Street North, Are there noise complaints in designated sites? Kennedy Plaza is next to Garvey plaza. Old town is next to Eaton apartments. The Railroad at St. Francis next to residential. South Linwood Park, Plainview Park and Buffalo Park have some residential and some of the boundaries are non-residential. Senior citizens have a hard time hearing.*

**Council Member Fearey** stated this policy review was not initiated from the City Manager's office but by request from the City Council because of noise complaints.

*Miguel Bañuelos*, Plaza Mexico, we need an area for small business festival. I have been here 20 years and we always had festivals at Evergreen. There is a perceived image, instead you send us where we don't belong. We need to get people involved in festivals. Consider Evergreen and Schell Park for festivals and special events.

*Carlos Contreras*, Director of Mexican Festivals, two reasons for celebrating our festivals, 1) to bring culture to the people and 2) for small businesses to acquire more business. If these festivals are taken out of the area what are we to do? None of these selected sites are located in the north side. Please put us on the list, use Evergreen, Schell, and Woodland Parks. Give us a place for a festival for our community.

*Art Marquez*, Business owner, we want to celebrate our culture. Give us a designated site with perimeters and specific hours to celebrate our events. More Hispanics should be involved in this association; we are the majority in this area. There is only one Hispanic at your table. In the democratic process the majority should be heard.

**Member Foster** stated many Hispanic's have been asked to serve at this table and none have chosen to do so.

*Carolyn Benitez*, 3431 Park Place, The information provided is very vague to make a decision. Is there a cost for using the sites? Who is making the complaints about the noise and how many complaints are there? I'm the La Familia Center Director and we used to rent out the facility for big parties. We would have a DJ for music. There were complaints that came from the south side of the river, we no longer have this and it is a loss of income for our center.

*Francisco Bañuelos*, 2209 N. Waco: We're going back to the system where if you wanted to get on the bus you had to sit at the back. If we want to play soccer we have to go where no one can see us or if we want to celebrate our holidays like the Cinco de Mayo and listen to music we can do it, but where no one can see us or hear us. For many years, these events have been held in Evergreen Park and just because a few people learned to work the system, they want to decide we should not have our celebrations. We believe that parks are intended to serve the community where they are located and we are the community, just like everyone else in this room. We want our community to celebrate our holidays right here in the heart of our community.

*Paul Daemen*, 2760 N. Arkansas, Could you state the meaning of Special event? Does it mean a wedding? Plaza Mexico had a lot of people at the weekend celebration. There are objections to boom box, motorcycles and you can't listen to TV because they may be outside your home but it's only temporary. The public wants to hold events for food and entertainment, allow Miguel Bañuelos Plaza Mexico to hold events.

*Bob Hernandez*, Business owner at 29<sup>th</sup> and Arkansas. I think there should be an area for special events. More Hispanics are moving in and the average age is 22 years old. Recognize the fact younger generation wants to have special events at least one or two times a year.

*Wendell Turner, 2743 Fairview* – I don't live on 33<sup>rd</sup> street and when the music is playing it can blow your roof off. I have lived here 45 years and this area owes me respect. I don't care what your race is, Asian, White or Hispanic. If the loud music doesn't stop, I will be taking my lawyers downtown and will be meeting with someone down at the court house and see how much money I can get.

*Erma Palacios*, I live less than five blocks away. I didn't hear the Plaza Mexico event. We had the fiesta at Twin Lakes and you couldn't hear the music because we were disturbing the Anglos. I don't think it's right to quiet us. We need to respect each other.

*Delia Garcia*, Connie's Mexico Restaurant. I live at 27<sup>th</sup> and Woodland. I think we need to address the culture and the younger population. Involving more Latinos on this board could be one way. We are the oldest Mexican family restaurant in Wichita and we can't have fiestas in our community.

**Council Member Fearey** stated that she had sent letters and asked Hispanic people to serve on the DAB board when she came into office two years ago. No one came forward and I can't make people get involved. This board sometimes is here till 10:30 at night and everyone is a volunteer. The people serving tonight are here for their community. I'm looking at re-appointing this board and getting new members. I did not receive any response again from the letters that I sent to the Hispanic organizations a few weeks ago.

**Member Schreck** commented some DAB members were appointed and Hispanic's were invited to join but did not. Plaza Mexico went past the extreme and the police heard the music. Loud music is a sensitive issue and always receives lots of complaints. If we follow the law there are no problems. Mr. Ferris told me no more cell towers and here he is today wanting to put another one up here. If I lived in Linwood, I would be concerned with this policy recommendation.

**Member Willis** said there is lack of information in this community. We invite you to come on the first Monday of the month. Tonight there have been excellent comments made. This is a noise issue not race or cultural. None of this board has problems with Latinos. Decibel readings should be made at loud events regardless of race. I do think Evergreen Park should be added to the list of sites for special events.

**Member Pendergraft** stated we are lucky to have this board. **Council Member Fearey** allows us to give her input on important decisions. Other DAB's have their buddies. The attendance on this board is made up of many community activists. There is diversity in this area and is important to you and us. I went to the area schools and I live in the neighborhood. I sit on this board because I can bring a different perspective. This DAB dissects issues and seeks clarification on recommendations. Neighborhoods are important to us.

**Member Escobar** said the policy was inadequate. Also, the second request that we are to support the purchase of sound meters and they have already been bought doesn't make sense. I can't vote, as this report needs to be redone. Have you seen the application for special events? It's very specific; it needs to be amended as it has many guidelines. I work on the preparation for the 16<sup>th</sup> of September fiesta and we spend long hours of planning. The application should include the hours of events and what decibel level music can be played at.

**Annie Best, DAB Alternate**, I live in the Riverside area and have shared with the River Festival their events. Fireworks at Lawrence Dumont are also heard quite a bit. I suggest we look at patience and tolerance. Seems like the squeaky wheel is getting too much attention.

**Member Foster** asked why was this policy being looked at? Is it due to health factors? Noise ordinance can be legally upheld. Rock concerts play music at 130-160 decibels and our Health Department will not go into the front row at a concert and test the level. Second, the designated list has some Parks that are very large and isolated with commercial and industrial around them and the others are the Central business districts. We should include Evergreen Park for special occasions. Over a period of time we may see that these events aren't bad to have.

**Member Wine** commented in the ordinance it should state what the standards are for commercial, residential and industrial sites including criteria for times, dates, locations and the application requirements? I agree to maybe one or two days a year and set limits if they want a special event.

Motion made to not accept the policy and amend the existing ordinance. The special event form should include noise ordinance and times permitted for event. DAB VI wants to review a new draft. (Schreck/Schneweis) no vote

**Member Foster** said the noise ordinance is not tied into the special event application. We are looking at noise. The motion should include noise. This is also a quality of life issue. A church put up a tent for a revival and their sound system could be heard one mile away. They said it was to attract people.

**Council Member Fearey** stated there was not a hurry to pass this by City Council, as other DAB's need to look at this also.

\*\*\*\*\***Action Taken:** DAB VI motion is to reject the policy presented and take all comments received to staff and rewrite the policy. Bring the draft back to the DAB before presenting to City Council. (**Schreck/Schneweis 10-0**)

#### **BOARD AGENDA**

4. **Problem Properties**  
None were reported. Members stated they would contact the neighborhood assistant with any area problems.
5. **Neighborhood Reports**  
Transportation enhancements funded.

#### **UPDATES**

- a) **ZON2003-00008** Zone change from "B" Multi-family residential to "GC" Commercial. Located south of Murdock and west of Market was approved by MAPC on 4-10-03 and City council on 5-6-03
- b) **ZON2003-00004** Zone change from "SF" Single-family residential to "TF-3" Two-family residential. Located west of Hoover and north of Elm was Approved by City Council on 4-1-03

- c) **ZON2003-00021** Zone Change from “B” Multi-family residential to “GC” General Commercial. Located southwest of the Market and Murdock intersection was Approved by MAPC on 5-8-03
- d) **ZON 2003-00013** Zone change from “SF-5” Single-family residential to “TF-3” Two family residential. Located southwest of the Mclean-9<sup>th</sup> Street intersection was Approved by MAPC on 4-24-03
- e) Goolsby convicted in District court

### **ANNOUNCEMENTS for June 2<sup>nd</sup> DAB**

- ◆ Report from Fire Chief Larry Garcia on usage of abandoned fire stations
- ◆ CON2003-15- Amendment to CU-431 to permit an expansion of an existing auto salvage yard on property zoned “GI” General industrial.

With no further business to discuss, the meeting was adjourned at 9:23 p.m.

### **Guests**

Alejandra Torres	1944 N. Market, 67214
Estella Torres	1944 N. Market, 67214
Efrian Torres	1944 N. Market, 67214
Marcela Alvarado	2347N. Waco, 67204
Richard Lopez	1121 W. 33 <sup>rd</sup> St N
Luis A. Acosta	2405 N. Jackson, 67204
Jill Cozus	1729 N. Waco, 67204
Joaquin Larraga	2526 Mascot, 67204
Romauldo Lopez	1710 Woodrow Ct., 67203
Martin Carlos	1612 N. Topeka, 67214
Francisco Banuelos	2209 N. Waco
Ireiseo Lopez D	1855 N. Broadway
Faustin Fernandez	
La Favorita	201 E. 21 <sup>st</sup> , 67214
Dia de Pago Inc.	Plaza Mexico
Invitaciones Burciaga	Plaza Mexico
John Van Walleghe	2524 Hyacinth. 67204
Tim Devine	2543 Bullinger, 67204
Carol Benitez	3461 Park Place, 67204
Connie Mexico Café	2227 N. Broadway, 67219
Jennifer Arango	2513 N. Payne, 67204
Lorena Arango	2513 N. Payne, 67204
Monica Chavez	2227 Woodland, 67204
Miguel Banuelos	1915 N. Market
Carlos Contreras	2015 N. Mascot, 67204
Sandra Whittington	1931 N. Mt. Carmel, 67203
Ezeual & Emira Palacios	3020 N. Fairview, 67214
Adele Garcia	1118 W. 27 <sup>th</sup> St N, 67204
Raquel Garcia	1118 W. 27 <sup>th</sup> St N, 67204
Roberto Baeza	1528 N. Broadway, 67214
Maria Candida Galicia	2720 W. 26 <sup>th</sup> St N
Jerry Hamilton	1920 W. 25 <sup>th</sup> St N

Ursula Piedra	2241 N. Waco, 67204
Olga Salazar	2227 N. Broadway, 67219
Jose A. Marquez	128 W. 29 <sup>th</sup> St N. 67204
Wendell & Ruby Turner	2623 Fairview,
Jaime Lopez	420 E. English, Ste. B, 67202
Berle Willis	3834 Woodrow
Carol Moore	1920 W. 25 <sup>th</sup> , 67204
Jerry Prichard	1607 N. Clarence, 67203
Arturo Pedroza	3143 Davidson, 67210
Lee R. Bowers	2619 Coolidge, 67204
Rob Johnson	3736 Agnes, 67202
Oscar Chavez	Plaza Mexico
Paul Daemen	1851 N. Denene
Charles Rivera	2401 N. Pershing, 67220
Margo Parks	

Respectfully Submitted,

Terri Dozal  
6<sup>th</sup> District Neighborhood Assistant