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## CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.  
Tuesday, December 8, 1964

Council met in regular session. Present on roll call 8: Bott, Cvitanich, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Absent 1, Mr. Finnigan.

Mr. Murtland moved that the minutes of the meeting of Nov. 24, 1964 be approved as submitted. Seconded by Mrs. Price. Voice vote taken. Motion carried.

Mr. Rowlands presented Safe Driver Awards to ten employees of the Fire Dept. and one employee of the Health Department. They were congratulated by Mr. Rowlands, Mayor Tollefson and members of the City Council.

### PETITIONS:

Petition submitted by Elmer Lipp requesting the rezoning of the property located on the west side of McKinley Ave. at So. 78th St. from a "R-2" District to a "M-1" District.

Referred to the Planning Commission.

### RESOLUTIONS:

Resolution No. 18096 (Postponed from Dec. 1, 1964)

Authorizing the proper officers of the City to make application to HHFA for an advance for the construction of improvements, additions and betterments to the Tacoma Industrial Airport.

Mr. Johnson moved that the Resolution be adopted. Seconded by Mr. Haley.

Mr. Haley stated in view of the questions raised at the Study Session on Monday, he felt it would be appropriate to postpone the Resolution.

Mayor Tollefson stated the Council did not have adequate information from which to form an opinion as to what would constitute a proper airport to service this area, hence, the Council could not make application when the extent of needs were not ascertained.

Mr. Haley moved to postpone the Resolution until December 22, 1964. Seconded by Mr. Bott. Voice vote taken. Motion carried.

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Mr. Leo Gallagher, Tacoma businessman, stated he did not think the airport had enough business for the Council to be concerned about expanding.

Mayor Tollefson said an airport must have facilities before it can attract business.

Dr. Herrmann stated the Council did not have expansion in mind, but the installation of an instrument landing system.

Resolution No. 18106

Implementing salary increases for Urban Renewal Project employees to be effective January 1, 1965.

Mr. Haley moved that the Resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Mr. Finnigan.

Resolution No. 18107

Authorizing the proper officers of the City to execute an agreement between the Dept. of Transit and the Amalgamated Association of Street, Electric Rwy. & Motor Coach Employees of America, Division No. 758, to be effective from Jan. 1, 1965 to and including Dec. 31, 1965, reflecting changes in rates, of pay and working conditions.

Mr. Bott moved that the Resolution be adopted. Seconded by Mr. Haley.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Mr. Finnigan.

Resolution No. 18108

Authorizing the proper officers of the City to execute and deliver a local improvement assessment deed to Equitable Mortgage Co. for the property located on the west side of So. Durango St. near So. 15th St. for the sum of \$25.00.

Mrs. Price moved that the Resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Mr. Finnigan.

Mayor Tollefson stated he would like to have the Rules suspended to consider Ordinance 17721 as Judge Johnson and Judge Vecques are present this evening.

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Dr. Herrmann moved to suspend the Rules to consider Ordinance No. 17721. Sec onded by Mr. Johnson. Voice vote taken. Motion carried.

Ordinance No. 17721

Amending Chapter 11.26 of the Official Code by adding a new section 11.26.070 relating to Ignitions of unattended vehicles to be locked and keys to be removed.

Chief Zittel stated the passage of this ordinance will reduce auto theft, reduce the number of teenagers who fall into crime, reduce auto insurance rates and will increase the time the officers can spend on other crime matters. He read excerpts from his memo to Mr. Rowlands concerning the Key Ordinance date Dec. 4, 1964. He noted since this Ordinance has come to the attention of the public, more people have locked their ignitions than ever before in Tacoma.

Mayor Tollefson said he would call on Judge Bertil Johnson who has spent many years in the Juvenile Court division for his opinion on the problem.

Judge Johnson stated, in approximately 60 to 70% of the cars stolen by young people, the keys were in the car. He stated adults have a definite responsibility for these youths stealing cars when adults leave the keys in the cars.

Mayor Tollefson asked Judge Jacques to address the Council as he is now the Juvenile Court Judge.

Judge Jacques stated, the sight of dangling keys is a temptation that many youths cannot resist. He thought adults should have some responsibility in not exposing youths to this potential crime. He stated unless some ordinance is enacted, this problem will become more acute.

Mr. Johnson asked if car-key leaving is made a crime, a violator might be negligent and liable if his car were stolen and involved in an accident, and therefore, would the car be covered by insurance.

Mr. McCormick, City Attorney, thought the insurance coverage would remain, unless specifically exempted by the policy, but admitted that there would be a secondary liability.

Mr. Civitanich read from a New York State legal decision which he said had held such an ordinance, passed in Corning, N. Y., unconstitutional.

Mr. McCormick said he was not aware of the ruling, but that it would not necessarily mean that a similar ordinance would be unconstitutional in Washington State.

Detective Fred Mulholland, assigned to the auto theft detail, said most boys who get into the felony bracket start with auto theft. Many youths learn to drive by stealing cars, he added.

Lt. Carl Petersen, head of the Youth Guidance Division, said, frequently boys and girls boast to their companions about crimes they are thinking of committing, without really having any intent, but when a companion spots a set of keys in a car and calls their bluff, they usually follow through.

Dr. Herrmann stated, this ordinance has been criticized as bolstering the General Fund.

Chief Zittel said that is not the intent. He stated the Department does not plan to rigorously enforce the ordinance, but would instead make spot checks in problem areas.

Mr. Bott stated he did not like to be put in the position of voting for or against juvenile delinquency but he did contend that the basic principle in this ordinance is making car-key leavers, criminals, which bothers him.

Mr. Rowlands stated there are ordinances covering personal action. The principle is no different from the ordinance requiring motorists to cramp their wheels into the curb when parking on hills.

Mr. Bott moved to add the words in Section 11.26.070, third line down, after the word vehicle, "except emergency, law enforcement or commercial vehicles." Secconded by Mr. Johnson. Roll call was taken on the motion: Ayes 5; Nays 3; Cvitanich, Haley and Dr. Herrmann. Absent 1, Mr. Finnigan. Motion carried.

Mr. Bott moved to add the words in Section 11.26.070, 13th line down, after the word cars, "when said lot is unattended." Secconded by Mr. Johnson. Voice vote taken. Motion carried.

Following a discussion regarding penalties, Mr. Johnson moved to add a paragrah stating, "A conviction of violating this section shall be punishable by the imposition of a fine of not more than TEN DOLLARS." Secconded by Mrs. Price. Voice vote taken. Motion carried.

Mr. Johnson said he was opposed to the removal of keys, he would therefore move to delete the second paragraph of Section 11.26.070. Secconded by Mrs. Price. Roll call was taken on the amendment: Ayes 3, Nays 5, Cvitanich, Haley, Herrmann, Murtland and Mayor Tollefson. Absent 1, Finnigan. Motion failed.

Mr. Burtron Andrus, resident of Tacoma, thought having one's car stolen was punishment enough without removal of the keys and a ticket by the City. He thought the cure lies in holding the parents responsible for the misdeeds of their children.

Mr. Bott moved to Table the Ordinance. Secconded by Mr. Cvitanich. Roll call was taken: Ayes 5; Nays 3, Dr. Herrmann, Price and Mayor Tollefson; Absent 1, Mr. Finnigan. Motion carried.

The Ordinance was declared TABLED by the Chairman.

Regular order of business was resumed.

Resolution No. 18109

Authorizing the proper officers of the City to execute a quit claim deed to Leo and Ann Allotta for the property located on the west side of So. 30th near Tyler St.

Dr. Herrmann moved that the Resolution be adopted. Secconded by Mr. Johnson.

The Resolution was passed unanimously by voice vote. Ayes 8; Nays 0; Absent 1, Mr. Finnigan.

Resolution No. 18110

Fixing Monday, Jan. 11, 1965 at 4:00 P. M. as the date for hearing on L I D 4766 for widening and paving of So. Stevens St. from 6th Ave. to So. 16th St. and paving of So. Stevens St. from 16th to 19th Sts.

Mr. Cvitanich moved that the Resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Mr. Finnigan

Resolution No. 18111

Fixing Monday, Jan. 25, 1965 at 4:00 P. M. as the date for hearing on L I D 4764 for paving on So. 19th from Bennett to Mildred Sts.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Mr. Finnigan.

Resolution No. 18112

Fixing Monday, Dec. 28, 1964 at 4:00 P. M. as the date for hearing on L I D 4744 for paving on No. 21st St. from Shirley to Huson and from Stevens to Proctor St.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Mr. Finnigan.

Resolution No. 18113

Fixing Tuesday, Jan. 5, 1965 at 4:00 P. M. as the date for hearing on the vacation of the property located at So. 18th between Union Ave. and West Union Ave.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Mr. Finnigan.

Mr. Haley left the meeting at this time.

**FIRST READING OF ORDINANCES:**

**Ordinance No. 17729**

Amending Title 11 of the Official Code of the City relating to traffic by designating 15-minute parking, yielding right-of-way at intersections and 30-mile speed limits of certain streets.

The Ordinance was placed in order of final reading.

**Ordinance No. 17730**

Amending Chapter 13.06 of the Official Code by adding Section 13.06.060-6 to include the property located on the west side of M<sup>th</sup> St. between So. 12th and 13th Streets in a "R-4" Multiple-Family Dwelling District.

The Ordinance was placed in order of final reading.

**FINAL READING OF ORDINANCES:**

**Ordinance No. 17721**

Rules suspended, page 3, minutes of Dec. 8, 1964.

**Ordinance No. 17727**

Amending Sections 1.12.030, 200, 210, 290, 360 to 625, and sub-sections 1.12.220-C, E, G, and 230-B, repealing Sections 1.12.730, 780 and 800 of the Official Code of the City relating to the pay and compensation plan.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Mr. Finnigan and Mr. Haley.  
The Ordinance was declared passed by the Chairman.

**Ordinance No. 17728**

Providing for the annexation of the property bounded by Primary State Hwy. 75 No 1 (freeway) on the west, So. 84th St. on the north, Hosmer St. on the east and the northbound off-ramp of the So. 84th St. freeway interchange on the south.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Mr. Finnigan and Mr. Haley.  
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works and Utilities submit the following assessment rolls for hearing.

- a. L I D 4694 for paving on Yakima Ave. between So. 56th & So. 72nd St.
- b. L I D 5381 for water mains in So. 64th St. from So. J to Sheridan Ave.
- c. L I D 5387 for water mains and fire hydrants in No. 14th & No. 18th from Bennett to Baltimore.
- d. L I D 6812 for intersectional lighting on So. 41st, 42nd, 43rd, 44th & 45th Streets between Sheridan and Hosmer.
- e. L I D 6814 for intersectional lighting on So. 46th, 47th, 48th & 49th Sts. between Sheridan and Hosmer.

Mayor Tollefson moved to fix Monday, January 11, 1965 at 4:00 P. M. as the date for hearing. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

Report from the Fire Dept. for the month of October 1964.

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There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 6:45 P. M.

W. M. Tollefson  
Mayor of the City Council

Attest: Josephine Nelson  
City Clerk