

IMPORTANT NOTICE

The July 12 Chehalis City Council will be held in-person with some restrictions.

On March 22, Washington State moved to Phase 3 of the Governor's Healthy Washington – Roadmap to Recovery Plan, which means cities may hold limited, in-person meetings in addition to virtual options. The capacity of these meetings is limited to 50% of the posted room capacity or 400 individuals – whichever is fewer (excludes staff). The posted room capacity for the Chehalis Council Chambers is 49, which means 24 members of the public may be in attendance.

Cities must continue to provide the public virtual access to meetings. Options for attending remotely remain the same:

1. Live-Stream

View and listen through live streaming by using the following link –
<https://www.ci.chehalis.wa.us/citycouncil/live-streaming-and-demand-viewing-city-council-meetings>

or

2. Zoom Information (for Telephone or Participant Access)

Dial: 1-253-215-8782

Meeting ID: 822 5811 8879

Passcode: 674890

Citizens wishing to provide public comments in general and on agenda items should submit comments by 4:00 pm on the day of the meeting. All comments received will be acknowledged by the Mayor under the Citizens Business portion of the meeting agenda. Please use the following form to submit comments – <https://www.ci.chehalis.wa.us/contact>. If you do not have computer access or would prefer to submit a comment verbally, please contact City Clerk Kiley Franz at 360-345-1042 or at kfranz@ci.chehalis.wa.us. Citizens Business comments will be limited to five (5) minutes.

If you have any questions about live streaming the meeting or submitting a comment, please contact City Clerk Kiley Franz at kfranz@ci.chehalis.wa.us or 360-345-1042.

**The City truly appreciates the community's cooperation
and patience during this challenging time.**

CHEHALIS CITY COUNCIL AGENDA

CITY HALL
350 N MARKET BLVD | CHEHALIS, WA 98532

Dennis L. Dawes, Position at Large
Mayor

Jerry Lord, District 1
Daryl J. Lund, District 2, Mayor Pro Tem
Dr. Isaac S. Pope, District 4

Anthony E. Ketchum Sr., District 3
Robert J. Spahr, Position at Large
Michael Bannan, Position at Large

Regular Meeting of Monday, July 12, 2021 5:00 pm

1. Call to Order. (Mayor Dawes)
2. Pledge of Allegiance. (Mayor Dawes)
3. Approval of Agenda. (Mayor Dawes)

SPECIAL BUSINESS

4. Port of Chehalis Update – Randy Mueller, CEO

CITIZENS BUSINESS (PUBLIC COMMENT)

Individuals wishing to provide public comments in general and on agenda items should submit comments by 4:00 pm on the day of the meeting. All comments received will be acknowledged by the Mayor under Citizens Business of this meeting agenda. Please use the following form to submit comments – <https://www.ci.chehalis.wa.us/contact>. If you do not have computer access or would prefer to submit a comment verbally, please contact City Clerk Kiley Franz at 360-345-1042 or at kfranz@ci.chehalis.wa.us. Public comments will be limited to five (5) minutes.

5. Leah Vanesse
6. Party at the Park – Jenny Collins, Chehalis Foundation

ITEM

CONSENT CALENDAR		
7. <u>Minutes of the Regular City Council Meeting of June 28, 2021.</u> (City Clerk)	APPROVE	1
8. <u>Vouchers and Transfers – Accounts Payable in the Amount of \$313,798.68 Dated June 30, 2021.</u> (City Manager, Finance Director)	APPROVE	4
9. <u>Vouchers and Transfers – Payroll in the Amount of \$869,479.97 Dated June 30, 2021.</u> (City Manager, Finance Director)	APPROVE	6
10. <u>Resolution No. 10-2021, First Reading – Setting a Public Hearing Regarding Petition to Vacate Portions of Right-of-Way on SE Adams, 12th Street, and the Undeveloped Alley Between 11th and 12th Streets</u> (City Manager, Planning and Building Manager)	APPROVE	7

ITEM

NEW BUSINESS		
11. <u>Consideration of Early Work Agreement for Tract 8 at 1800 NW Louisiana Avenue to KEM Northwest, LLC, a Washington Limited Liability Company.</u> (City Manager, Airport Operations Coordinator)	APPROVE	21

ITEM

ADMINISTRATION AND CITY COUNCIL REPORTS		
12. <u>Administration Reports.</u>	INFORMATION ONLY	- - -
a. City Manager Update. (City Manager)		
13. <u>Councilor Reports/Committee Updates.</u> (City Council)	INFORMATION ONLY	- - -

EXECUTIVE SESSION

14. Pursuant to RCW:		
a. 42.30.110(1)(c) – Sale/Lease of Real Estate		
b. 42.30.110(1)(i) – Litigation/Potential Litigation		

**THE CITY COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA.
NEXT REGULAR CITY COUNCIL MEETING IS MONDAY, JULY 26, 2021.**

Chehalis City Council
Meeting Minutes
June 28, 2021

The Chehalis City Council met in regular session on Monday, June 28, 2021. Mayor Dennis Dawes called the meeting to order at 5:00 pm with the following members present: Michael Bannan, Tony Ketchum, Jerry Lord, Dr. Isaac Pope, and Bob Spahr. Councilor Daryl Lund participated via Zoom. Staff present included: Jill Anderson, City Manager; Tammy Baraconi, Planning and Building Manager; Kiley Franz, City Clerk; Tedd Hendershot, Fire Chief; Erin Hillier, City Attorney; Randy Kaut, Interim Police Chief; Rick Mack, Fire Marshal; Brandon Rakes, Airport Operations Coordinator; Chun Saul, Finance Director; and Amelia Schwartz, City Planner. Due to orders from the Governor's office relating to COVID-19 and ongoing capacity limitations, members of the public and the press had the option of viewing the meeting via live streaming or Zoom. The public was also provided a process for submitting comments prior to the meeting.

1. **Approval of Agenda.** A motion to approve the agenda was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

2. **Citizens Business.**

- a. Hurshell Smith expressed his frustration with the recent increase in parking permit fees and the lack of maintenance for City owned parking lots.
- b. John Csernotta informed the Council that the dealership project was progressing well. An architect, general contractor, fill contractor, and fill supplier have been selected for the project and permits have been submitted to the City for approval.

3. **Consent Calendar.** Councilor Spahr moved to approve the consent calendar comprised of the following:

- a. Minutes of the regular City Council meeting of June 14, 2021; and
- b. June 15, 2021 Claim Vouchers No. 131908 – 132012 and Electronic Funds Transfer Check Nos. 1345 – 1378, and 13 in the amount of \$301,595.04; and
- c. Interlocal agreement for the Washington State Department of Children, Youth, and Families (Green Hill School); and
- d. Resolution No. 5-2021, first and final reading, declaring property to be surplus.

City Manager Anderson explained that a typo had been corrected in the surplus property agenda report, the reference to a 1997 fire truck had been corrected to 1977. Councilor Ketchum asked if the agreement with Green Hill School covered the cost for the Fire and Police Departments to respond to the facility. Chiefs Kaut and Hendershot confirmed that the funds received likely did not cover the cost. The motion was seconded by Councilor Pope and carried unanimously.

4. **Ordinance No. 1020-B, Second and Final Reading, Amending CMC 10.08 to Address Impound/Immobilization of Unlawfully Parked Vehicles and to Incorporate City Fee Schedule for Penalties.** City Manager Anderson informed the Council that there had been no changes since the first reading on June 14, 2021.

Mayor Dawes referred to Chapter 6, paragraph 2 regarding permitted City parking lots; he asked if the language in the ordinance should include 'as posted'. Erin Hillier confirmed that the reference could be clarified.

A motion to amend Ordinance No. 1020-B, section six, subsection two to state "If a vehicle is found, pursuant to this chapter, parked in a permit lot without a valid City-issued permit during the restricted hours, the same shall constitute an infraction resulting in a fee penalty in the amount set forth in the current City Fee Schedule. Nothing in this section will prohibit a vehicle from being cited for multiple violations" was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

Councilor Spahr asked for clarification regarding the hours that the parking lots were restricted. Mayor Dawes confirmed that the restricted hours were 8:00 A.M. to 5:00 P.M. Monday through Friday. Councilor Spahr asked what good a rented parking spot would be for renters living downtown if they only utilized the spot in the evenings. Mayor Dawes explained that the intent was to ensure parking for those living and working downtown during the busiest times of the day.

A motion to pass Ordinance No. 1020-B as amended on second and final reading was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

5. Ordinance No. 1018-B, Second and Final Reading, Implementing the 2018 International Building Code. City Manager Anderson explained that a special meeting to review the 2018 international building code had been held on June 7, 2021.

Tammy Baraconi informed the Council that the following optional sections were included in the proposed ordinance: the international property maintenance code, and the international existing building code; portions of the international wildlife and urban interface code are proposed to be adopted; and all mandatory sections are proposed to be adopted as well. Ms. Baraconi briefly reviewed these sections. Fire sprinklers are not required unless there is insufficient fire flow available.

Councilor Lord asked if there would be any duplication of nuisance codes with the adoption of the international property maintenance code. Ms. Baraconi stated that the code provided a clearer path forward.

Councilor Ketchum asked if the estimated ten houses built with the fire sprinkler requirement in the past ten years would have been able to be built without that requirement. Rick Mack stated that they would have not been able to provide sufficient fire flow, so the house would not have been able to be built. Councilor Lund asked why houses were being built without sufficient city services to provide that fire flow. Ms. Baraconi informed Councilor Lund that the houses were able to be built because of the mitigation provided by the fire sprinklers.

Councilor Lund asked why water tender services could not be utilized as mitigation. Councilor Spahr clarified that the code did not require fire sprinklers, it required fire flow; mitigation could be in the form of fire sprinklers, water tenders, or other such methods.

A motion to approve the Building Code as presented, adopting only what is required in WAC 51-54 and maintaining the status quo for the City and UGA on fire sprinklers; adopting only the portions of the International Wildland Interface Code as required by the State; and adopting the optional text of the International Existing Building Code and the International Property Maintenance Code was made by Councilor Ketchum. The motion was seconded by Councilor Spahr and carried four to two. Councilors Lord and Lund disapproved.

A motion to amend the motion to exclude the international property maintenance code was made by Councilor Lord. The motion was seconded by Councilor Spahr. The motion failed to pass with only Councilors Lord and Lund approving the motion.

6. Resolution No. 6-2021, First and Final Reading, Adopting the 2022-2027 Six-Year Transportation Improvement Program. City Manager Anderson explained that the six-year transportation improvement program was presented in a public hearing at the last City Council meeting on June 14, 2021; there were no public comments received.

A motion to adopt Resolution No. 6-2021 on first and final reading was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

7. Administration Reports.

a. **City Manager Update.** Tammy Baraconi introduced Amelia Schwartz as the new planner. City Manager Anderson informed the Council that the pool will open on July 1, 2021 and Music in the Park will take place this summer. On August 6, 2021, a community celebration for Recreation Park and Penny Playground is planned to acknowledge the individuals that assisted with the project.

8. Councilor Reports/Committee Updates.

a. **Councilor Ketchum.** Councilor Ketchum thanked the individuals that cleaned up trash under the railway bridge near Chamber Way.

- b. **Councilor Spahr.** Councilor Spahr informed the Council that he took part in an EDC meeting; the City has been invited to participate with the EDC and the County for infrastructure planning on July 21, 2021.
- c. **Mayor Dawes.** Mayor Dawes attended the funeral service for Mike Roy, a business after hours, and a ribbon cutting for Chehalis West for their new memory care unit.

9. **Executive Session.** Mayor Dawes announced the council would take a short recess and then be in executive session pursuant to RCW 42.30.110(1)(i) – Litigation/Potential Litigation and RCW 42.30.110(1)(c) – Sale/Lease of Real Estate, not to exceed 7:00 pm and there may be action taken following conclusion of the executive session. Mayor Dawes closed the regular meeting at 6:10 pm. and the executive session began at 6:15 pm. Councilor Bannan recused himself at 6:36 pm before the discussion regarding sale/lease of real estate. Following conclusion of the executive session at 6:51 pm, the regular meeting was reopened.

10. Amendment to the Agenda. A motion to amend the agenda to include the consideration of agreement to lease Tract 8 at 1800 NW Louisiana Avenue to KEM Northwest, a Washington LLC was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

11. Consideration of Agreement to Lease Tract 8 at 1800 NW Louisiana Avenue to KEM Northwest, a Washington LLC. Brandon Rakes informed the Council that an offer to lease Tract 8 to KEM for an auto dealership. The effective date would be 90 days after the execution of the agreement to lease. The earnest money that the City would receive for this site is \$74,339.50, this will be credited towards the payment of rent.

Mayor Dawes acknowledged that Councilor Bannan had recused himself from any discussion regarding this agreement.

A motion to approve acceptance of the lease for Tract 8 at 1800 NW Louisiana Avenue by KEM Northwest, LLC and authorize the City Manager to execute the documents was made by Councilor Ketchum. City Manager Anderson asked that the motion be amended to include both the agreement for ground lease and the ground lease. The motion was amended by Councilor Ketchum to approve the agreement for ground lease and the ground lease for Tract 8 at 1800 NW Louisiana Avenue by KEM Northwest, LLC in proposed form and to direct the City Manager to execute the documents. The amended motion was seconded by Councilor Spahr and carried unanimously. Councilor Bannan abstained as he had recused himself from the meeting at 6:36 pm.

There being no further business, the meeting was adjourned at 6:59 pm.

Dennis L. Dawes, Mayor

Kiley Franz, City Clerk

Approved:

Initials: _____

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Chun Saul, Finance Director
Joe Cushman, Accounting Tech II

MEETING OF: July 12, 2021

SUBJECT: Vouchers and Transfers – Accounts Payable in the Amount of \$313,798.68

ISSUE

City Council approval is requested for Vouchers and Transfers dated June 30, 2021.

DISCUSSION

The June 30, 2021 claim vouchers have been reviewed by a committee of three councilors prior to the release of payments. The administration is requesting City Council approval for Claim Vouchers No. 132013 – 132124 and Electronic Funds Transfer Check Nos. 1379 – 1409 and 14-15 in the amount of \$313,798.68 dated June 30, 2021 which included the transfer of:

- \$ 184,378.08 from the General Fund
- \$ 10,033.38 from the Dedicated Street Fund – 4% Sales Tax
- \$ 2,134.57 from the Arterial Street Fund.
- \$ 7,200.08 from the Transportation Benefit District Fund
- \$ 2,715.62 from the LEOFF 1 OPEB Reserve Fund
- \$ 33,074.83 from the Public Facilities Reserve Fund
- \$ 21,221.25 from the Wastewater Fund
- \$ 15,021.77 from the Water Fund
- \$ 463.56 from the Storm & Surface Water Utility Fund
- \$ 37,151.82 from the Airport Fund
- \$301.47 from the Firemen’s Pension Fund
- \$102.25 from the Custodial Other Agency Fund

RECOMMENDATION

It is recommended that the City Council approve the June 30, 2021 Claim Vouchers No. 132013 – 132124 and Electronic Funds Transfer Check Nos. 1379 – 1409 and 14-15 in the amount of \$313,798.68.

SUGGESTED MOTION

I move that the City Council approve the June 30, 2021 Claim Vouchers No. 132013 – 132124 and Electronic Funds Transfer Check Nos. 1379 – 1409 and 14-15 in the amount of \$313,798.68.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Chun Saul, Finance Director
Michelle White, Payroll Accountant

MEETING OF: July 12, 2021

SUBJECT: Vouchers and Transfers – Payroll in the Amount of \$869,479.97

ISSUE

City Council approval is requested for Payroll Vouchers and Transfers dated June 30, 2021.

DISCUSSION

The administration requests City Council approval for Payroll Vouchers No. 41688-41724, Direct Deposit Payroll Vouchers No. 13539-13668, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 347-350 dated June 30, 2021 in the amount of \$869,479.97, which include the transfer of:

- \$585,487.77 from the General Fund
- \$5,732.22 from the Arterial Street Fund
- \$5,197.50 from the LEOFF1 OPEB Reserve Fund
- \$109,374.84 from the Wastewater Fund
- \$112,956.74 from the Water Fund
- \$16,972.51 from the Storm & Surface Water Utility Fund
- \$33,758.39 from the Airport Fund

RECOMMENDATION

It is recommended that the City Council approve the June 30, 2021 Payroll Vouchers No. 41688-41724, Direct Deposit Payroll Vouchers No. 13539-13668, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 347-350 in the amount of \$869,479.97.

SUGGESTED MOTION

I move that the City Council approve the June 30, 2021, Payroll Vouchers No. 41688-41724, Direct Deposit Payroll Vouchers No. 13539-13668, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 347-350 in the amount of \$869,479.97.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Tammy Baraconi, Planning and Building Manger

MEETING OF: July 12, 2021

SUBJECT: Resolution No. 10-2021, First Reading – Setting a Public Hearing Regarding Petition to Vacate Portions of Right-of-Way on SE Adams, 12th Street, and the Undeveloped Alley Between 11th and 12th Streets

ISSUE

It is proposed that the City Council set a public hearing for Monday, August 23, 2021 at 5:00 pm to receive comment regarding a petition to vacate a portion of SE Adams, 12th Street, and the undeveloped alley between 11th and 12th consistent with the process established by the Revised Code of Washington and the Chehalis Municipal Code.

PROPOSED RIGHT-OF-WAY VACATION

Fuller Design on behalf of Tom and Cara Nicholas submitted a petition on June 3, 2021 to vacate a portion of right-of-way SE Adams, 12th Street, and the undeveloped alley between 11th and 12th. (Exhibit A). All right of ways primarily abut property owned by Tom and Cara Nicholas. Only one lot, 227 SE Prospect Street is owned by Steven Raynolds and LaDawn Music. Research of the plats associated with these right of ways shows that the Nicholas' have the first right of ownership of SE Adams Ave.

The request for vacation breaks down as follows.

- SE Adams- 60 ft x 244 ft – 14,640 sq ft
- 12th Street- 50 ft x 300 ft- 15,000 sq ft
- Alley- 16 ft x 142 ft – 2,272 sq ft

If approved for vacation the Nicholas' plan to combine the existing lots with the vacation lots and then construct mulit-family units.

The vacation process requires a resolution establishing a date and time for public hearing. Once the public hearing date is set, surrounding property owners and agencies potentially impacted by the vacation will be notified and given an opportunity to submit comments (Exhibit B). The purpose of this item is to set the time and place for the public hearing. The details surrounding the proposed right-of-way vacation and related history will be discussed at that time.

FISCAL IMPACT

There is no fiscal impact associated with the setting of the public hearing date.

RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 10-2021 on first reading establishing the public hearing regarding the proposed Right-of-Way vacation for 5:00 pm. Monday, August 23, 2021 in City Council Chambers.

SUGGESTED MOTION



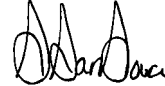
I move the City Council adopt Resolution No. 10-2021 on first reading.

CITY OF CHEHALIS

PETITION FOR RIGHT-OF-WAY VACATION

PETITION CONTACT Name: **Samantha San Souci/Fuller Designs**
 Address: **1101 Kresky Ave**
Centralia, Wa 98531
 Phone: **360-807-4420**

We the undersigned property owner(s) with land abutting the public right-of-way in Chehalis, identified in the legal description below, do hereby petition the city to vacate said right-of-way in accordance with the city's Standard Operating Procedure for Vacation and do agree to compensate the city for the vacated land, as provided in RCW 35.79.030.

Property Address	Property Owner(s)	
	Print	Sign
1176 SE Washington Ave Adams Ave ROW	Tom and Cara Nicholas	 For Tom and Cara Nicholas
1176 SE Washington Ave 12th St ROW	Tom and Cara Nicholas	 For Tom and Cara Nicholas
1176 SE Washington Ave Alley ROW	Tom and Cara Nicholas	 For Tom and Cara Nicholas

Legal description of right-of-way to be vacated, as prepared by licensed land surveyor or other qualified professional:

Please see attached Documents

Total area of right-of-way to be vacated: **31,872** square feet **or less**

Total properties petitioning for vacation: **5** Total properties abutting right-of-way to be vacated: **7**

Ratio of properties petitioning vs. total properties: **5/7**

(Note: A minimum 2/3 ratio of abutting property owners must petition for vacation before it will be considered.)

Attach map of right-of-way being petitioned for vacation and surrounding area, including identification of all streets, alleys, and abutting property owners.

Please submit this completed petition with attachments to:

Development Review Committee

(Attach additional sheets if necessary)

1321 S. Market Blvd.
 Chehalis, WA 98532
 phone 360.345.2229

date received June 3, 2021
--

Exhibit A

5/31/2021

Re: City of Chehalis Community Development
City of Chehalis Public Works
1321 S Market Blvd.
Chehalis, WA 98532

RE: Washington Street
Project: Multi-Family Development
Parcel #: #005853001000, #00549000000, 00549001000, #005492002000,
#005604192001

City of Chehalis Staff,

Please accept this narrative, attached applications, as well as supporting documentation for petition to vacate 3 separate ROW's on the parcel #'s listed above.

Existing Conditions

This project consists of 4 undeveloped parcels and 1 previously developed parcel and is in the City of Chehalis. The previously developed parcel is now vacant and the buildings have been removed.

There are currently 3 undeveloped ROW's that exist on these parcels:

- 1..Adams Ave. from 11th Street to 12th Street.
2. 12th Street from Washington Ave to Adams Ave.
3. An undeveloped alley way from 11th Street to 12th Street.

The 12th Street ROW has a main sewer line running down it and an adjacent neighbor at 227 SE Prospect is using the Adams Ave ROW for driveway access.

Vacate Petition

Our clients, Tom and Cara Nicholas, are submitting a petition for vacate of the three ROW's listed above. We are proposing that of these vacate requests, easements will be established on 12th street and Adams Ave. to accommodate the entities listed below.

1. A 20 ft wide easement stretching from the lot line between parcel #005491001000 and parcel #005492002000 to the far edge of driveway gravel be established on Adams Ave to accommodate driveway access for the neighboring property at 227 SE Prospect St.
2. A full easement for the 12th St ROW to accommodate sewer line access to the City of Chehalis.

During the pre-submission conference it was requested that our surveyor research the legal lot lines for 227 Prospect St. to determine to whom the rights to the Adams Ave. ROW belonged. Please find attached documentation showing that the full rights to purchase this ROW belong to Tom and Cara Nicholas.

Thank you for accepting this Petition to Vacate. Feel free to call or email if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "A Fuller". The signature is fluid and cursive, with the first name "A" being particularly prominent.

Aaron Fuller, PE
Fuller Designs
(360) 807-4420 Office
Afuller@fullerdesigns.org

Attachments:

- Petition to Vacate
- Legal Descriptions with map exhibits
- Letter from Surveyor
- 227 SE Prospect SWD
- McCord Phillips Add.
- Aust Manor Add.
- Appraisal

EXHIBIT

CITY OF CHEHALIS

ADAMS AVENUE VACATION

STREET VACATION AREA:

THAT PORTION OF ADAMS AVENUE ABUTTING LOTS 4, 5, 6 AND 7, BLOCK 3 McCORD AND PHILLIP'S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 1 OF PLATS, PAGE 123, RECORDS OF LEWIS COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 7;
THENCE N44°52'45"W ALONG THE SOUTHWESTERLY MARGIN OF ADAMS AVENUE A DISTANCE OF 243.74 FEET TO THE MOST EASTERLY CORNER OF SAID LOT 4;
THENCE N45°07'15"E A DISTANCE OF 60.00 FEET TO THE NORTHEASTERLY BOUNDARY OF THE PLAT OF McCORD AND PHILLIP'S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 1 OF PLATS, PAGE 123, RECORDS OF LEWIS COUNTY, WASHINGTON AND THE SOUTHWESTERLY LINE OF THAT PARTICULAR TRACT OF LAND DESCRIBED IN STATUTORY WARRANTY DEED, DATED SEPTEMBER 14TH, 2011, RECORDED UNDER LEWIS COUNTY AUDITOR'S FILE NO. 3368112, ALSO BEING THE NORTHEASTERLY MARGIN OF ADAMS AVENUE;
THENCE S44°52'45"W ALONG SAID NORTHEASTERLY MARGIN A DISTANCE OF 243.75 FEET TO THE INTERSECTION WITH THE NORTHERLY MARGIN OF TWELFTH STREET, BEING THE MOST EASTERLY CORNER OF THE PLAT OF McCORD AND PHILLIP'S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 1 OF PLATS, PAGE 123, RECORDS OF LEWIS COUNTY, WASHINGTON;
THENCE S45°05'09"W A DISTANCE OF 60.00 FEET TO THE **POINT OF BEGINNING**.

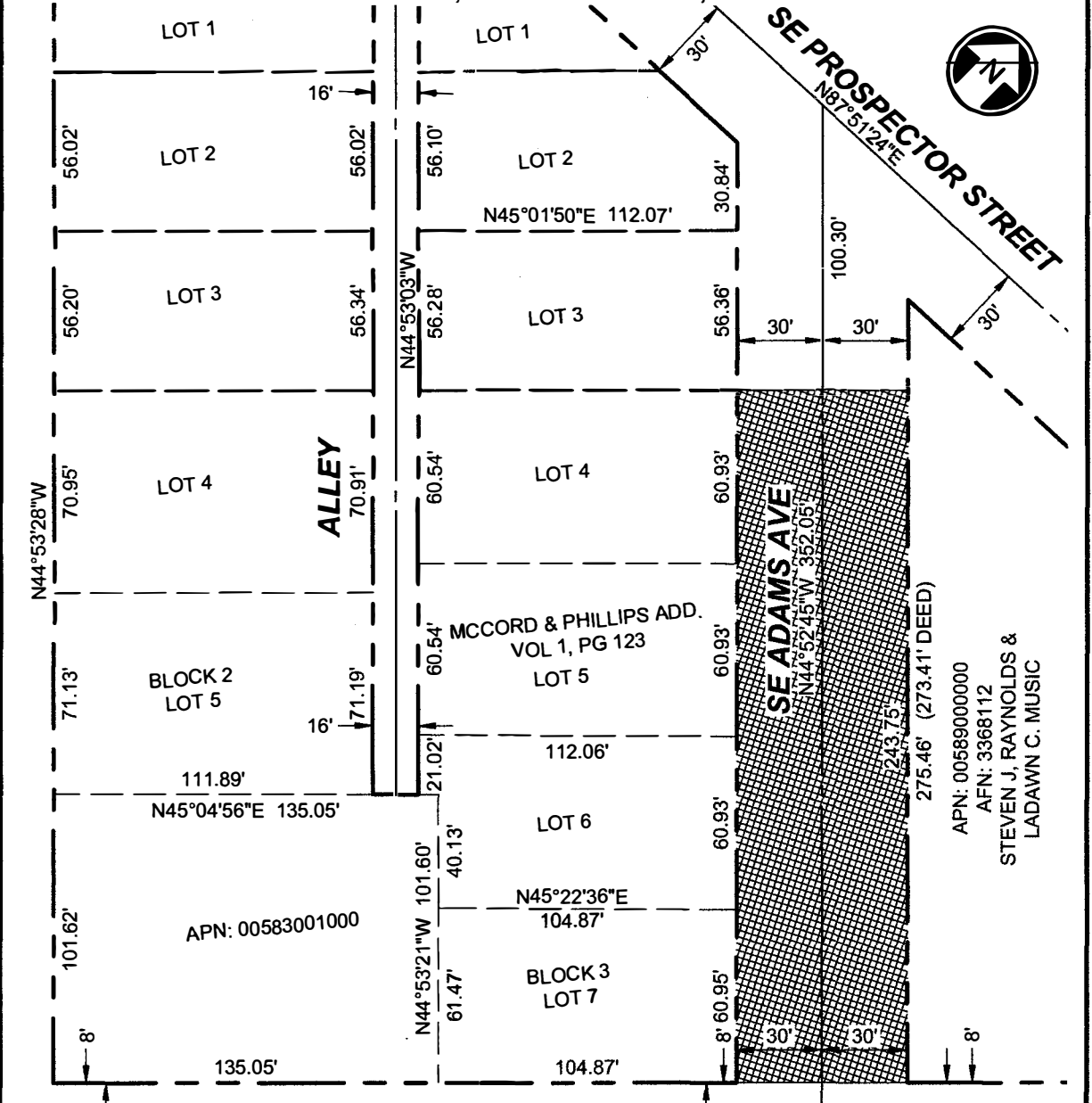
CONTAINING 14,624 SQUARE FEET MORE OR LESS

Exhibit A

John W. Goodman 5/27/2021
John W. Goodman, PLS 54051

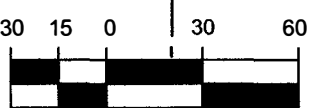
EXHIBIT SE ADAMS STREET VACATION

PORTION OF THE GOVERNMENT LOT 5
(NE 1/4 SE 1/4) SEC 32, T 14 N, R 2 W, W.M.
CITY OF CHEHALIS, LEWIS COUNTY, WASHINGTON



APN: 00589000000
AFN: 3368112
STEVEN J. RAYNOLDS &
LADAWN C. MUSIC

12TH STREET



LEGEND

- SECTION SUBDIVISION LINE
- STREET RIGHT-OF-WAY LINE
- STREET CENTER LINE
- PROPERTY LINE
- PLAT LOT LINE
- STREET VACATION AREA



STREET VACATION AREA AREA: 14,624 S.F.

ASSESSOR NO: N/A DATE: 05/25/2021

OWNER: CITY OF CHEHALIS

BLOCK NO: 3 LOT NOS: 4 - 7

CITY OF CHEHALIS LEWIS COUNTY WASHINGTON

EXHIBIT

CITY OF CHEHALIS
12TH STREET VACATION

STREET VACATION AREA:

THAT PORTION OF TWELFTH STREET ABUTTING LOTS 19, 20 AND 21 AUST’S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 4 OF PLATS, PAGE 35 AND LOT 7, BLOCK 3 McCORD AND PHILLIP’S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 1 OF PLATS, PAGE 123, RECORDS OF LEWIS COUNTY, WASHINGTON, AND THAT PORTION OF GOVERNMENT LOT 5, SECTION 32, TOWNSHIP 14 NORTH, RANGE 2 WEST, W.M., LEWIS COUNTY WASHINGTON KNOWN AS ASSESSOR’S PARCEL NO. 00583001000, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 19, AUST’S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 4 OF PLATS, PAGE 35;
THENCE N45°05’09”E ALONG THE SOUTHERLY MARGIN OF TWELFTH STREET A DISTANCE OF 299.16 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 21, AUST’S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 4 OF PLATS, PAGE 35;
THENCE N45°46’31”E A DISTANCE OF 50.00 FEET TO THE MOST EASTERLY PLAT CORNER OF McCORD AND PHILLIP’S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 1 OF PLATS, PAGE 123, RECORDS OF LEWIS COUNTY, WASHINGTON, BEING INTERSECTION OF THE NORTHEASTERLY MARGIN OF ADAMS AVENUE AND THE NORTHERLY MARGIN OF SAID TWELFTH STREET;
THENCE S45°05’09”W ALONG THE SOUTHERLY BOUNDARY OF THE PLAT OF McCORD AND PHILLIP’S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 1 OF PLATS, PAGE 123, RECORDS OF LEWIS COUNTY, WASHINGTON, BEING NORTHERLY MARGIN OF SAID TWELFTH STREET A DISTANCE OF 164.87 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 7, BLOCK 3;
THENCE CONTINUING S45°05’09”W ALONG THE NORTHERLY MARGIN OF SAID TWELFTH STREET A DISTANCE OF 135.05 FEET;
THENCE S46°38’55”W A DISTANCE OF 50.02 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 14,974 SQUARE FEET MORE OR LESS

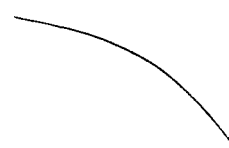
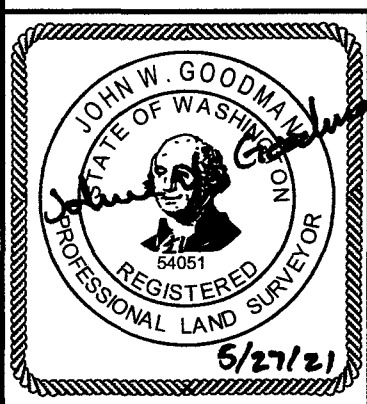
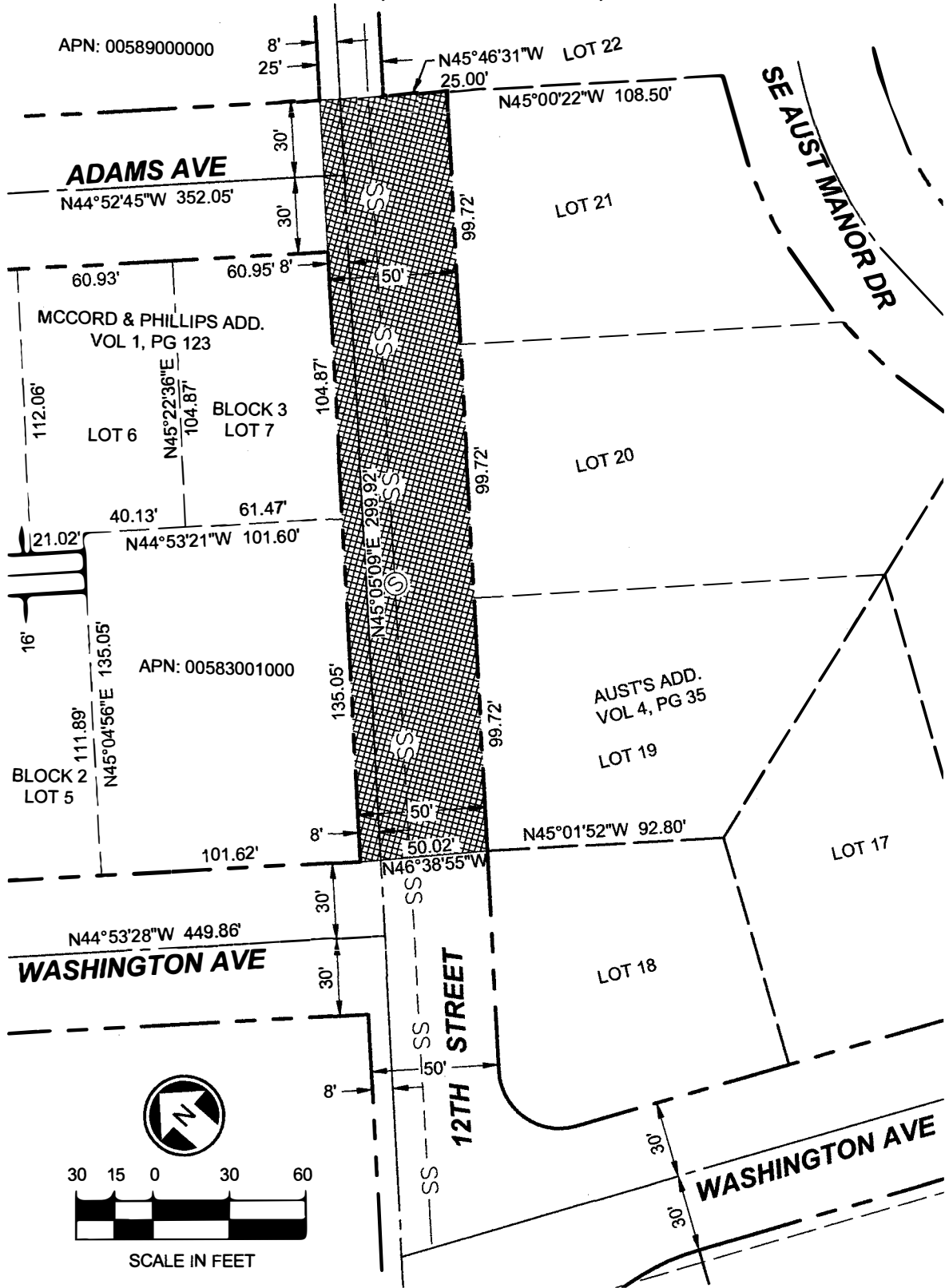


Exhibit A

John W. Goodman 5/27/2021
John W. Goodman, PLS 54051

EXHIBIT 12TH STREET VACATION

PORTION OF THE GOVERNMENT LOT 5
(NE 1/4 SE 1/4) SEC 32, T 14 N, R 2 W, W.M.
CITY OF CHEHALIS, LEWIS COUNTY, WASHINGTON



LEGEND	
	SECTION SUBDIVISION LINE
	STREET RIGHT-OF-WAY LINE
	STREET CENTER LINE
	PROPERTY LINE
	PLAT LOT LINE
	STREET VACATION AREA

STREET VACATION AREA AREA: 14,974 S.F.

ASSESSOR NO: N/A DATE: 05/25/2021

OWNER: CITY OF CHEHALIS

BLOCK NO: 3 LOT NOS: 7 & 19 - 21

CITY OF CHEHALIS LEWIS COUNTY WASHINGTON

EXHIBIT

CITY OF CHEHALIS
ALLEY VACATION

ALLEY VACATION AREA:

THAT PORTION OF ADAMS AVENUE ABUTTING LOTS 4, 5 AND 6, BLOCK 3, AND LOTS 4 AND 5, BLOCK 2, McCORD AND PHILLIP'S ADDITION TO THE CITY OF CHEHALIS, AS RECORDED IN VOLUME 1 OF PLATS, PAGE 123, RECORDS OF LEWIS COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 5, BLOCK 2 AS SURVEYED ON RECORD OF SURVEY RECORDED UNDER LEWIS COUNTY AUDITOR'S FILE NO. 3531692, IN VOLUME 33 OF SURVEYS AT PAGE 138;
THENCE N44°53'03"W ALONG THE SOUTHWESTERLY MARGIN OF ALLEY ALONG ABUTTING SAID LOTS 5 AND 4 OF BLOCK 2 A DISTANCE OF 142.10 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 4, BLOCK 2;
THENCE N45°05'11"E A DISTANCE OF 16.00 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 4, BLOCK 3;
THENCE S44°53'03"E ALONG THE NORTHEASTERLY MARGIN OF ALLEY ALONG SAID LOTS 4, 5 AND 6, BLOCK 3 A DISTANCE OF 142.10 FEET TO AN ANGLE POINT IN THE SOUTHWESTERLY LOT LINE OF SAID LOT 6, BLOCK 3;
THENCE S45°04'56"W A DISTANCE OF 16.00 FEET TO THE **POINT OF BEGINNING**.

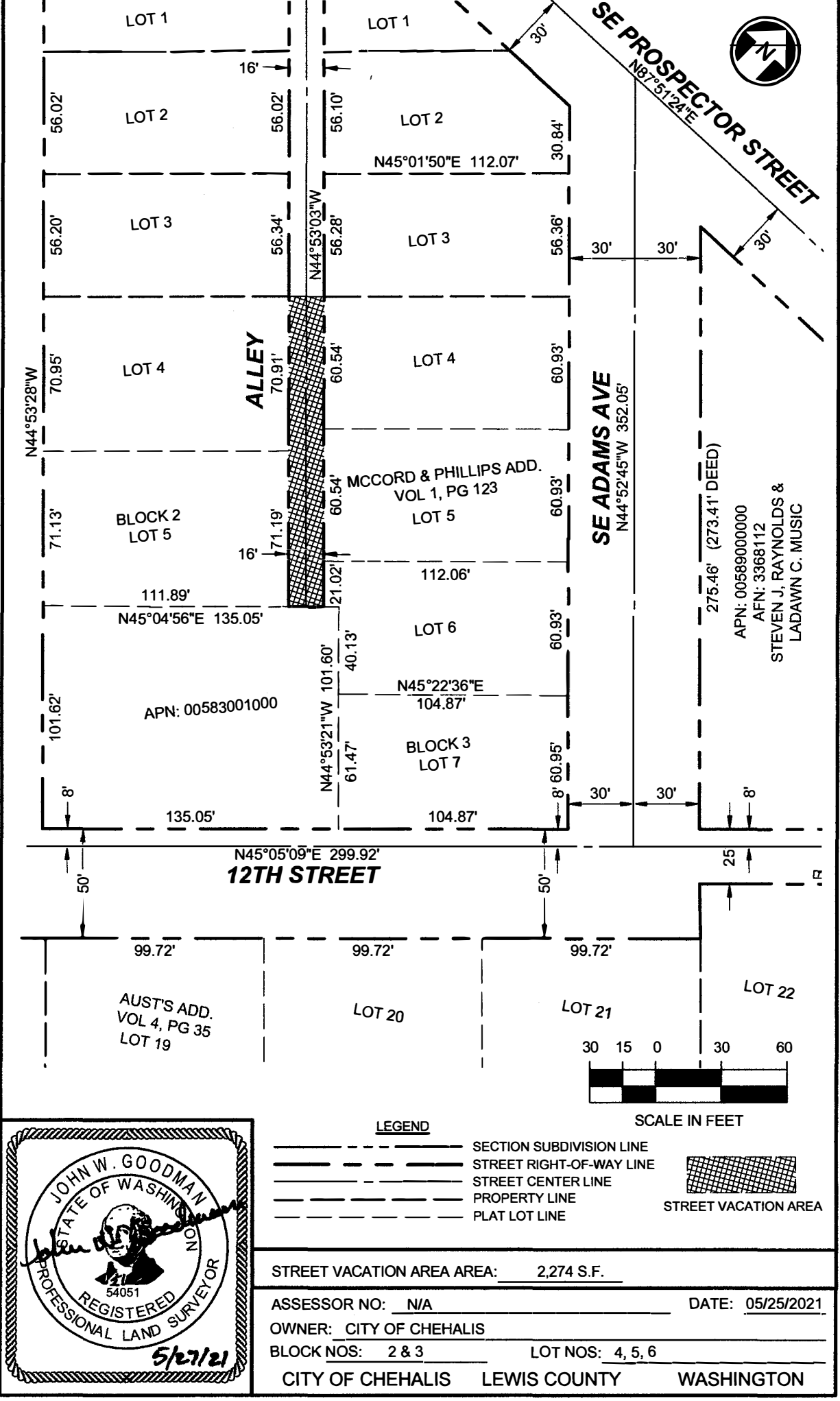
CONTAINING 2,274 SQUARE FEET MORE OR LESS

Exhibit A

John W. Goodman 5/27/2021
John W. Goodman, PLS 54051

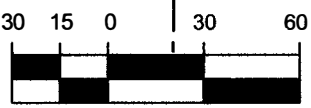
EXHIBIT ALLEY VACATION

PORTION OF THE GOVERNMENT LOT 5
(NE 1/4 SE 1/4) SEC 32, T 14 N, R 2 W, W.M.
CITY OF CHEHALIS, LEWIS COUNTY, WASHINGTON



SE ADAMS AVE
N44°52'45"W 352.05'

12TH STREET
N45°05'09"E 299.92'



LEGEND

- SECTION SUBDIVISION LINE
- STREET RIGHT-OF-WAY LINE
- STREET CENTER LINE
- PROPERTY LINE
- PLAT LOT LINE
- STREET VACATION AREA



STREET VACATION AREA AREA: 2,274 S.F.

ASSESSOR NO: N/A DATE: 05/25/2021

OWNER: CITY OF CHEHALIS

BLOCK NOS: 2 & 3 LOT NOS: 4, 5, 6

CITY OF CHEHALIS LEWIS COUNTY WASHINGTON

Exhibit A

NOTICE OF PUBLIC HEARING

Chehalis City Council

Permit #Vacate-21-01

TOPIC: Fuller Design on behalf of Tom and Cara Nicholas submitted a petition to vacate a portion of SE Adams, 12th Street, and an undeveloped alley from 11th Street to 12th Street.

DATE, TIME and PLACE: August 23, 2021 at 5:00 PM
Chehalis City Hall, Council Chambers
350 N. Market Blvd
Chehalis, WA

CONTACT: To view the proposed changes during regular business hours or to request a copy, contact:
Tammy Baraconi, Planning and Building Manager
1321 S. Market Blvd
Chehalis, WA 98532
360.345.2229 or via email at tbaraconi@ci.chehalis.wa.us

All supporting documents may be viewed on the City's website at www.ci.chehalis.wa.us.

Anyone interested may appear and be heard. The decision of the City Council will be mailed to all those who submit comments, testify at the hearing or request the decision in writing. Any aggrieved party of record can file an appeal with Lewis County Superior Court.

*****Written public comment can be accepted until 4:30 PM on August 11, 2021*****

Exhibit B

July 29, 2021

Dear Property Owner,

Fuller Design on behalf of Tom and Cara Nicholas have petitioned the City for the vacation of a portion of SE Adams, 12th Street, and an undeveloped alley located between 11th and 12th Street. You are being sent this notice because we are obligated under the law to notify everyone within 300 feet of the site. If you wish to make comment, please follow the directions below.

NOTICE OF PUBLIC HEARING

Chehalis City Council

Permit #Vacate-21-01

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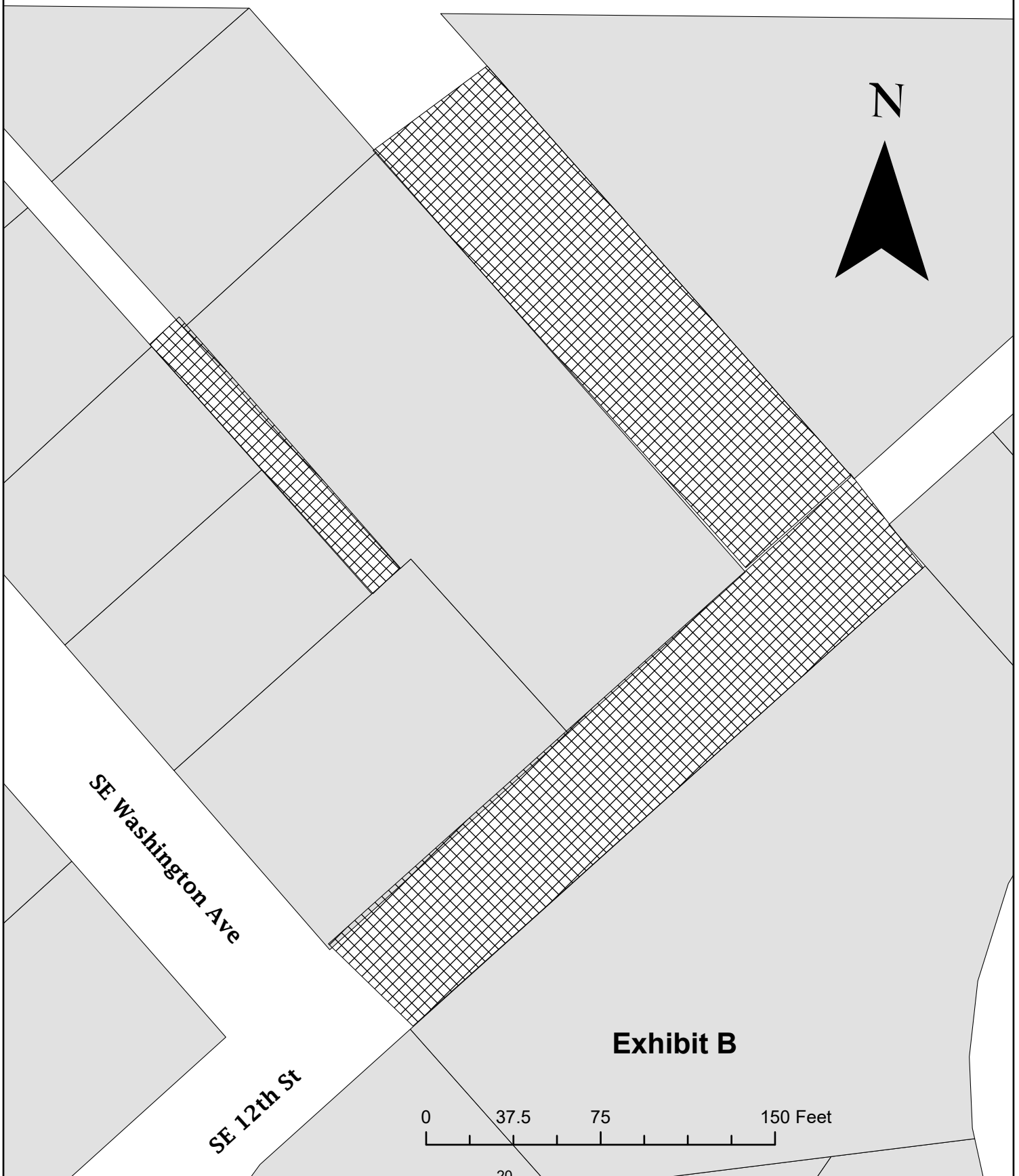
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*****Written public comment can be accepted until 4:30 PM on August 11, 2021*****

Exhibit B

Proposed right of way vacations
Vacate-21-01
Public Hearing August 23, 2021



SE Washington Ave

SE 12th St

Exhibit B

0 37.5 75 150 Feet

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Brandon Rakes, Airport Operations Coordinator

DATE: July 12, 2021

SUBJECT: Consideration of Early Work Agreement for Tract 8 at 1800 NW Louisiana Avenue to KEM Northwest, LLC, a Washington Limited Liability Company

ISSUE

The Chehalis-Centralia Airport has received an Early Work Agreement for Tract 8 by KEM Northwest, LLC, a Washington limited liability company, to begin filling and grading for an automobile dealership. This parcel is located on the airport's property at 1800 NW Louisiana Avenue between I-5 Toyota and Dutch Bros Coffee. The Early Work Agreement was contemplated and anticipated as part of the Agreement to Lease the City Council previously authorized with KEM Northwest on June 28, 2021.

INTRODUCTION

On June 28, 2021, the City Council authorized the leasing of Tract 8 to KEM Northwest. Therefore, an Agreement to Lease was executed between the City of Chehalis and KEM Northwest. As time is of the essence in property development, Section 2 of the Agreement to Lease addressed the possibility of the Tenant's Early Work. This creates a mechanism by which the Tenant may begin filling and grading the site at the Tenant's sole expense and sole election. A similar agreement was approved by the City Council for Tract 9, which was leased by the O'Brien Auto Group, which includes the same ownership as KEM Northwest, LLC.

TERMS OF THE PROPOSED AGREEMENT

The following section is included in the Agreement to Lease the City entered into with KEM Northwest on June 28, 2021 and is repeated in the proposed Early Work Agreement:

"It is understood that Tenant is required by law to submit to Landlord a filling and grading plan for the Property, along with Tenant's written request for Landlord's approval of same, for the required filling and grading of the existing hole in the Property. Subject to Landlord's approval, the parties agree that Tenant's filling and grading under this Section 2 may be performed at Tenant's sole expense and at Tenant's sole election, prior to the Closing hereunder pursuant to an early work agreement reasonably acceptable to Landlord and Tenant ("Early Work Agreement"). Tenant's out of pocket filling and grading costs pursuant to this Section 2 ("Filling and Grading Costs") shall be non-refundable to Tenant, except in the case of Landlord's breach of this Agreement or the Early Work Agreement. The Early Work Agreement shall provide that Tenant will indemnify, defend and hold Landlord harmless from and against any and all actions, claims, damages, liens, liability, costs and expenses arising out of Tenant's activities on the Property prior to Closing pursuant to the Early Work Agreement."; and

The proposed Early Work Agreement further explains that the tenant will have the ability to access the site to accomplish the fill and grade work and acknowledges the permit requirements associated with the planned fill and grade work:

1. In accordance with Section 2 and other terms and conditions of the Agreement for Ground Lease, while the Agreement for Ground Lease is in effect and at all times prior to the Closing thereunder, Landlord hereby authorizes Tenant and its agents to enter the Property (and to the extent necessary the adjacent portion of Tract 7A) and commence the filling and grading of the Property (and to the extent necessary the adjacent portion of Tract 7A).

2. Notwithstanding the foregoing, it is understood that Tenant must submit a filling and grading plan for the Property to City and Landlord must approve the same as a condition of Tenant receiving a building permit from Landlord for the construction of buildings on the Property, which approval Landlord will not unreasonably withhold, delay or condition.

FISCAL IMPACT

If the proposed Early Work Agreement is executed, it will facilitate the business's opening to be located at Tract 8 at 1800 NW Louisiana Avenue. This will result in lease revenue and tax revenue being generated earlier than would otherwise be expected.

RECOMMENDATION

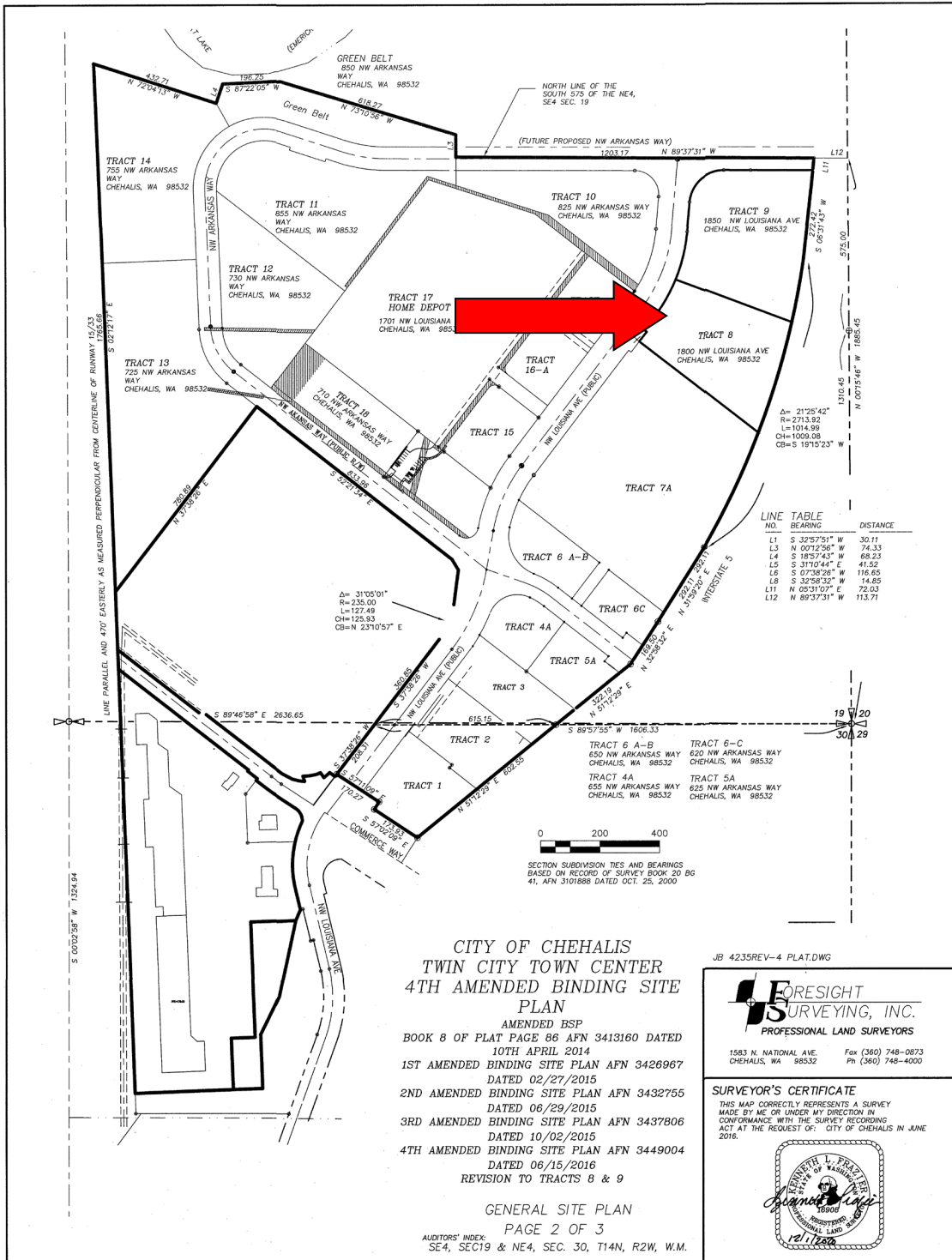
It is recommended that the City Council approve acceptance of the Early Work Agreement for Tract 8 at 1800 NW Louisiana Avenue by KEM Northwest and authorize the City Manager to execute the documents.

SUGGESTED MOTION

I move that the City Council approve acceptance of the Early Work Agreement for Tract 8 at 1800 NW Louisiana Avenue by KEM Northwest and authorize the City Manager to execute the documents.

REVIEWED FOR APPLICABLE TAXES
 APPROVED FOR RECORDING
 LEWIS COUNTY TREASURER'S
 BY CB DATE 12-7-20

3538510



CITY OF CHEHALIS
TWIN CITY TOWN CENTER
4TH AMENDED BINDING SITE PLAN
 AMENDED BSP
 BOOK 8 OF PLAT PAGE 86 APN 3413160 DATED
 10TH APRIL 2014
 1ST AMENDED BINDING SITE PLAN APN 3426967
 DATED 02/27/2015
 2ND AMENDED BINDING SITE PLAN APN 3432755
 DATED 06/29/2015
 3RD AMENDED BINDING SITE PLAN APN 3437806
 DATED 10/02/2015
 4TH AMENDED BINDING SITE PLAN APN 3449004
 DATED 06/15/2016
 REVISION TO TRACTS 8 & 9

GENERAL SITE PLAN
 PAGE 2 OF 3

AUDITORS' INDEX:
 SE4, SEC19 & NE4, SEC. 30, T14N, R2W, W.M.

JB 4235REV-4 PLAT.DWG

FORESIGHT SURVEYING, INC.
 PROFESSIONAL LAND SURVEYORS

1583 N. NATIONAL AVE. CHEHALIS, WA 98532
 Fax (360) 748-0873
 Ph (360) 748-4000

SURVEYOR'S CERTIFICATE
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE SURVEY RECORDING ACT AT THE REQUEST OF: CITY OF CHEHALIS IN JUNE 2016.

EARLY WORK AGREEMENT

[Tract 8]

THIS EARLY WORK AGREEMENT (the "Agreement") is entered into as of July __, 2021, by and between the City of Chehalis, Washington, a Washington municipal corporation, operator of the Chehalis-Centralia Airport, ("Landlord"), and KEM Northwest, LLC, a Washington limited liability company ("Tenant").

RECITALS

WHEREAS, the parties entered into an Agreement for Ground Lease [Tract 8], dated on or about the date hereof with regard to Landlord's desire to ground lease to Tenant and Tenant's desire to ground lease from Landlord the property described in Section 1 of the Agreement for Ground Lease [Tract 8] (the "Property"); and

WHEREAS, all capitalized terms not otherwise defined herein have the meanings ascribed to such terms in the Agreement for Ground Lease [Tract 8]; and

WHEREAS, Section 2 of the Agreement for Ground Lease [Tract 8] provides as follows:

"2. Tenant's Early Work.

"It is understood that Tenant is required by law to submit to Landlord a filling and grading plan for the Property, along with Tenant's written request for Landlord's approval of same, for the required filling and grading of the existing hole in the Property. Subject to Landlord's approval, the parties agree that Tenant's filling and grading under this Section 2 may be performed at Tenant's sole expense and at Tenant's sole election, prior to the Closing hereunder pursuant to an early work agreement reasonably acceptable to Landlord and Tenant ("Early Work Agreement"). Tenant's out of pocket filling and grading costs pursuant to this Section 2 ("Filling and Grading Costs") shall be non-refundable to Tenant, except in the case of Landlord's breach of this Agreement or the Early Work Agreement. The Early Work Agreement shall provide that Tenant will indemnify, defend and hold Landlord harmless from and against any and all actions, claims, damages, liens, liability, costs and expenses arising out of Tenant's activities on the Property prior to Closing pursuant to the Early Work Agreement."; and

WHEREAS, Tenant desires to commence the above-described filling and grading of the Property as soon as possible;

NOW, THEREFORE, the parties agree as follows:

1. In accordance with Section 2 and other terms and conditions of the Agreement for Ground Lease [Tract 8], while the Agreement for Ground Lease [Tract 8] is in effect and at all times prior to the Closing thereunder, Landlord hereby authorizes Tenant and its agents to enter the Property (and to the extent necessary the adjacent portion of Tract 7A) and commence the filling and grading of the Property (and to the extent necessary the adjacent portion of Tract 7A).

2. Notwithstanding the foregoing, it is understood that Tenant must submit a filling and grading plan for the Property to City and Landlord must approve the same as a condition of Tenant receiving a building permit from Landlord for the construction of buildings on the Property, which approval Landlord will not unreasonably withhold, delay or condition.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed, as of the day and year first above written.

LANDLORD:

TENANT:

CITY OF CHEHALIS

KEM NORTHWEST, LLC

BY: _____

BY: _____

PRINT NAME: JILL ANDERSON

PRINT NAME: JOSEPH D. O'BRIEN, JR.

TITLE: CITY MANAGER

TITLE: MANAGER

821-0141.Tract8