

**MINUTES  
VILLAGE OF HAMEL  
SPECIAL BOARD MEETING  
Tuesday April 7, 2021  
7:00 PM at Village Hall  
111 South Old US Rt 66, Hamel Illinois**

The Hamel Board of Trustee meeting was called to order by Mayor Larry Bloemker at 7:00 p.m. The meeting was held at the Village Hall. All attendees were wearing face coverings during the entire meeting. The meeting was opened with the Pledge of Allegiance.

**ROLL CALL:**

Present: Trustee Behrhorst, Trustee Otrembiak, Trustee Isringhausen, Trustee Salmi, Trustee Gorzny  
Absent: Trustee Goebel

**PRESENT:**

Mayor: Larry Bloemker  
Police: Officer Brent Hurst  
Village Clerk: Debbie Belville  
Village Attorney: Phil Lading  
Village Engineer: Bob Massa

**GUESTS:** Shane Recer

Karen Luster  
Cameron Luster

**PUBLIC COMMENT:**

Cameron Luster stated he and Karen Luster were attending this meeting to answer any questions or concerns regarding the project and special use permit request for the Route 66 Creamery drive through.

Karen Luster advised she calls this a "pick-up window", but it will actually be a "drive through". They are attending this meeting so any misunderstandings can be addressed.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

Mayor Bloemker advised the Board they needed to review the Special Use Permit findings. Attorney Phil Lading stated the hearing was completed and was rather lengthy with significant evidence presented on both sides. This hearing included the Lusters, their engineer, Hamel Village Attorney Phil Lading, and the Village Engineer from Juneau along with a few residents.

Mr. Lading said at the end of the hearing, the hearing officer (Mr. Schrempf), issues a finding of fact and recommendation that are advisory. Meaning that they are advisory only. These recommendations are not final or binding on the Village Board. There was a 14-page finding of fact recommendation submitted. Mr. Schrempf noted a lot of concerns with proceeding with the drive through as platted and he recommended that assuming the Village's concerns can be addressed

through some restrictions to be placed on the issuance of the special use permit that he would recommend issuing the special use permit allowing that a drive through be allowed at the property.

Mr. Lading stated there are 3 things the Village can do with regards to the recommendation from Mr. Schrempf. First, grant the permit with no stipulation, second deny the permit out right or third, approve the permit and issue restriction on how the special use permit can be issued.

Mayor Bloemker said the Village had Juneau put a list together point by point of requirements that would need to be in place for public safety and all Village code's to be followed.

Mr. Lading stated this is a unique piece of property.

Bob Massa went over the list of 9 items. (list is attached to these minutes)

A copy was giving to the Lusters to follow along. Mr. Lading stated there was a correction on 1 a. it should be 6 foot wide raised/stripped crosswalk instead of 5 feet.

Mr. Luster said they are well within the "stacking distance" of the Village code, the 8-car length stacking code distance, and this was presented in their presentation. Mr. Luster said it did not impede in the crosswalk area at all. The likelihood of a car being there in the crosswalk would be slim to none. This comment was about number 2 on the list that Bob Massa was discussing.

Karen Luster wanted to remind everyone this is NOT actually a drive through window, it is only a pickup window only. They do not have an ordering system like McDonalds, there will NOT be orders taken or made at the window, this window will be used for call-in orders or orders done on-line only. If a person comes to the window to place an order the customer will be told to go park and place a call-in order or use the on-line app. Mrs. Luster said people "will not be allowed to order at that window", if their order is not ready, they will be put into a parking space. Again, this is not an actual drive through, all food is made fresh and made to order. Once the order is made it will be brought out to the customer.

Mrs. Luster said they will not have 7, 8 or 10 cars stacked up at this window at any time. It will not impede on traffic. Also, once the fencing goes up for the lane this will help with kids running in and out of the lane.

Mr. Lading wanted to confirm what Mrs. Luster said, "there will not be any ordering allowed at the window at all". She said that is correct and Mr. Luster agreed. Mr. Lading asked then they would not have any objection to having this as a condition of issuance of the special use permit? The Lusters said they would not have any objections. She again said this is not a drive through it is a pick-up window.

If a vehicle is at the window would this block the cross- walk area. They said it would not block the area.

Trustee Behrhorst ask how many spaces would be there for people to park? Mr. Luster pointed out the locations of the parking spaces. He said there is 12 customer parking and 2 ADA parking. The village code does not allow for a shared access isle for ADA so they will probably have 1. Bob Massa said if the Village would allow the change, they could still have 2 with a shared access isle in between. This is something the Village can look at.

Trustee Salmi asked Mrs. Luster if she really needs a drive through window? Or if she is just looking for a walk-up access like the other side of the building? She stated she does not want a walk-up window she wants a drive through.

Bob Massa went over the existing two entrances in the Northeast corner of the site. The Village would want these to be permanently unusable and would need to have a barrier curb to make them unusable. Karen Luster said this is IDOT property not hers and she does not feel they are responsible for this after reading an email received from IDOT. There seemed to be an interpretation difference

between what Mrs. Luster read and the same email that Attorney Lading read. She said the Village can make or have IDOT close these access points, but they will not, do not have the funds for this and not on their property. She did say they could place parking blocks on the middle one since the other has some sort of blocking items on it now. The farthest West entrance is the only one they will be using.

Bob Massa discussed the off- street parking areas, these areas would need to be paved. Mrs. Luster asked the question, why is the Village Ordinance that states all parking lots be paved in the Village only being enforced on the Creamery and not on others in the Village? Attorney Lading responded that the Ordinance is uniformly enforced for those who have applied for special use permit or building application since the adoption of that Ordinance. The Creamery is changing the use of the original plan, ADA parking and adjusting parking areas since the Ordinance was adopted and put in place. Mrs. Luster stated this is something they could work on but would need time. This is not in the budget but if the Village would be willing to do a conditional approval, she would have the paving completed by the end of this year.

Bob stated the require ADA parking and restrictions needs to be review by Madison County. Madison County ADA would need to give approval and thereafter subject to final approval by the Village. Mrs. Luster stated she has spoken with Chris Doucleff from Madison County, Chris Doucleff told her he is "fine with the layout" and "he has seen all the layouts and he is fine with all of them". Mrs. Luster also stated Mr. Doucleff has been involved since the Mayor told her she could not put this in. She told Mr. Doucleff that she was told by the Madison County that she could put it in, Mr. Doucleff then told Mrs. Luster they were fine to put it in. Mr. Luster said they went to Madison County first instead of the Village, they were flip-flopped on that procedure.

Trustee Behrhorst ask why in all the paperwork and information given is there no sign off from Madison County for this plan? Phil stated once a new site plan is issued with the restrictions and changes required by the Village this would be forwarded to Madison County for their approval/disapproval on the ADA requirements. Madison County will have to formally sign off on the ADA requirements before it come back to the Village.

Mayor Bloemker reminded the Board that Mr. Chris Doucleff is not a planner, he does not give approval for ADA compliance.

Phil added, there needs to be some sort of distance set back from West edge of window to West edge of 6 foot raised walkway.

Trustee Behrhorst wanted to make sure this project is safe and done responsibly for the community. The Village needs to make sure this is reviewed, and a conscience decision is made not only for the business but the community as well.

Mrs. Luster reminded everyone this is a pick-up window not a drive through, the drive through term is used because of the special use permit terms.

Trustee Isringhausen asked how they would work the staggering/ stacking of vehicles if people were moved to parking spaces? With the plan they are presenting the vehicles in the lane infringe in the walk- way along with infringing on 3 parking spaces. Mr. Luster showed a portion of their presentation to explain.

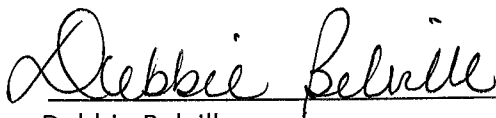
Mrs. Luster advised the Board that any time there is a special event the drive-through lane would be shut down during the event. It would be blocked off.

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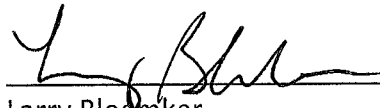
Mrs. Luster stated there is no option to order at the window, Lusters believe it will back things up. They will need to educate and teach people the idea of the window is they need to call in or do an on-line order only.

Trustee Isringhausen made a motion to adjourn the meeting at 7:37 pm second by Trustee Gorzny, all in favor, all ayes, time out 7:38 pm

Approved at the Village of Hamel Board Meeting, held May 11, 2021.



Debbie Belville  
Village Clerk



Larry Bloemker  
Village President/Mayor

Items that need to be considered for the proposed drive through:

- 1.) Provide a defined ADA compliant pedestrian route from the parking spaces to the building by either of the following (subject to final County ADA approval):
  - a.) Provide a raised/striped crosswalk, <sup>6</sup>/<sub>8</sub> foot wide and four inches tall with appropriate signage to ensure vehicles stop prior to crossing both stacking lanes; or
  - b.) Avoid crossing the drive through lanes near the pick-up window by creating a route through the landscaped area to the building.
- 2.) Gates and a cross-hatched area that is 6' x 12' is indicated on the plan. Is this intended to be a crosswalk? If so, access across this area will be blocked by a vehicle at the drive-through window. Applicant needs to submit more detailed plans and specifications for the rails and cross-walk gates for Village approval.
- 3.) Ensure that site lighting provides sufficient illumination without allowing light and glare to intrude onto adjacent properties – Applicant submits lighting plan in compliance with Village Code Requirements.
- 4.) Provide pavement striping to delineate vehicle drive through path and queuing areas.
- 5.) Northeast three spots employee parking only and designated accordingly.
- 6.) Installation of a mountable curb delineating the interior turning radius and stacking lane for the drive thru, painted with high visibility traffic paint – can be asphalt.
- 7.) The existing two entrances in the Northeast corner of the site shall be blocked off with barrier curb to render same permanently unusable as legal access points to the property, with all proper IDOT permitting and approval.
- 8.) All off-street parking areas need to be paved.
- 9.) All ADA parking restrictions, spaces and access routes subject to final Madison County ADA approval – and thereafter subject to final approval by the Village.

