

**MINUTES OF THE REGULAR MEETING OPEN SESSION
ILLINOIS LIQUOR CONTROL COMMISSION**

**Richard J. Daley Center
55 W. Washington St.
Chicago, Illinois 60601**

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**July 20th, 2022
1:00 PM**

Call the Roll:

Chair Berg called the meeting to order at 1:01 p.m.

Present *(Remote Attendance does not count toward Quorum)*

Thomas Gibbons	<i>Commissioner</i>	
Julieta LaMalfa	<i>Commissioner</i>	<i>Remote (joined 1:03 p.m.)</i>
Pat Pulido-Sanchez	<i>Commissioner</i>	
Melody Spann-Cooper	<i>Commissioner</i>	<i>Remote</i>
Brian Sullivan	<i>Commissioner</i>	
Cynthia Berg	<i>Chair</i>	

Absent

Steven Powell	<i>Commissioner</i>
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ILCC Staff Present:

Lisa Gardner	<i>Executive Director</i>
Les Peterson	<i>Chief Enforcement Officer</i>
Dusanka Marijan	<i>Licensing Administrator</i>
Persis Dhankher	<i>I.T.</i>
Noel Quanbeck	<i>General Counsel</i>
Nicole Sanders	<i>Industry Education</i>
Avi Zisook	<i>Legal</i>
Rick Haymaker	<i>Legal</i>
Dean Argiris	<i>Acting Commission Secretary</i>

I. Remote Participation

A motion was made by Commissioner Sullivan to allow Commissioner Spann-Cooper to participate remotely, the motion was seconded by Commissioner Sullivan.

Thomas Gibbons	Yes	Melody Spann-Cooper	N/V
Julieta LaMalfa	Yes		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes

A motion was made by Commissioner Pulido-Sanchez to permit Commissioner LaMalfa to participate remotely. The motion was seconded by Commissioner Gibbons.

Thomas Gibbons	Yes	Melody Spann-Cooper	N/V
Julieta LaMalfa	N/V		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes

II. Approval of Minutes

A motion was made by Commissioner Pulido-Sanchez to approve the amended minutes. The motion was seconded by Commissioner Sullivan.

The motion passed.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes.
Julieta LaMalfa	N/V		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes

III. Executive Director's Report

Director Gardner announced that beginning July 1st 2022, 1A retail licenses will not have to pay their renewal fees for this year's license. They will still need to renew their license, meet all requirements to have the license, and settle all account holds.

\$20.9 million in revenue was generated at the close of the 2022 Fiscal Year, with \$9.4 million going to the General Revenue Fund and \$11.5 million going to the Dram Shop Fund.

The Operating Expense Ratio for the Dram Shop Fund is 66%, which is on-par with previous fiscal years.

7 Enforcement Inspector Trainees started this month, and an additional 5 more positions will be posted. Our goal is to ensure that the ILCC has enough coverage throughout Illinois.

In a response to our public notice regarding our drafted Administrative Rule on couponing, we were advised that legislation was passed which rendered the proposed rule obsolete. The language of this bill was carefully crafted to bypass search filters in the ILCC's legislative tracking programs and the ILCC was kept out of the loop during the process. As a result, we are posting a job opening for a full time Legislative Liaison position.

As the ILCC expands its education operations, we will have an increased presence at events like Lollapalooza and other community events. We are there only for educational purposes.

Additionally, we will be rolling out a quarterly enforcement and licensing podcast, which will focus on routine and commonly asked questions.

IV. Division Reports

Enforcement

Chief Enforcement Officer Les Peterson announced that the ILCC and the Alcohol Policy Resource Center are continuing their partnership to curb Underage Drinking.

Supervisor Kenny Williams taught an Underage Compliance Check course in Mundelein, Illinois and is required for any local law enforcement officer who engages in underage compliance checks.

This past month, ILCC enforcement conducted 808 inspections and found 256 violations. 48 warnings were issued and 2 new license inspections. We also received over 100 complaints.

We completed 2 underage compliance details in Hanover Park and Wauconda.

The ILCC also removed 221 illegal alcohol sales off of Craigslist and 3 posts from Facebook.

Commissioner Gibbons asked about posting our Underage Compliance employment opportunities to the ILCC website. ILCC staff confirmed it was posted on the website.

Industry Education

We have continued to increase our BASSET trainings and adding more public events to our calendar. The events will cater to our targeted demographics and help build bridges between our communities and the agency.

The ILCC is seeing a steady increase in followers across our social media platforms. We are up 1000% on Facebook, in regard to our reach and 450% on our Instagram page.

Two podcasts are successfully completed and will improve our content as we continue making them.

Our education campaigns are focused on the health effects of alcohol on minors and a correlation between underage drinking and mental health.

Commissioner Pulido-Sanchez recommended that gun violence also be included in educational topics regarding alcohol and mental health.

Commissioner Sullivan recommended the development of an Inspection Check List for licensees, so that they know what our investigators look for and aids them in passing their Licensing inspections.

Legal

For the month of June, the Legal division had 44 pending cases. 11 of those cases were distributor cases, 25 Retailer, and 8 were Sale of Alcohol to Minor. We also closed out 78 cases this past month.

Legal conducted 20 Pre-Disciplinary Conferences.

5 of the SAM cases were first time offenses, and 3 were second time offenses.

Our division also had 29 appeals pending and two status calls, one on June 10th and the second on June 15th.

The ILCC received 21 Freedom of Information Act requests and we issued 8 Advisory Opinion Responses.

General Counsel Noel Quanbeck attended the National Conference of State Liquor Administrators in Overland Park, Kansas and spoke about the panels and topics at the annual meeting.

Commissioner Gibbons commented on the sentence structure of a particular section of the ILCC Newsletter, which may lead to some confusion regarding the permissibility of retail-to-retail purchases. ILCC staff clarified that retail-to-retail purchases are still impermissible under the Act, but instead of an immediate citation, retailers would be issued two warnings before a violation is issued.

Licensing

Dusanka Marijan provided the monthly Licensing report.

For the month of June, Licensing issued 3,547 Liquor Licenses and saw a 31% increase of in-person transactions. Much of that increase is from Special Events.

Our running total is 1,626 Special Events permits issued.

The ILCC is working on ways for these Special Event licenses to be issued through MyTax. Some of the issues individuals are encountering on MyTax are access issues. Primarily because volunteers are applying on behalf of the organization and MyTax has a lot of security features.

Ms. Marijan addressed Commissioner Sullivan's earlier comment about an Inspection Check-List and mentioned they could incorporate a feature into GenTax for the licensees' applicants.

Commissioner Pulido-Sanchez asked about the Special Event numbers pre-Covid verses now. Ms. Marijan stated that in 4,286 licenses pre-Covid and 1,840 licenses now.

V. Partner Presentations

Elisabeth Kann with the U.S. Department of the Treasury - Alcohol and Tobacco Tax and Trade Bureau spoke to the Commission about the Bureau and its responsibilities. Carrie May spoke about Trade Practices and Prohibitions: Tied-House, Commercial Bribery, Exclusive Outlet, and Consignment Sales.

VI. Public Comment

No public comment was given.

VII. Executive Session

A motion was made by Commissioner Pulido-Sanchez to move into Executive Session. Commissioner Gibbons seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes

VIII. Appeals

In the matter of 20 APP 06 (*McGee's Bar and Grill, Inc. v. City of Madison, Illinois*), Commissioner Sullivan made a motion to affirm, but modify, the decision of the Local Liquor Commission and impose a \$750 fine with a 30-day suspension of the license, with time served. Commissioner Spann-Cooper seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes.

Commissioner Gibbons made a motion to deny a Petition for Rehearing in the matter of 20 APP 10 (*New Corner Bar and Grill, Inc. v. Lynwood Liquor Control Commission*). The motion was seconded by Commissioner LaMalfa.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes.

IX. License Revocations (Tax Delinquency Cases)

In the matter of 22 CR 0022, commissioner Sullivan made a motion to revoke the license. Commissioner LaMalfa seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes.

In the matter of 22 CR 0027, Commissioner Sullivan made a motion to stay the revocation until August 14th, 2022. Commissioner Spann-Cooper seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes.

Commissioner Gibbons moved to revoke the license, in the matter of 22 CR 0028. The motion was seconded by Commissioner Pulido-Sanchez.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes.

IX. Comments from the Board

No comments from the board were made.

X. Closing Remarks and Adjournment to Hearing

Commissioner Pulido-Sanchez made a motion to adjourn and was seconded by Commissioner Spann-Cooper.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes		
Pat Pulido-Sanchez	Yes		
Cynthia Berg	Yes	Brian Sullivan	Yes.

The meeting adjourned at 2:48 p.m. CST.

ATTEST:

/S/ Dean Argiris, Acting Commission Secretary