

**MINUTES OF THE REGULAR MEETING OPEN SESSION  
ILLINOIS LIQUOR CONTROL COMMISSION  
55 W. Washington St. Chicago, Illinois  
March 16th, 2022  
1:00 PM**

**Call the Roll:**

Commissioner Gibbons called the meeting to order at 1:01 p.m.

**Present**

Thomas Gibbons	<i>Commissioner</i>	
Julieta LaMalfa	<i>Commissioner</i>	
Steven Powell	<i>Commissioner</i>	
Melody Spann-Cooper	<i>Commissioner</i>	
Cynthia Berg	<i>Chair</i>	<i>Remote</i>

**Not Present**

Patricia Pulido-Sanchez	<i>Commissioner</i>
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A motion was made by Commissioner Gibbons to allow Chair Berg and Chair Berg to join in remotely. The motion was seconded by Commissioner Powell.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes

Commissioner Gibbons yielded the floor to Chair Berg for the purposes of running the remainder of the meeting.

**ILCC Staff Present:**

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

**I. Approval of Minutes**

A motion was made by Commissioner Powell to approve the minutes, as amended, of the February 16th, 2022 meeting. The motion was seconded by Commissioner Gibbons.

The motion passed.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes.
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

## **II. Executive Director's Report**

The ILCC presented at the IGGVA Annual Conference in Carbondale and provided testimony regarding the FY2023 Budget before the General Assembly.

Our agency also completed its first compliance audit, and the completed audit will be available on the Auditor General's website.

Those identified deficiencies are being corrected and we are developing internal safeguards to prevent future oversights.

Public Act 102-0442 had a huge impact of the ILCC and workflow, especially given the deadlines imposed by the act.

I.T. changes mandated by the act are pushing our I.T. resources to the limit and are exacerbated by the fact that we do not have an internal I.T. manager yet.

The ILCC is working on finalizing and posting the Cooperative Purchasing agreement to our website. Once Cooperative Agreement, which has over 150 members uploaded to the ILCC website.

We will continue to be open to feedback during this process and we intend to streamline it over time.

Groups should double-check the accuracy of their licensed members before submitting to the ILCC, we are finding too many erroneous submissions, which is slowing down our response time.

The Pandemic-related license renewal extensions expired December 31, 2021. We currently 1,001 retailers who have not renewed licenses. This is down from the 5,100 reported at December's meeting.

Our agency totaled \$1.6 million in revenue for the month of February, it is a 30% decrease from February due to the high rate of renewals, it is a 38% increase from February 2021.

We are understaffed, but we have fourteen (14) positions in the pipeline for hiring, most of them in the enforcement division.

## **III. Division Reports**

Chief Enforcement Officer, Les Peterson, presented the Enforcement Report.

The ILCC conducted 662 inspections and found 249 violations and issued 54 warnings during new license inspections.

Our office also received 67 complaints, the most common being illegal sales to minors, illegal transfers of alcohol, and the unlawful marrying of liquor (mixing liquors together in bottles).

Online, our enforcement removed 251 illegal alcohol sales from Craigslist, 2 from Facebook, and 1 from Offer-Up.

One notable investigation discovered that a distributor and manufacturer were knowingly concealing from the ILCC enforcement division, the aging of cocktails in a bourbon barrel at a retail location.

Lee Roupas, Manager of the BASSET and Under 21 Programs, gave the Industry Education report.

7,335 people were trained in the BASSET program with a total of 254,451 in the BASSET system.

We updated the newsletter e-mail list to include 22,000 restaurant and bar servers.

General Counsel Noel Quanbeck delivered the monthly report for Legal.

Legal posted, to the ILCC website, public comments the ILCC received regarding the proposed couponing rule.

Our attorneys closed 49 cases and 69 cases are still pending. 10 of those 69 cases are distributor cases, 39 are retailer cases, 17 are Sale of Alcohol to Minors cases, and 3 cases are lack of sufficient funds cases.

34 outstanding cases have request for Pre-Disciplinary conferences.

Of the 17 Sale of Alcohol to Minor cases we closed out in February, 12 of them were first-time offenders, 3 were second-time offenses, and 2 were third-time offenses.

Appeals remain constant from the last few months, with 33 pending cases. 4 hearings were conducted last month.

Our division responded to 13 FOIA requests, which is on-par with the tempo of other requests.

*Full Pull Wines v. Illinois Liquor Control Commission* is still in central Illinois, the Attorneys General Office has filed a Motion to Dismiss or transfer the case to the Northern District.

Dusanka Marijan provided the monthly Licensing reports

Both the Springfield and Chicago offices are open to the public after a brief January closure related to a spike in Covid numbers.

Since opening our offices, we have had 712 in-person transactions.

Our licensing staff processed a total of 2,864 licenses last month, an 11% increase in renewals compared to February 2021 and a 4% increase in new licenses compared to February 2021.

**IV. Partner Presentations**

Liz Hamilton from BN Partners and Chestnut Health Systems delivered the presentation on her organization.

BN Partners and Chestnut Health Systems focuses on reducing substance abuse and substance-related harms in young adults ranging from junior high-school to college.

**V. Public Comment**

Pat Doerr from the Hospitality Business Association of Chicago delivered a public-comment regarding Sale of Alcohol to Minor stings within Chicago, showing a 95% pass rate, and submitted the information provided through a City of Chicago FOIA to the ILCC for admission into the record.

**VI. Executive Session**

A motion was made by Commissioner Powell to move into Executive Session. Commissioner Spann-Cooper seconded the motion.

**VI. Appeals & License Revocation/Tax Cases**

In the matter of 21 APP 09 (*Lantern House v. Forest Park*), a motion to reverse the decision of the Local Liquor Control Commission was put forward by Commissioner Powell and seconded by Commissioner Spann-Cooper.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

A motion was made by Commissioner Gibbons and seconded by Commissioner LaMalfa to deny a petition for rehearing in the matter of 21 APP 12 (*Forest Park Tap v. Forest Park*).

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

Commissioner Powell made a motion to fine Lacey’s Place, LLC. \$2500.00 and issue a two (2) day suspension of business for the sale of alcohol to minor (3<sup>rd</sup> Violation). The motion was seconded by Commissioner Gibbons.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

In the case of Mala, LLC. d/b/a Lindy Lu’s Place for it’s 3<sup>rd</sup> Sale of Alcohol to Minor Violation, Commissioner Spann-Cooper made a motion to issue a \$2,500 fine and a two (2) day suspension of business. Commissioner Powell seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

A motion was made by Commissioner Spann-Cooper related to 22 CR 0015 (*Passero, LLC*), a matter concerning license revocation due to delinquent taxes. Commissioner Powell seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

Related to the license revocation case 22 CR 0016 (*Shreeji Liquor, LLC*), Commissioner LaMalfa made a motion to dismiss the case. Commissioner Powell seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

A motion to dismiss 22 CR 0017 (*El Plan de Lobos, LLC*), Commissioner Powell moved to dismiss the case, with Commissioner LaMalfa seconding.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

Commissioner Spann-Cooper made a motion to revoke the license, in the matter of 22 CR 0018 (*Eggs To U, LLC*). Commissioner LaMalfa seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

#### **IX. Comments from the Board**

Commissioner Powell wished Chair Berg good luck, on behalf of the ILCC, for an upcoming procedure.

#### **VIII. Closing Remarks and Adjournment to Hearing**

Chair Powell made a motion to adjourn and was seconded by Commissioner Gibbons.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Steven Powell	Yes	Julieta LaMalfa	Yes
Cynthia Berg	Yes		

The meeting adjourned at 2:38 p.m. CST.

**ATTEST:**

/S/ Dean Argiris, Acting Commission Secretary

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