

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

**Richard J. Daley Center
50 West Washington**

Suite 209

November 17th, 2021

1:00 PM

Call the Roll:

Present

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

Absent

Donald O'Connell	<i>Commissioner</i>
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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>
Jason Youngberg	<i>I.T. Manager</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 October 13th, 2021 meeting. The motion was seconded by Commissioner Pulido-Sanchez

The motion passed.

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

Not Present: Donald O'Connell

II. Executive Director's Report

The ILCC is wrapping up our financial audit and should be completed by the end of the month.

FY 2022 Budget was discussed with the Governor's Office of Management and Budget.

Our fixed expenditures will remain constant.

Chief of Internal Affairs position is still being approved via CMS and soon will be posted for applications.

CMS approved the Administrative Service Manager position and that opening will be posted. Currently the ILCC is waiting on final determination as to whether that job will be Springfield or Chicago based.

We will be hiring 8 new Liquor Control Investigators. We have received over 400 applications and are in CMS for grading before we can start the interview process.

Liquor Control has finished onboarding 2 new licensing assistants who started today and they will help with the end of the year renewal extensions.

GenTax has been upgraded and we are working with DoIT to clean up some of the user experience issues that licensees have encountered.

The ILCC has developed a proposed couponing rule and has shared it with stakeholders. Staff will be submitting the rule to the Joint Committee on Administrative Rules to begin the public input process.

Our office continues to receive daily technical inquiries. All inquiries are encouraged to submit their questions through Advisory Opinion Request forms.

Enforcement has begun training on the LexiPol system.

Q3 newsletter went out via e-mail and is on our website.

Commissioner Pulido-Sanchez asked about the volume of Advisory Opinion Requests.

Executive Director Gardner deferred to Acting Secretary Argiris to answer that question and indicated that the ILCC saw an increase at the beginning of the COVID-19 pandemic, but that it's steadied to pre-covid levels.

Commissioner LaMalfa inquired about the FY2022 budget and whether that took into account increasing the ILCC's staffing levels.

Executive Director Gardner acknowledged that the budget does take into account the need for more staff and that the Governor's office wants all existing opening files before new positions can be created.

III. Division Reports

Les Peterson presented the Enforcement Report and talked about turn over within the Investigators.

787 inspections were conducted with 184 violations issues.

Complaints have risen and may be due to increased Special Events being conducted.

412 posts of illegal online sales were identified by our agents and we follow up with the social media companies to get them removed. Craigslist, Facebook Marketplace, and Offer-Up are the biggest platforms for illegal sales.

Commissioner Puliod-Sanchez raised a question regarding existing demands on enforcement despite some establishments being closed from the COVID-19 pandemic.

Chief Peterson affirmed that inquiry and elaborated that there are many unlicensed operations out there that require ILCC investigative attentions.

Commissioner Gibbons asked about how enforcement is keeping up with the new legislative changes to the industry.

Chief Peterson indicated that enforcement is operating smoothly with the new changes.

Executive Director Gardner gave the Industry Education report in Michelle Flagg's absence.

138 YouTube hits, 727 Twitter hits, 22,030 Facebook Interactions, 198 Instagram interactions, and 33 on LinkedIn.

In September, 6500 people underwent BASSET Training, down from 1093 in August.

Industry Education continues to be out in the field at various community events.

The ILCC will continue to remind licensees on a monthly basis of license extension renewals.

We will also be doing a complete overhaul of its website.

Commissioner Gibbons asked if the newsletter list-serve could be expanded to not just count the owners of a licensed establishment, but to those staff who work in the business on a daily basis.

Executive Gardner indicated this should not be an issue.

General Counsel Noel Quanbeck delivered the monthly report for Legal.

We continue with our Administrative Review of disciplinary matters.

ILCC Legal has responded to 13 Freedom of Information Act requests.

Full Pull Wines, LLC v. Berg, et. al. was filed in the Illinois Central District Court as a replacement to *Lebamoff Enterprises Inc., v. Donald O'Connell, et. al.*, which was dismissed by the United States Supreme Court on April 30, 2020.

Commissioner Pulido-Sanchez asked about a FOIA request denial related to employee information.

Noel indicated that the FOIA request was for medical information for employees.

Dusanka Marijan provided the monthly Licensing reports

Special Events will be dropping due to the fall-winter season, as expected and is in line with pre-Covid levels.

The ILCC expanded on Executive Director's report on the website modifications, which includes "plain-English" language rather than "tax language."

Class 3 Brewer Applications, implemented by HB2620, have been increased. If the applicant is asking for self-distribution exemptions, there is a 45-day posting requirement to the ILCC website.

License renewal extensions end on December 31, 2021. Licensees should not wait until the last minute to renew their license.

The ILCC sent out two reminder e-mails in November. One on November 4th and a second on November 11th.

Commissioner Spann-Cooper raised a question about who manages the website, for the updates.

Dusanka mentioned that DoIT manages the website maintenance and builds.

Commissioner LaMalfa made a statement praising the Commission for being proactive and working with industry members to resolve issues amicably and encouraged a reoccurring theme of positive partnership to problem-solve.

Commissioner Gibbons asked about the renewal rate for licensees.

Dusanaka estimated the number is about 30%, but out of that 30% the ILCC is uncertain as to how many permanently closed due to the pandemic.

VII. State of the Industry

Mr. Thomas Robinson spoke to the Commission about being a BASSET training provider.

Mr. Carlos Morales spoke about his BASSET training and seeing an increase for more onsite trainings. Trainings went down 60% due to the COVID-19 pandemic.

VII. Public Comment

None

A motion was made by Commissioner Powell and seconded by Commissioner Pulido-Sanchez to go into Executive Session.

The motion passed.

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

Not Present: Donald O'Connell

VIII. Appeals & License Revocation/Tax Cases

20 APP 17

Stix Tavern, Inc. v. City of Carbondale

A motion to affirm the decision of the Local Liquor Control Commission was made by Commissioner Powell and seconded by Commissioner Pulido-Sanchez.

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

Not Present: Donald O'Connell

20 APP 19

H's Bar v. St. Clair County

A motion to affirm the decision of the Local Liquor Control Commission was made by Commissioner Gibbons and seconded by Commissioner Powell.

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

Not Present: Donald O'Connell

21 APP 02

Biggs Bajawa Corp. v. City of Harvey

A motion to affirm the decision of the Local Liquor Control Commission was made by Commissioner Gibbons and seconded by Commissioner Powell.

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

Not Present: Donald O'Connell

22-SR-0009 – *Sapporo Tanoshi, LLC.*

A motion was made by Commissioner Powell to affirm the decision of the Administrative Law Judge, revoking the license. Motion was seconded by Commissioner LaMalfa.

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

Not Present: Donald O’Connell

22-SR-0003 – *2610 Restaurant, Inc.*

A motion was made to by Commissioner Powell to strike the case from the agenda due to the licensee coming into compliance. The motion was seconded by Commissioner Pulido-Sanchez.

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

Not Present: Donald O’Connell

IX. Comments from the Board

None

VIII. Closing Remarks and Adjournment to Hearing

- a. Commissioner Powell made a motion to adjourn and we seconded by Commissioner Spann-Cooper. The motion passed unanimously.

ATTEST:

/S/ Dean Argiris, Acting Commission Secretary