

**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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**November 16th, 2022
1:00 PM**

Call the Roll:

Chair Berg called the meeting to order at 1:00 p.m.

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

Thomas Gibbons	<i>Commissioner</i>
Julieta LaMalfa	<i>Commissioner</i>
Pat Pulido-Sanchez	<i>Commissioner</i>
Melody Spann-Cooper	<i>Commissioner</i>
Brian Sullivan	<i>Commissioner</i>
Cynthia Berg	<i>Chair</i>

Not Present

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>
Faheem Murad	<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>

II. Approval of Minutes

A motion was made by Commissioner Spann-Cooper and seconded by Commissioner Gibbons to approve the minutes of October 19th, 2022 ; the motion passed.

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

III. Executive Director's Report

Fiscal

For the month of October, the Liquor Commission totaled approximately \$405,000 in revenue. The revenue break down was 77% from licensees and 23% from fines, penalties, and violations.

This marked a 43% decrease from October of last year, due to the one-year license fee waiver of 1A (retail) licenses. We anticipate this trend to continue for the remainder of the fiscal year.

Our office met with GOMB (Governor's Office of Management and Budgeting) to being preparations for the upcoming budget hearings during the spring legislative session.

Human Resources

The ILCC is continuing towards its goal to be fully staffed and are in the process of posting seven (7) additional liquor license training positions for the enforcement division.

There are two other positions we are posting for: a licensing assistant position and an Executive 1 position.

Our agency received thirty-six (36) applications for the Paralegal Assistant, which are under review at CMS and we look forward to beginning the interview process.

Finally, our office has posted an opening for a Legislative Liaison position, Administrative Assistant 2, located in Springfield, which will remain open until November 23rd.

Executive Director Gardner welcomed the ILCC's new I.T. manager, Faheem Murad.

Licensing

Currently, the ILCC has 31,283 active licenses with 77% of those being 1A (retail) licenses.

Since the agency reopened for in-person transactions in August of 2021, the licensing staff has assisted 1,833 people with their licensing needs.

For the month of October, the Liquor Control Agency issued 2581 total licenses, including 231 new licenses, which signals a 14% increase from October of 2021.

Online applications are at 96% and online renewals are at 97%. The ILCC continues to work on enhancements to our systems to make this process as smooth as possible for our applicants.

YTD for Special Events-Special use permits stands at 3,442.

Enforcement

Enforcement conducted 751 inspections and discovered 352 violations, plus issued 91 warnings during new license inspections.

The most common violations found were: Personnel not being BASSET certified, Pregnancy Warning signs not being displayed, state license not being displayed, and tax certificate not being available.

In order to make things clear for our licensees, especially our new licensees, we have developed a Inspection Checklist, which provides applicants with a comprehensive list of common violations to help them remain compliant.

Our agency received 84 complaints in the month of October via the online submission form, emails, phone calls, and in-person complaints during our routine inspections. The most common complaint was Sale of Alcohol to Minors, Operating without a Valid License, and Retail-to-Retail purchase of alcohol.

For the month of October, the Enforcement Division conducted two (2) Underage Compliance Checks. That information can be found on our website.

Enforcement continues to concentrate efforts on deterring illegal online sales on alcohol via

portals such as OfferUp, Craigslist, Facebook Marketplace, etc. These portals don't have the necessary safeguards to prevent the sale of alcohol to minors. The ILCC, through its efforts, removed two-hundred (200) listings from these secondary online marketplaces.

Legal

There are fifty-six (56) cases pending with a breakdown of six (6) distributor cases, thirty-six (36) retailer cases, and twelve (12) Sale of Alcohol to Minor cases.

Forty-five (45) cases were closed in the month of October and has thirty-five (35) Pre-Disciplinary Conferences.

Legal conducted a Sale of Alcohol to Minor training in August.

The ILCC office received 18 Freedom of Information Act (FOIA) requests and we have eight (8) matters pending in Administrative Review.

Full Pull Wines v. Berg is still pending before the U.S. District Court and a motion was filed by the Attorney General's Office to have the case transferred to the Northern District of Illinois, which was granted.

Industry Education

We continue to increase our Industry Education presence throughout the state and our presence continues to be well received when we are out there.

The ILCC welcomes the opportunity to interact and educate the public on how to reduce underage drinking.

BASSET trainings continue to be on going. In the month of October, there were 8,125 BASST trainings and YTD total was 184,058.

On social media, we saw a 306% increase in our followers and continue to engage our followers through increasing a content quality.

Additionally, the ILCC attended the Beer Institute Annual Meeting presentation, the WSDI annual meeting, and are preparing to meet with ABDI later in the week.

IV. Partner Presentations

Gregory Czaczkowsky, with the U.S. Drug and Enforcement Agency, spoke about the DEA's program to educate youth on drugs and drug abuse, with a focus on the Fentanyl epidemic.

V. Public Comment

No public comment was given.

VI. Executive Session

Commissioner Gibbons made a motion to move the ILCC into Executive Session. This motion was seconded by Commission Spann-Cooper.

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

VII. Regular Session

The Commission moved back into regular session.

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

Thomas Gibbons	<i>Commissioner</i>
Julieta LaMalfa	<i>Commissioner</i>
Pat Pulido-Sanchez	<i>Commissioner</i>
Melody Spann-Cooper	<i>Commissioner</i>
Brian Sullivan	<i>Commissioner</i>
Cynthia Berg	<i>Chair</i>

Not Present

Steven Powell	<i>Commissioner</i>
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VIII. Appeals

In the matter of *22 APP 01 Coach House v. Cook County*, Commissioner Sullivan made a motion to affirm the decision of the Local Liquor Control Commission. Commissioner Pulido-Sanchez seconded the motion.

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

A motion was made by Commission Spann-Cooper and seconded by Commissioner Sullivan to deny a Petition for Rehearing in the case *20 APP 22 Triple Location, LLC v. City of Harvey*.

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

IX. Tax Cases

23-CR-0016 – Village Tavern & Grill, Schaumburg, 23-CR-0018 – Club 215, LLC, and 23-CR-0020 – Doc’s Diner, Inc.

Commissioner LaMalfa made a motion to revoke the licenses, based on a default judgement. This motion was seconded by Commissioner Gibbons.

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

Commissioner Gibbons made a motion to stay the decision until December’s Commission meeting (12/14/2022) and was seconded by Commissioner LaMalfa.

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

X. Comments from the Board

No comments from the board were made.

XI. Closing Remarks and Adjournment to Hearing

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

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

The meeting adjourned at 2:32 p.m. CST.

ATTEST:

/S/ Dean Argiris, Acting Commission Secretary