

**MINUTES OF THE REGULAR MEETING
OPEN SESSION
ILLINOIS LIQUOR CONTROL
COMMISSION
February 17, 2021
1:00 PM
Via Webex Events**

The regular meeting of the Illinois Liquor Control Commission was conducted as an audio/video conference held via the Webex Events digital platform due to the COVID-19 gubernatorial disaster proclamations issued on March 9, 2020, April 1, 2020, April 30, 2020, May 29, 2020, June 26, 2020, July 24, 2020, August 21, 2020, and September 18, 2020, October 16, 2020, and November 13, 2020, December 11, 2020, and January 8, 2021. Pursuant to Executive Order 2020-04 (reissued under Executive Order 2021-01), the James R. Thompson Center is closed to the public. The meeting was conducted via audio conference consistent with Public Act 101-0640 and Executive Order 2020-07 (reissued by Executive Order 2021-01).

Call the Roll:

Cynthia Berg, Chairman
Donald O'Connell, Commissioner
Thomas Gibbons, Commissioner
Melody Spann Cooper, Commissioner
Julieta LaMalfa, Commissioner
Patricia Pulido Sanchez, Commissioner
Steven Powell, Commissioner

Also Present:

Chimaobi Enyia, Executive Director
Les Peterson, Chief Enforcement Officer
Dusanka Marijan, Licensing Administrator
Michelle Flagg, Industry Education
Jason Youngberg, IT Director
Avi Zisook, Legal
Rick Haymaker, Legal
Dean Argiris, Acting Commission Secretary

I. Approval of Minutes

- a. A motion was made by Commissioner Powell to approve the minutes of the January 20th meeting. The motion was seconded by Commissioner O'Connell. The motion passed unanimously.

II. Executive Director's Report

- a. The ILCC has been able to streamline our agency to accommodate the budget cut requests made by the Governor but have managed to maintain our efficiency and operations. The ILCC is well positioned to maintain its core position of deterring underage consumption of alcohol, encourage fair markets, and promote safety of alcohol manufacturing, distribution, and consumption.

III. ILCC Operations & Public Act 100-1050

- a. We are still 100% remote with COVID-19 and will work with CMS and the Governor's office to estimate when we will be able to return to our office.
- b. The ILCC has a new HR manager, who was onboarded in the 1st of February and is assisting in the restructuring our enforcement division.

IV. ILCC COVID-19 Directives

- a. The state is in Tier IV of the Restore Illinois plan. We at the ILCC continue to ensure that our Q&A and other COVID-related directive are constantly updated.

V. Legislative Updates

- a. The ILCC is ready to move five proposals through the legislative process.
 - Authorization to Expend Funds
 - Alcoholic Seizures
 - Modification to Discovery and Statute of Limitations
 - Authorization for Inspections
 - Modifying the Pension Formula

VI. Diversity & Inclusion

- a. Our proposal is designed to work with the industry to create pipelines to diversify the industry. One of the avenues is for industry-based scholarships, which will help individuals who are in the industry, and may have lost their jobs due to COVID, to continue their education and certification so that they can get back into the industry or even own a business.

VII. Division Reports

- a. Licensing Division
 - New licenses electronic applications are at 93%, up from 70% back in September when the system we implemented.
 - Online renewals are at 97%. Up 17% from 2020.
 - We are in the testing phase for our new online brand registration process.

b. Enforcement Division

- 1,183 inspections conducted in January and found 113 violations. 98 warnings were issued during new license inspections and COVID complaints.
- 109 COVID complaints in January, 58% decrease from December.
 - The decrease is correlated to businesses reopening.
- The ILCC issued another Cease & Desist order for people who were illegally making alcohol and selling it online.
 - Supervisor Williams recently took a Digital Evidence training course provided by the United States Secret Service.

c. Industry Education

- Tomorrow, we will be taping a Webinar for Black History Month focusing on entrepreneurs in the liquor industry.
- March will be National Drug and Alcohol Effects Week.
- April is Alcohol Awareness Month.
 - We are working on engaging youth groups and parent organizations on underage prevention.

d. Legal Division

- We are continuing to handle cases remotely. PDC's are held over phone or video conference.
- First time violators of SAM's attend an online seminar.
 - Second-time offenders, we are working with them on a case-by-case basis.
- In January, we held appeals via WebEx, which has been successful.

VIII. Public Comment

None

IX. Receive Comments from the Board

Commissioner Gibbons relayed that he has heard many positive things in today's meeting that can raise the morale of the industry.

X. Executive Session

Commissioner Powell made a motion to move into executive session. The motion was seconded by Commissioner Pulido-Sanchez.

- Updated Appeals Process
- 20 APP 06 – 35 Years, LLC Landmark d/b/a/ Marie’s Place v. Normal LLCC*
- 20 APP 07 – 35 Years, LLC Patriot Center d/b/a Marie’s Place v. Normal LLCC*
- 20 APP 09 – Lambert Enterprises v. Joliet*
- 20 APP 13 – Crusen & Klein, Inc. v. City of West Peoria*

XI. Appeals

- a. We are looking at the end of the month to set hearing dates. Either the second or last Tuesday of the month.

- b. *20 APP 06 – 35 Years, LLC Landmark d/b/a/ Marie’s Place v. Normal LLCC*

A motion was made by Commissioner Powell and seconded by Commissioner Gibbons to grant a motion to dismiss the case.

Yea- 7 Nay- 0 Abstain- 0

- c. *20 APP 07 – 35 Years, LLC Patriot Center d/b/a Marie’s Place v. Normal LLCC*

A motion was made by Commissioner Powell and seconded by Commissioner Gibbons to grant a motion to dismiss the case.

Yea- 7 Nay- 0 Abstain- 0

- d. *20 APP 09 – Lambert Enterprises v. Joliet*

A motion was made by Commissioner O’Connell and seconded by Commissioner Powell to grant a motion to deny the petition for rehearing.

Yea- 7 Nay- 0 Abstain-

- e. *20 APP 13 – Crusen & Klein, Inc. v. City of West Peoria*

A motion was made by Commissioner LaMalfa and seconded by Commissioner Powell to reverse the decision of the LLCC.

Yea- 7 Nay- 0 Abstain- 0

XII. Closing Remarks and Adjournment

- a. Commissioner Powell made a motion to adjourn the meeting. Motion was seconded by Commissioner Pulido-Sanchez. Motion unanimously approved.

ATTEST:

/S/ Dean Argiris, Acting Commission Secretary