

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

**Richard J. Daley Center
50 W. Washington St. Suite 209
Chicago, Illinois 60602**

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**November 15th, 2023
1:00 PM**

Call the Roll:

Chair Berg called the meeting to order at 1:03 p.m.

Present

Melody Spann-Cooper	<i>Commissioner</i>	<i>Remote</i>
Thomas Gibbons	<i>Commissioner</i>	
Pat Pulido Sanchez	<i>Commissioner</i>	
Brian Sullivan	<i>Commissioner</i>	
Cynthia Berg	<i>Chair</i>	
Steven Powell	<i>Commissioner</i>	
Julieta LaMalfa	<i>Commissioner</i>	<i>Arrived at 1:10 p.m.</i>

ILCC Staff Present:

Lisa Gardner	<i>Executive Director</i>
Dana O'Leary	<i>Associate Director</i>
Dusanka Marijan	<i>Licensing Administrator</i>
Faheem Murad	<i>I.T.</i>
Madeline Small	<i>Human Resources</i>
Noel Quanbeck	<i>General Counsel</i>
Nicole Sanders	<i>Industry Education</i>
Rick Haymaker	<i>Legal</i>
Curtis Franklin	<i>Legislative Liaison</i>
Dean Argiris	<i>Acting Commission Secretary</i>

II. Motion for Remote Participation of Commissioner Spann-Cooper

A motion was made by Commissioner Gibbons to allow Commissioner Spann-Cooper to participate remotely and was seconded by Commissioner Powell

Thomas Gibbons	Yes	Patricia Pulido Sanchez	Yes.
Brian Sullivan	Yes	Steven Powell	Yes
Cynthia Berg	Yes	Julieta LaMalfa	Yes

II. Approval of the 2024 Commissioner Calendar

A motion was made by Commissioner Spann-Cooper to table the vote on the 2024 Commission Calendar until the December meeting. The meeting was seconded by Commissioner Sullivan.

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

III. Approval of Minutes

A motion was made by Commissioner Powell and seconded by Commissioner Spann-Cooper to approve the amended minutes of the October, 18th 2023, meeting; the motion passed.

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

IV. Executive Director's Report

Fiscal

In the month of October, the Commission generated \$1,434,587 in revenue. 90% came from the issuance of Liquor Licenses and 10% came from fines, citations, or penalties. This equates to a 9% decrease from October of 2019 and a 1% decrease from September of 2023.

For FY2024 (YTD), the ILCC took in \$5,680,452.67 in revenue and utilized 24% of it's budget.

The Dram Shop Fund in FY2023 is at a 200% Operating Expense Ratio, which was expected with the waiver of the 1A license fees, we anticipate FY2024 to be closer to 65%-70%, which is consistent with previous years.

Currently, the Commission is still going through its audit.

Human Resources

Director Gardner introduced the new ILCC Human Resources Manager, Madeline Small. Madeline came for the Illinois Comptroller's Office.

Licensing

There currently are 31,505 active licenses throughout the state. 6,617 were issued in the month of October, up from 2,944 from the month of September.

97% of our licensees renewed online.

245 Special events licenses were issued for October of 2023.

There were 962 retailers reported delinquent and 1,055 were cured. These figures include rollovers from previous months. Our agency received 3 bona fide disputes.

Our new retailer license application is complete, and customers can submit their new applications online.

Enforcement

Our agency received 52 complaints through our various reporting mediums (email, phone, in-person information, and online submission forms). The most common complaints were:

- 1.) Illegal transfers,
- 2.) Retail-to-Retail Purchasing
- 3.) Operating without a Valid Liquor License
- 4.) Sale of Alcohol to Minors, and
- 5.) Happy Hour Violations

The ILCC's enforcement division conducted 956 inspections, of which 117 were first time inspections. From these inspections, enforcement issued 415 citations and 76 warnings. 11 Complaints were investigated and closed in the previous month.

We common violations generated inspections were:

- 1.) Contaminated Liquor
- 2.) Personnel not BASSET certified.
- 3.) ILCC License not displayed,
- 4.) Pre-Mixed beverages not destroyed weekly, and
- 5.) IL Sales Tax Certificate unavailable.

Enforcement continues to monitor the internet for illegal sales of alcohol. We removed 19 listings from Craig's List, 10 from Facebook Marketplace, and 3 from Offer-Up.

Five (5) underage compliance missions were conducted in October. 84% of licensees were found in compliance and 7 prior offenders were retested: only 1 failed. The ILCC continues its commitment to reducing youth access to alcohol.

Legal

Director Gardner announced the appointment of Laura Perry as the new Administrative Law Judge for the ILCC.

Legal has 129 cases pending before the Commission: 17 distributor cases, 56 Sale of Alcohol to Minor cases, and 56 retail cases.

110 cases were closed last month and there are currently 20 Pre-Disciplinary Conferences outstanding and conducted 20 PDC's.

We have 16 appeals cases before the Commission, which do not include other open cases. There is a status call scheduled for October 6th.

The ILCC received 23 FOIA requests and 7 cases are pending Administrative Review, the Attorney General's Office is representing the ILCC in those matters.

Legislation

The Associate Director and Rick Haymaker attended the JCAR Meeting related to our emergency rule regarding Co-Branded Alcohol.

The ILCC attended the National Conference of State Liquor Administrators and Director Gardner was elected as the Central Regional Chair for NCSLA.

Industry Education

The ILCC continue to be present at industry, panel discussions, and community events, as part of our commitment to being accessible to the public.

We continue to have open dialogue for open communication and education.

Director Gardner thanked the staff for being present and available.

Our Youth Alcohol Summit, formerly known as the College Town Summit, was conducted. We had over 30 attendees and covered a wide array of topics from driving under the influence on the health effects of alcohol on youth development.

Other Updates

Director Gardner informed the Commission that the ILCC website has a new look, with a new logo; the agencies website was redesigned to be more intuitive and user friendly.

We also implemented a new online book system for appointments with our licensing staff which is designed to reduce wait times among the public.

Commissioner Pulido Sanchez commended the Agency on rebranding the College Town Summit and using "Bentley" the ILCC mascot.

Chair Berg also congratulated the staff on the online booking.

Commissioner Spann Cooper asked about the uptick in FOIA requests and if there was anything that prompted the uptick. Director Gardner indicated there was nothing out of the ordinary.

IV. Partner Presentations

SGT Adam Carson with the Lake in the Hills Police Department discussed drug combinations, including Alcohol mixed with other forms of drugs such as prescription drugs.

V. Public Comment

No public comment was given.

VI. Executive Session

Commissioner LaMalfa made a motion to move the ILCC into Executive Session at 1:35 p.m. Commissioner Powell seconded the motion.

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

VII. Regular Session

The Commission moved back into regular session at 2:00 p.m.

Present

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

VIII. Appeals

In the matter on 23 APP 13 (*Henry's on Main, LLC v. Rochester*), Commissioner Powell made a motion to REVERSE the decision of the locals and seconded by Commissioner LaMalfa.

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

For 23 APP 14 (*Playmaker's Sports Bar & Grill v. Rock Island*), Commissioner Gibbons made a MOTION TO DENY THE PETITION FOR REHEARING. The motion was seconded by Commissioner Pulido Sanchez.

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

XII. Comments from the Board

Commissioner LaMalfa congratulated Executive Director Gardner on her election to the NCLSA Central Region chair.

XIII. Adjournment

Commissioner Powell made a motion to adjourn and was seconded by Commissioner Pulido Sanchez.

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

The meeting adjourned at 2:02 p.m. CST.

ATTEST:

/S/ Dean Argiris, Acting Commission Secretary
