

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

Call the Roll:

Chair Berg called the meeting to order at 1:02 p.m.

Present

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

Present Remotely

Julieta LaMalfa	<i>Remote</i>	<i>1:07 p.m.</i>
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ILCC Staff Present:

Lisa Gardner	<i>Executive Director</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. Motion to Allow Commissioner LaMalfa to Participate Remotely

A motion was made by Commissioner Powell and seconded by Commissioner Spann-Cooper to permit Commissioner LaMalfa to participate remotely.

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

III. Approval of Minutes

A motion was made by Commissioner Spann-Cooper and seconded by Commissioner Gibbons to approve the minutes of January 18th, 2023 ; the motion passed.

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

IV. Executive Director's Report

Fiscal

The Illinois Liquor Control Commission totaled \$423,664 in revenue for January, marking an 18% increase from December, and an 81% decrease from January 2022. 80% of the revenue for January came from licenses and 20% from fines and violations.

The decrease is contributed to both the 1A (retail license) fee waiver and the license renewal extension, which ends on June 30th, 2023.

Fines, penalties, and violations are up 17% this year as compared to fiscal year 2022. These increases can be attributed to increased staff; the ILCC hired 1 liquor control supervisor and 7 trainees.

Human Resources

We are budgeted for a headcount of 64 employees and are currently operating with 44 employees.

The ILCC has submitted eight (8) job descriptions for approval by CMS. These are for our Liquor Control Inspector Trainee positions in:

Districts 6 (SW Cook), 11 (Eastern DuPage), 12 (Eastern Lake), 5 (Downtown – Spanish Speaking), 4 (West Central Cook), 15 (Ogle), 22 (Adams County), and 3 (Lakeview, Irving Park, Wrigleyville).

We have identified a candidate for the Chief of Enforcement vacancy that was created upon the death of Les Peterson.

Our agency has identified a top candidate for the paralegal position, and we are currently waiting on approval to formally offer the position.

On December 19, 2022, the ILCC closed the posting for the Licensing Assistant role. We had 218 applicants and CMS has not had the opportunity to complete the review for these applications.

Licensing

There currently are 31,152 active licenses throughout the state and 2,987 licenses were issued in January.

97% of applications were submitted electronically and we had 107 in person transactions, compared to 80 in-persons for the month of December.

One of the Commission's goals for 2023 is to encourage more special event licenses to apply for their licenses via MyTax to help expedite the review and processing of requests.

I.T. enhancements are focused on creating a one-page reference source that focuses on how to apply for a special event license and is based on some feedback we received from applicants.

There were 1,136 retailers reported delinquent for the month of January and 1,073 were cured. These figures include roll overs from previous months.

Legislation

SB 1001 passed both chambers on January 9th and mandates a fee reduction for in-state wineries. Our I.T. team quickly began working on implementing these changes, including regression testing, and is ready to go live upon the Governor signing the bill into law.

Governor Pritzker signed P.A. 102-1115, which enables the ILCC to expend funds for evidence and for the employment of confidential sources to obtain that evidence. This includes underage compliance assistants.

The Commission received the go-ahead from the Governor's Office to move our Alcopops legislation forward. This bill will address the growing concerns of soft-drinks manufactured with alcohol being placed along side soft drinks. We are in the process of meeting with industry stakeholders to get their input on this legislation.

Enforcement

The ILCC's enforcement division conducted 1,161 inspections, discovered 491 violations. 218 of these inspections were pre-licensing inspections.

We issued 131 warnings.

Enforcement reports that the most common violations found were: 1.) Personnel not being BASSET certified, 2.) Pregnancy warning signs not being properly displayed, 3.) State Liquor License not being properly displayed, 4.) Contaminated liquor being found, and 5.) 90 day invoices not being available.

Our Commission received 65 complaints in January and the most common complaints were: 1.) sale of alcohol to minors, 2.) operating without a valid license and 3.) retail-to-retail purchase of alcohol.

Enforcement continues to monitor the internet for illegal sales of alcohol. We removed 73 listings from Craig's List, 13 from Facebook Marketplace, and 48 from Offer-Up.

Legal

Legal has 64 cases pending before the Commission: 9 distributor cases, 1 sale of alcohol to minor case, and 54 retail cases.

69 cases were closed in the month of January and there are currently 32 Pre-Disciplinary Conferences outstanding, with 11 being conducted in January.

We have 19 appeals cases before the Commission.

There were 18 FOIA requests.

Industry Education

Industry Education has seen continued success with its BASSET program, thanks for the 160 plus BASSET providers, which are located across the State. BASSET trainings grew from 8,638 to 8,788 in January.

BASSET did their first training of 2023 at the Libertyville Town Hall.

Our Social Media presences is steady, and we continue to engage the public with educational content on our platforms.

We are participating in the Children of Addiction Awareness Week (February 12th through 18th), along with the National Association for Children of Addiction.

The ILCC has two upcoming webinars, a licensing Webinar on March 8th and a State of the Industry webinar on March 30th. You can sign up to attend these events on Eventbrite.

Our Q4 – 2022 Newsletter is available online now and the public is encouraged to sign up for our email list online.

IV. Partner Presentations

Robert Moore from Sandstone Care spoke to the Commission about its mission, operations, and goals.

V. Public Comment

No public comment was given.

VI. Executive Session

Commissioner Powell made a motion to move the ILCC into Executive Session at 1:25 p.m.. Commissioner Sullivan seconded the motion.

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

VII. Regular Session

The Commission moved back into regular session at 2:07 p.m.

Present

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

VIII. Appeals

In the mater of 22 APP 04 (2635 Wabash v. Lynwood), Commissioner Powell made a motion to DENY THE PEITION FOR REHEARING. Commissioner Gibbons seconded the motion.

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

A MOTION TO DISMISS was made by Commission Gibbons and seconded by Commissioner Powell, in the case of 22 APP 08 (*Bobby McBride d/b/a Hollywood Lounge v. Murphysboro*).

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

In the case of 22 APP 14 (*Anjani Cal City Liquors & Food, Inc. v. Calumet*), Commissioner Powell made a motion to DENY A PETITION FOR REHEARING he decision of the locals. Commissioner Sullivan seconded the motion.

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

In the case of 22 APP 15 (*Blo Room, Inc. v. Berwyn*), Commissioner Powell made a MOTION TO DISMISS. Commissioner Pulido-Sanchez seconded the motion.

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

IX. Tax Cases

Commission Powell made a MOTION TO STRIKE tax cases from the agenda. Commissioner Gibbons seconded that motion.

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

X. Comments from the Board

Chair Berg wanted to thank Kenny Williams and the ILCC enforcement team for their efforts.

XI. Adjournment

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

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

The meeting adjourned at 2:24 p.m. CST.

ATTEST:

/S/ Dean Argiris, Acting Commission Secretary