

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

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

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**March 20th, 2024
1:00 PM**

Call the Roll:

Chair Berg called the meeting to order at 1:01 p.m.

I. Present

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

Absent

Julieta LaMalfa	<i>Commissioner</i>
Pat Pulido Sanchez	<i>Commissioner</i>

ILCC Staff Present:

Lisa Gardner	<i>Executive Director</i>
Dana O’Leary	<i>Associate Director</i>
Dusanka Marijan	<i>Licensing Administrator</i>
Noel Sanchez	<i>Enforcement</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>
Abraham Zisook	<i>Legal</i>
Curtis Franklin	<i>Legislative Liaison</i>
Patrick Schoeben	<i>Acting Commission Secretary</i>

Motion for Remote Participation of Commissioner Powell

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

Melody Spann-Cooper	Yes	Thomas Gibbons	Yes
Brian Sullivan	Yes	Cynthia Berg	Yes

II. Approval of Minutes

A motion was made by Commissioner Gibbons and seconded by Commissioner Spann-Cooper to approve the amended minutes of the February 21st, 2024, meeting; the motion passed.

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

III. Executive Director's Report

Fiscal

In February 2024, the ILCC generated \$1,786,835 in revenue. \$1,645,760, or 92%, was generated from the Licensing Division. \$141,075, or 8% of revenue, was generated by Enforcement/Legal Division from fines, penalties, and violations. This was achieved by utilizing 50% of the FY24 budget. The Fiscal Division is preparing for the Budget Appropriations Hearing and is awaiting the Audit General's review of the compliance audit.

Licensing

There currently are 31,574 active licenses throughout the state 2,998 licenses were issued in the month of February. 90% were submitted electronically.

We had 343 in person transactions via appointments, year to date. 119 in Springfield and 224 in Chicago.

A new online application system and in-person licensing assistance appointment schedule was implemented. This allowed the ILCC to plan ahead based upon the appointment schedule and remove the unpredictability of wait times in ILCC offices for applicants.

203 Special Event licenses were issued in the month of February. 435 have been issued year to date. 81% were submitted electronically.

1,314 retailers were reported delinquent, and 1,344 delinquencies were cured in February. There were nineteen (19) bona fide disputes.

Enforcement

The ILCC's enforcement division conducted 955 inspections, of which 148 were first time inspections. From these inspections, enforcement issued 336 violations cited and 88 warnings. The most common violations discovered were:

- 1.) IL Sales Tax Certificate Unavailable
- 2.) Personnel not BASSET certified
- 3.) ILCC License not displayed
- 4.) 90-Days of Invoices Unavailable

Of the 88 warnings issued, the most common were:

- 1.) Pregnancy Warning Sign Not Displayed
- 2.) IL Sales Tax Certificate Unavailable
- 3.) ILCC License not displayed
- 4.) 90-Days of Invoices Unavailable
- 5.) Pre-Mixes not being destroyed weekly

Our agency received 13 complaints through our various reporting mediums (email, phone, in-person information, and online submission forms). The most common complaints were:

- 1.) Sale of Alcohol to Minors,
- 2.) Operating without a Valid License
- 3.) Personnel not BASSET certified.
- 4.) Happy Hour Violation
- 5.) Retail Purchase of Alcohol

Five (5) underage compliance checks were conducted across the Champaign, Cook, and Lake counties with a total of 42 establishments checked. We had an 76% compliance rate, of which 32 were compliant, and 10 failed. We rechecked 10 prior offenders, and 3 failed this repeat check.

Enforcement continues to focus on illegal sales of alcohol via the internet. This past month, enforcement found 13 posts on Craigslist, 5 on Facebook Marketplace, and 0 posts from Offer-Up. In those instances, our agents worked to affect their removal from the platforms.

Legal

Legal has closed 102 cases last month.

There are 291 cases pending before the Commission: 19 distributor cases, 26 Sale of Alcohol to Minor cases (20 are first offense, 3 are second offense, and 3 are third offense), and 245 retail cases.

The high number of retail cases are the result of an on going investigation of Of-Value violations found over the last few months. Many related to licensees with many locations.

There were 11 pre-disciplinary conferences conducted with 22 outstanding. We have 7 appeals cases before the Commission, which do not include other open cases.

The ILCC received 24 FOIA requests and 7 cases are pending Administrative Review.

We conducted a Sale of Alcohol to Minors (SAMs) settlement conference and training in Springfield on February 27th.

Industry Education

The ILCC conducted an enforcement survey, beginning March 3rd and ending April 4th has collected 688 responses to date.

The licensing survey concluded in February with 2,869 responses. Of the responses, there was an overwhelming refence of online applications and noted the responsiveness of the ILCC to the inquiries.

Our website updates are continuing to allow for easier navigation. The Division pages have been updated. The BASSET Card Look-Up Feature now shows the Student ID number which enables the ease and convenience of verifying licensure and printing out the credentials in real time.

The Legal webinar, 'How To File a Legal Appeal,' conducted on February 28th, is available on the YouTube channel.

The ILCC issued a press release in February regarding responsible drinking behavior during the Super Bowl.

BASSET is hosting in-person trainings in both Chicago and Springfield. Classes are limited to 25 participants. Registration for classes is open.

Legislation

5 legislative bills are moving this session:

1. Alcohol Infused Co-Branded Products.
2. 3rd Party Deliveries – Creation of new license.
3. Birth Defect Signs removes obsolete information.
4. Rectify administrative changes from a personnel standpoint. (Article 3 Bill)
5. Local Liquor Appeal Process (Section 7-9)

IV. Public Comment

No public comment was given.

V. Executive Session

Commissioner Gibbons made a motion to move the ILCC into Executive Session at 1:12 p.m. Commissioner Sullivan seconded the motion.

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

The Commission moved back into regular session at 2:32 p.m.

Present

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

VI. Appeals

For 23 APP 26 (*The Gathering, Inc. v. Rock Island LCC*), Commissioner Spann-Cooper made a MOTION TO TABLE until the next meeting. The motion was seconded by Commissioner Powell.

Melody Spann-Cooper	Yes	Thomas Gibbons	No
Steven Powell	Yes	Brian Sullivan	Yes
Cynthia Berg	Yes		

For 23 APP 27 (*Nishan 1, Inc v. Moline LCC*), Commissioner Powell made a MOTION TO AFFIRM THE LOCAL DECISION. The motion was seconded by Commissioner Powell.

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

VII. Executive Session Minutes

Commissioner Powell made a MOTION TO RELEASE the Executive Session Minutes from the following months: February 2021, May 2021, July 2023, October 2023, November 2023, and December 2023. The motion was seconded by Commissioner Spann-Cooper.

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

Commissioner Powell made a MOTION TO MAINTAIN CONFIDENTIALITY for the Executive Session Minutes from the following months: November 2021, January 2022, March 2023, April 2023, May 2023, June 2023, and September 2023. The motion was seconded by Commissioner Sullivan.

Melody Spann-Cooper	Yes	Thomas Gibbons	Yes
Steven Powell	Yes	Brian Sullivan	Yes

Cynthia Berg

Yes

VII. Comments from the Board

No comments.

IX. Adjournment

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

Melody Spann-Cooper
Steven Powell
Cynthia Berg

Yes
Yes
Yes

Thomas Gibbons
Brian Sullivan

Yes
Yes

The meeting adjourned at 2:41 p.m. CST.

ATTEST:

/S/ Patrick Schoeben, Acting Commission Secretary