

**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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**May 17th, 2023
1:00 PM**

Call the Roll:

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

Present

Melody Spann-Cooper	<i>Commissioner</i>	
Thomas Gibbons	<i>Commissioner</i>	
Pat Pulido Sanchez	<i>Commissioner</i>	
Brian Sullivan	<i>Commissioner</i>	<i>Remote</i>
Cynthia Berg	<i>Chair</i>	
Steven Powell	<i>Commissioner</i>	
Julieta LaMalfa	<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>
Faheem Murad	<i>I.T.</i>
Hiram White	<i>Human Resources</i>
Noel Quanbeck	<i>General Counsel</i>
Nicole Sanders	<i>Industry Education</i>
Rick Haymaker	<i>Legal</i>
Dean Argiris	<i>Acting Commission Secretary</i>

II. Motion for Remote Participation of Commissioner Sullivan

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

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

II. Approval of Minutes

A motion was made by Commissioner Gibbons and seconded by Commissioner LaMalfa to approve the amended minutes of the April 19th, 2023; the motion passed.

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

IV. Executive Director's Report

Fiscal

The Illinois Liquor Control Commission totaled \$419,923.00 in revenue for April; 87% of that total was from licensing and 13% was enforcement and includes fines, penalties, and violations.

At the beginning of the year, the ILCC was projected to generate \$4.5 million in revenue, but has generated \$5.2 million to date.

Fines, Penalties, and violations are up 9% compared to FY22 and up 27% compared to FY21.

The Commission is still in the process of completing our audit. We have completed 58 of 67 total request with no setbacks or issues.

Human Resources

We have hired our new Associate Director, Dana O'Leary, who comes from the Department of Labor and served as Chief of Staff.

Our new Human Resources Manager, Hiram White, has started and comes to us from the Department of Transportation.

The ILCC's new paralegal, Jackie Villa, started on May 1st.

The ILCC has submitted eight (8) job descriptions that have been approved by CMS and will be posted soon. 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 hope to fill our Legislative Liaison position and hope to have an update regarding that position soon.

The Chicago licensing assistant position is still under minimum qualification review with CMS.

Our Human Resources Specialist has moved on to another agency and that job is currently vacant within our agency, but we will be posting that soon.

Licensing

There currently are 33,745 active licenses throughout the state 3,157 licenses were issued in March 2023, which is 6% decrease from the same point last year.

We received a 135% increase in new applications, compared to March of 2022. This is a 15% decrease from March to April of 2023.

97% new applications and renewals were submitted online. Our offices also saw 151 walk-ins for the month.

As for special events, there was a 10% increase in licenses issued in April of 2023. We want to encourage more special events licenses to submit via MyTax for expedited review and approval.

There were 693 retailers reported delinquent and 881 were cured. These figures include rollovers from previous months. Our agency saw 4 bona fide disputes.

Enforcement

We issued a cease and desist to a retail establishment in the State of Connecticut for shipping a bottle of bourbon and labeling it as "Hot Sauce." Our Supervisor is working with the Connecticut Alcohol Beverage Control to serve our Cease and Desist. The retailer confessed to shipping to Illinois and 13 other states.

The ILCC's enforcement division conducted 1,195 inspections, discovered 423 violations. 175 of these inspections were pre-licensing inspections.

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.) Business not being in good standing with the Secretary of State.

Our Commission received 80 complaints in March 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, and 4.) Staff not being BASSET certified.

Enforcement continues to monitor the internet for illegal sales of alcohol. We removed 22 listings from Craig's List, 8 from Facebook Marketplace, and 13 from Offer-Up.

Legal

Legal has 52 cases pending before the Commission: 10 distributor cases, 10 sale of alcohol to minor cases, and 37 retail cases.

78 cases were closed last month and there are currently 76 Pre-Disciplinary Conferences outstanding, with 23 being conducted in April.

Legal will be holding a Sale of Alcohol to Minor class in Springfield.

We have 14 appeals cases before the Commission, which do not include other open cases.

The ILCC received 28 FOIA requests.

Legislation

HB 2502, which regulated the sale of Alcopops / Soft drinks containing alcohol was stalled, after meeting with Senators the ILCC is moving forward with an Emergency Rule.

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 to 40,559 YTD with 8,276 being trained in April.

May is Mental Health Awareness Month.

Our Social Media presence is steadily growing, and we continue to engage the public with educational content on our platforms.

IV. Partner Presentations

Lee Roupas, from the Illinois Liquor Control Commission, spoke on the BASSET program.

V. Public Comment

No public comment was given.

VI. Executive Session

Commissioner Powell made a motion to move the ILCC into Executive Session at 1:37p.m.. Commissioner Pulido Sanchez 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 1:56 p.m.

Present

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

VIII. Resolution for Appointment of an Administrative Law Judge for Jewel Osco Case

The Commission agreed with Counsel for Jewel-Osco to continue the case until July 19th, 2023, to allow for time to select an Administrative Law Judge.

IX. Appeals

In the PETITION FOR REHEARING on 22 APP 09 (*Glogovsky Real Estate, LLC v. Lake County*), Commissioner Powell Sullivan made a motion to DENY the petition. Commissioner LaMalfa 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		

XI. Tax Cases

In the matters of 23 CR 0047 (*Couples Bar 7 Grill, Inc. d/b/a County Line Pub*), 23 CR 0049 (*LTD Partners, LLC d/b/a Hutch*), 23 CR 0051 (*Madison Restaurant, LLC d/b/a/ Madison Tavern*), 23 CR 0052 (*Neil Shorty's, BBQ*), 23 CR 0054 (*Khloe Mini Mart, Inc.*), 23 CR 0055 (*Tilly's Pub. LLC*), Commissioner Powell made a motion to REVOKE the licenses for tax delinquency. The motion was seconded by Commission Spann-Cooper.

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

Chair Berg welcomed the new ILCC employees to the agency.

XIII. Adjournment

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

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 3:05 p.m. CST.

ATTEST:

/S/ Dean Argiris, Acting Commission Secretary