

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

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**Richard J. Daley Center  
55 W. Washington St.  
Chicago, Illinois 60601**

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**April 19<sup>th</sup>, 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>
Cynthia Berg	<i>Chair</i>

**Absent**

Steven Powell	<i>Commissioner</i>
Julieta LaMalfa	<i>Commissioner</i>

**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. Approval of Minutes**

A motion was made by Commissioner Gibbons and seconded by Commissioner Sullivan to approve the amended minutes of April 19<sup>th</sup>, 2023; the motion passed.

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

#### **IV. Executive Director's Report**

##### **Fiscal**

The Illinois Liquor Control Commission totaled \$596,161 in revenue for March; 79% of that total was from licensing and 21% was enforcement and includes fines, penalties, and violations.

This decrease is from the 1A (retail license) fee waiver and the license renewal extension.

Fines, Penalties, and violations are up for March 2023 by 16% from February and up 23% compared to March 2022. We contribute this to new hires in our enforcement division. We will continue to hire additional enforcement staff.

We have completed our General Assembly budget hearings and despite our decreased revenues, the ILCC has remained fiscally responsible, and we have utilized only 52% of our 2022 budget.

##### **Human Resources**

As of April 21<sup>st</sup>, 2023 we are budgeted for a headcount of 60 and we are operating with a headcount of 46.

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.

The ILCC Human Resources Manager will be leaving our agency, and this is her last meeting. We have identified a new Associate Director, who will be starting on May 1<sup>st</sup>, and the Human Resources Manager will begin on May 16<sup>th</sup>.

Our paralegal will also start on May 1<sup>st</sup>.

Additionally, the ILCC has a new Chief of Internal Affairs, Michael Signator, and a new Chief Enforcement Officer, Noel Sanchez.

Commissioner Pulido-Sanchez asked Director Gardner what areas of downtown Chicago are classified by H.R. as “Spanish Speaking.”

Enforcement Supervisor Williams indicated they would be working the entirety of downtown but that this particular position requires an individual that speaks Spanish.

## **Licensing**

There currently are 31,212 active licenses throughout the state 3,420 licenses were issued in March 2023, which is 7% increase from the same point last year.

We received a 135% increase in new applications, compared to March of 2022. This is a 63% increase from February of 2023.

96% new applications and renewals were submitted online. Our offices also saw 135 walk-ins for the month.

As for special events, there was a 60% increase in licenses issued in February of 2023. We want to encourage more special events licenses to submit via MyTax for expedited review and approval.

There were 985 retailers reported delinquent and 898 were cured. These figures include rollovers from previous months. Our agency saw 8 bona fide disputes.

## **Enforcement**

Our Enforcement Supervisor, Kenny Williams, taught another police certification course for underage compliance details. This course is required for any law enforcement officer who wishes to participate in an underage compliance detail.

The ILCC's enforcement division conducted 1,324 inspections, discovered 488 violations. 197 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 40 listings from Craig's List, 7 from Facebook Marketplace, and 60 from Offer-Up.

Chair Berg asked Supervisor Williams if the University of Illinois underage compliance detail was done after-hours. Supervisor Williams indicated that it was in the afternoon.

Commissioner Gibbons commented that it was great to see an increase in SAM details. He recommended that with the enforcement employees, it might be a good time to look at their schedule flexibility.

Director Gardner responded by indicating that the jobs had not been posted yet because they are in the process of updating the hours.

## **Legal**

Legal has 52 cases pending before the Commission: 11 distributor cases, 11 sale of alcohol to minor cases, and 31 retail cases.

99 cases were closed last month and there are currently 26 Pre-Disciplinary Conferences outstanding, with 18 being conducted in March.

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

We have 17 appeals cases before the Commission, which do not include other open cases.

The ILCC received 25 FOIA requests.

## **Legislation**

The Illinois General Assembly has 15 substantive liquor bills and 39 liquor shell bills introduced for spring session of the 103<sup>rd</sup> General Assembly. We continue to monitor and provide input on the bills.

Since the arrival of alcoholic soft drinks in retail stores last fall, the ILCC has introduced HB 2502 and SB 2433, which seeks to safeguard the Illinois public from deceptive product placement and marketing. HB 2502 passed the House and moves on to the Senate.

## **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 13,441 in March.

The ILCC industry education division participated in the Chicago Police 9<sup>th</sup> District White Sox season opener.

BASSET presentations were also held in Wauconda, Wilmington, Libertyville, and Palos Park.

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

On March 8<sup>th</sup> we held a Licensing Webinar and a State of the Industry webinar on March 30<sup>th</sup>. We had approximately 160 attendees at both.

Our latest podcast on contaminated liquor is available on Spotify.

Q1 newsletter will be going out soon and is a great way to keep up on events, new trends, and other information.

## **IV. Partner Presentations**

Lisa Hutchinson from the Mental Health Alliance of Indiana spoke about her agency, their mission, and legislative initiatives pertaining to liquor law.

Commissioner Pulido Sanchez congratulated Lisa on keeping a pulse on what is happening in Indiana and then asked about the organization's overall growth with coalitions.

**V. Public Comment**

No public comment was given.

**VI. Executive Session**

Commissioner Pulido Sanchez made a motion to move the ILCC into Executive Session at 1:45 p.m.. Commissioner Spann Cooper seconded the motion.

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

**VII. Regular Session**

The Commission moved back into regular session at 3:00 p.m.

**Present**

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

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

Director Gardner advised the Commission on why a resolution was being presented before the Commission to appoint an Administrative Law Judge for the upcoming hearing with *Jewel Osco* and for any future De Novo hearing matters.

Commissioner Pulido Sanchez asked Director Gardner about how frequently the Administrative Law Judge would provide updates to the Commissioners. Director Gardner responded they can get updates as frequently as they would like.

A motion was introduced by Commissioner Pulido Sanchez and seconded by Commissioner Gibbons to adopt the resolution.

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

Bill O'Donoghue, Counsel for the Respondent and ILCC General Counsel Noel Quanbeck wanted to continue to status to the next Commissioner meeting to report on the progress of the ALJ.

**IX. Appeals**

In the matter of 22 APP 17, 22 APP 18 (*Ravens Place, LLC d/b/a Vault Entertainment / Raven's v. Blue Island*), Commissioner Sullivan made a motion to AFFIRM THE DECISION OF THE LOCAL COMMISSION. Commissioner Gibbons seconded the motion.

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

*\*Counsel Rick Haymaker indicated that the decision would reflect that the Commission is affirming based on the violation of the agreement with the municipality but acknowledging that licensed establishments don't have total control over every activity that goes on outside their establishment.*

A MOTION TO AFFIRM the local liquor license commission's refusal to renew the license of *Vault Entertainment / Raven's v. Blue Island (23 APP 02, 23 APP 03)* was made by Commissioner Gibbons and Seconded by Commissioner Pulido Sanchez.

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

A motion to MODIFY the order to a 30-day suspension was made by Commissioner Spann-Cooper and seconded by Commissioner Sullivan in the matter of 22 APP 11 (*MLW Partners v. Berwyn*).

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

**X. Child Support Case**

Commissioner Spann Cooper made a MOTION TO STRIKE the child support case from the agenda. Commissioner Pulido Sanchez seconded the motion.

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

**XI. Tax Cases**

A MOTION TO DISMISS tax case 21 CS 01 (*T&G Enterprises I, LLC – Gregory G. Golden*) and 23 SR 0020 (*El Rancherito of Charleston*) was made by Commissioner Spann-Cooper and seconded by Commissioner Pulido Sanchez.

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

In the matters of SR 002 (*Latern Pub*), 23 SR 0033 (*Adi Asian Bistro*), 23 SR 0025 (*New Moon Café and Gaming Company*), and 23 SR 0035 (*1933 Liquor Store*), a MOTION TO REVOKE the licenses based on a default judgement was made by Commissioner Sullivan and seconded by Commissioner Gibbons.

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

**XII. Comments from the Board**

Chair Berg welcomed the new ILCC employees to the agency.

**XIII. Adjournment**

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

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

The meeting adjourned at 3:16 p.m. CST.

**ATTEST:**

/S/ Dean Argiris, Acting Commission Secretary

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