

**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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**March 15<sup>th</sup>, 2023  
1:00 PM**

**Call the Roll:**

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

**Present**

Melody Spann-Cooper	<i>Commissioner</i>	
Thomas Gibbons	<i>Commissioner</i>	
Julieta LaMalfa	<i>Commissioner</i>	1:05 p.m.
Brian Sullivan	<i>Commissioner</i>	
Cynthia Berg	<i>Chair</i>	

**Present Remotely**

Steven Powell	<i>Commissioner</i>	<i>Remote</i>
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**Absent**

Pat Pulido-Sanchez	<i>Commissioner</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 Powell to Participate Remotely**

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

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

**III. Approval of Minutes**

A motion was made by Commissioner Sullivan and seconded by Commissioner Powell to approve the amended minutes of February 15<sup>th</sup>, 2023; the motion passed.

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

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

##### **Fiscal**

The Illinois Liquor Control Commission totaled \$448,696 in revenue for February, 76% of that total was from licensing and 24% was enforcement and includes fines, penalties, and violations.

We continue to see a decrease from the 1A (retail license) fee waiver and the license renewal extension.

Fines, Penalties, and violations are up for FY2022 due to new hires within our enforcement division.

ILCC staff are preparing for our General Assembly appropriations committee hearings. Our Senate hearing is scheduled for next week and the House hearing is the first week of April.

##### **Human Resources**

We are budgeted for a headcount of 64 employees and are currently operating with 70% of that authorized headcount.

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 and Chief of Internal Affairs and are extending offers to them.

Our agency has identified a top candidate for the paralegal position, and we will make a formal offer once approved by CMS.

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

##### **Licensing**

There currently are 31,156 active licenses throughout the state and 2,694 licenses were issued in February 2023.

97% of applications were submitted electronically and we had 114 in person transactions.

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.

Public Act 102-1142, which reduced license fees for Illinois wineries, was signed into law.

There were 816 retailers reported delinquent for the month of January and 866 were cured. These figures include roll overs from previous months.

## **Enforcement**

The ILCC's enforcement division conducted 1,096 inspections, discovered 395 violations. 175 of these inspections were pre-licensing inspections.

We issued 111 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.) Business not being in good standing with the Secretary of State.

Our Commission received 76 complaints in February 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 43 listings from Craig's List, 6 from Facebook Marketplace, and 20 from Offer-Up.

## **Legal**

Legal has 65 cases pending before the Commission: 10 distributor cases, 4 sale of alcohol to minor case, and 51 retail cases.

61 cases were closed in the month of February and there are currently 35 Pre-Disciplinary Conferences outstanding, with 10 being conducted in February.

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

The ILCC received 18 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. If passed, the bill would require alcoholic soft-drinks to be shelved with alcohol and not with products that cater to minors, or other soft-drinks.

## **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 8,727 in February.

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

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

Our latest podcast on contaminated liquor is available on Spotify.

On March 8<sup>th</sup>, we conducted a licensing webinar that had over 100 attendees. The recording is available on our YouTube channel.

**IV. Partner Presentations**

Nancy Phillips from Illinois Family Resource Center 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 1:35 p.m.. Commissioner Sullivan seconded the motion.

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

**VII. Regular Session**

The Commission moved back into regular session at 2:10 p.m.

**Present**

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

**VIII. Appeals**

In the matter of 19 APP 19 (*Great Food & Spirits v. Mattoon*), Commissioner Powell made a motion to DENY THE PETITION FOR REHEARING. Commissioner Spann-Cooper seconded the motion.

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

A MOTION TO REVERSE the local liquor license commission was made by Commissioner Gibbons and seconded by Commissioner LaMalfa, in the case of 22 APP 09 (*Glogovsky Real Estate v. Lake County*)

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

## IX. Tax Cases

A MOTION TO REVOCATION WITH A STAY UNTIL 14 APRIL 2023, was made by Commissioner Sullivan and seconded by Commissioner Powell.

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

In 23 CR 0034 (*TRs Pub*), Commission Spann Cooper made a MOTION TO REVOKE the license. Commissioner LaMalfa seconded that motion.

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

A motion was made to REVOKE the license in the matter of 23 CR 0038 (*JDS1455, Inc.*)

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

In the matter of 23 CR 0042 (*Mandy's Soul Food Kitchen, LLC*), a motion was made by Commissioner Powell to REVOKE the license and seconded by Commissioner Sullivan.

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

A MOTION TO REVOKE the license of *Candy's Place Bar & Grill* (23 CR 0043) was made by Commissioner Powell and seconded by Commissioner LaMalfa.

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

## X. Comments from the Board

There were no comments from the board.

## 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
Steven Powell	Yes		
Cynthia Berg	Yes		

The meeting adjourned at 2:15 p.m. CST.

**ATTEST:**

/S/ Dean Argiris, Acting Commission Secretary

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