

MINUTES OF THE REGULAR MEETING  
OPEN SESSION  
ILLINOIS LIQUOR CONTROL COMMISSION  
OCTOBER 28, 2015  
JAMES R. THOMPSON CENTER – ROOM 9-031  
10:30 AM  
CHICAGO, ILLINOIS

The regular meeting of the Illinois Liquor Control Commission was held at the James R. Thompson Center, 100 W. Randolph Street, Chicago, Illinois 60601 room 9-031 pursuant to notice.

Call the Roll:

Constance Beard, Chair  
Cynthia Cronin Cahill, Commissioner  
Bill Morris, Commissioner  
Donald O'Connell, Commissioner  
Jim Pandolfi, Commissioner  
Maria Saldana, Commissioner  
Amy C. Kurson, Commissioner

Also Present:

U-Jung Choe, Executive Director  
Ivan Fernandez, Acting Associate Director  
Richard Haymaker, Chief Legal Counsel  
Tina Tsatsoulis, Legal Counsel  
Dusanka Marijan, Licensing Administrator  
Mary McNulty, Commission Secretary

I. Approval of Minutes

A motion was made by Chairperson Beard to approve and release the minutes of the August 19, 2015 Business Meeting. The motion was seconded by Commissioner Kurson and unanimously approved by the Commission.

II. Docket Review

A. Citation Docket

Tina Tsatsoulis stated that there are several sale of alcohol to minor violations on the docket as well as violations pertaining to ineligibility of a sole shareholder and ineligibility of a manager (both of these cases will be dismissed – documentation provided).

Commissioner Morris stated his concern regarding the decrease in the number of compliance checks since July 2015. ILCC staff explained that, because a budget

has not yet been approved, funds are not yet available to pay vendors (underage participants). Commissioner O'Connell suggested that we explore the possibility of using volunteers instead of vendors. Chairperson Beard stated that routine inspections are still being done on a regular basis. ILCC staff will continue to explore alternative options.

#### B. Revenue Docket

Ivan Fernandez stated that a Petition for Review was filed for McKinney's Pub. The new entity does not have a valid license at this time.

Rick Haymaker stated that the Department of Revenue had a 25% collection rate on the May 2015 docket largely the result of one large default. The objective is to get licensees into a payment plan and collect as soon as possible. Commissioner Morris highlighted the fact that 15 day stays are improving collection rates as a rule.

Tina Tsatsoulis added that JW's Lounge (previously on the Springfield docket) has filed no returns and no payments have been received.

#### C. Appeals

There is one appeal on the docket - Penny, Inc. d/b/a Sarandy's Food & Liquor (Roscoe).

### III. Old Business

#### A. Rules

Chairperson Beard stated that the proposed rules are a series of regulations that ILCC staff has drafted. Comments from Commissioners will be considered before posting the rules on the ILCC website for industry comment.

Rick Haymaker made a few comments related to the structure and substance of the Happy Hour rule. No comments were made on other rules that had been presented at the September 17, 2015 meeting.

Pat Doerr (HBAC) added that New Year's Eve and meal packages have been clarified in the past, but more clarification is needed in other areas.

Jim Webster (WSDI) inquired about specification for times and days that businesses can have drink specials.

Chairperson Beard suggested that statutory citation be added as a reference.

All drafted rules will be posted for comment.

#### IV. New Business

##### A. Heineken Pub 97 (Retail License Application)

Counsel for Retail License Application explained that his clients want to open a restaurant next to a soccer facility. The proposed name of the restaurant would be Heineken Pub 97. The question to be considered for Commission review was whether or not the use of the term "Heineken" in the name of the retailer.

Counsel for applicant stated that there are no tied house concerns because the retailer will not receive any sponsorship funds from the soccer facility. Rick Haymaker expressed concerns about the Heineken naming rights and about the terms of the concession agreement which seemed to grant significant ownership and control of the retail operations to the Chicago Fire, the beneficiary of the Heineken sponsorship money.

Questions were raised about other similar retail outlets at sporting venues named after alcoholic liquor suppliers (i.e. Captain Morgan Club at Wrigley Field). Rick Haymaker distinguished these venues from the soccer facility in that the soccer facility did not offer live entertainment and thus did not meet the live entertainment sponsorship conditions in ILCC Rule 100.330.

Bob Myers (ABDI) added that there is a potential tied house issue and would like more time to review the proposed establishment.

A motion was made by Commissioner O'Connell to take this matter under advisement. Motion was seconded by Commissioner Kurson and unanimously approved by the Commission.

##### B. Like Minds Brewer Application

Rick Haymaker explained that the applicant has a retail liquor license in Milwaukee, presenting a possible tied house issue. ILCC staff believes the applicant is eligible for a brewer's license because the retail license is not in Illinois. Zach Houlihan, representing Like Minds Brewing, added that he is looking to employ roughly 40 people. A motion was made to approve the issuance of a brewer's license. Motion seconded by Commissioner Cahill and unanimously approved by the Commission.

#### V. Adjournment

Commissioner Kurson made a motion to adjourn the meeting. Motion was seconded by Commissioner Saldana. Motion unanimously approved. Meeting adjourned at 12:23 pm.

ATTEST:

A handwritten signature in blue ink, appearing to read "Mary McNulty", is written over a horizontal line.

Mary McNulty, Commission Secretary