

MINUTES OF THE REGULAR MEETING  
OPEN SESSION  
ILLINOIS LIQUOR CONTROL COMMISSION  
APRIL 6, 2016  
JAMES R. THOMPSON CENTER – ROOM 9-040  
12:00 PM  
CHICAGO, ILLINOIS

The regular meeting of the Illinois Liquor Control Commission was held at the James R. Thompson Center, Chicago, Illinois 60601 room 9-040 pursuant to notice.

Call the Roll:

Constance Beard, Chair

James Pandolfi, Commissioner

Cynthia Cronin Cahill, Commissioner

Donald O'Connell, Commissioner

Maria Saldana, Commissioner (joining after initial call at 11:10am)

Thomas Gibbons, Commissioner

Also Present:

U-Jung Choe, Executive Director

Ivan Fernandez, Associate Director

Richard Haymaker, Chief Legal Counsel

Tina Tsatsoulis, Legal Counsel

Dusanka Marijan, Licensing Administrator

Ted Penesis, Industry Education/Parental Responsibility

Mary McNulty, Commission Secretary

I. Approval of Minutes

A motion was made by Commissioner Cahill to approve and release the minutes of the January 6, 2016 Business Meeting. The motion was seconded by Commissioner Pandolfi and unanimously approved by the Commission.

II. Executive Director Summary

Executive Director U-Jung Choe welcomed two newly appointed Commissioners, Thomas Gibbons and Patricia Pulido Sanchez. Director Choe gave a brief overview of the licensing division, stating that credit card options are advancing as well as instructional videos for online renewal. Additionally, the enforcement program is thriving with new additions to the LC-13 Pilot Program. The educational division has been primarily focused on the Parental Responsibility Campaign.

III. Enforcement Division Report

Ivan Fernandez stated that there are currently thirteen liquor agents, two supervisors, and two employees on medical leave. Thirty-one underage compliance checks were completed during Unofficial St. Patrick's Day with two failures.

Mr. Fernandez added that Naperville completed all of the mandatory inspections within six weeks.

Commissioner Saldana enters at 11:10am.

Staff is considering entering into a memo of understanding with state police with regard to conducting SAM details.

#### IV. Legal Division Report

##### A. Tax Case Update

Richard Haymaker stated that all taxpayers are currently enrolled in a payment plan from the December 2015 docket. One licensee from the January 2016 docket was revoked with a \$942,000 balance. The 15-day stay orders are still encouraging taxpayers to come into compliance at a faster rate.

##### B. Rules Update

Three rules have been approved related to infusions, class 1 brewers, and distributor sales to retailers. Chair Beard encouraged industry members to reach out to Mr. Haymaker with concerns regarding upcoming rules (inducements and of-value).

Mr. Haymaker added that HB 4486 and HB 4589 were both amended.

#### V. Licensing Division Report

Dusanka Marijan stated that there were 2,970 liquor licenses issued for the month of March. Testing for credit card usage will be conducted in the near future (likely May). Ms. Marijan added that a special event instructional video was recently posted on the ILCC website.

#### VI. Industry Education Division Report

Ted Penesis presented the Commission with a message to be sent to all schools in Illinois. A motion was made by Commissioner Gibbons to approve the language as presented. Motion seconded by Commissioner O'Connell and unanimously approved by the Commission.

Mr. Penesis added that there currently are over 110,000 BASSET certified employees in Illinois. On April 12<sup>th</sup>, there will be a parent meeting at Kennedy Junior High School. Commissioner Cahill requested that the Commission be informed of any other parent meetings in the future.

## VII. Commission Discussions

### A. Heineken Pub 97

Mr. Haymaker stated that the Commission is responsible for deciding to what extent a retailer could have naming rights and be associated with an entity who received sponsorship money from a manufacturer. The ILCC and facility operator entered into negotiations. Subsequently, the license was issued and it was identified that "Heineken" was not listed on the liquor license application. When the license was issued, staff was under the impression that the business would not be operating with the word "Heineken" in the name.

Mr. Haymaker added that the Commission should now decide: 1) whether or not a citation is warranted for misrepresentation on a liquor license application and 2) how this business is going to operate and to what extent the Commission finds it compliant with the Act.

The Commission advised legal staff to review the submitted revisions and report at the next Commission meeting.

### B. A/B Goose Island

A motion was made by Commissioner O'Connell to issue a brewer license at 1960 N. Clybourn. Motion seconded by Commissioner Cahill and unanimously approved by the Commission.

### C. Walmart

Harlan Powell, representing Walmart, stated that a plan was to be submitted with respect to ID scanners in various Walmart locations. Mr. Powell anticipates data from this pilot program can be presented in late April/early May.

## VIII. Closing Remarks and Adjournment to Hearing

Commissioner Pandolfi made a motion to adjourn the meeting. Motion was seconded by Commissioner O'Connell. Motion unanimously approved. Meeting adjourned at 12:35pm.

ATTEST:

  
Mary McNulty, Commission Secretary