

**Regular Meeting, Open Session Minutes - Video  
Illinois Gaming Board  
Chicago, Illinois  
May 25, 2017**

NOTE: ITEMS IN **BOLDFACE PRINT** REFLECT OFFICIAL BOARD ACTIONS

On Thursday, May 25, 2017, a Regular Meeting - Video of the Illinois Gaming Board (“Board”) was held on the 1st floor at the Michael Bilandic Building in Chicago, Illinois immediately following its Regular Meeting - Riverboat. Present were the following: Chairman Don Tracy, Members Hector Alejandro, Steve Dolins, Thomas Dunn and Member Robinson.

**APPROVAL OF OPEN SESSION MINUTES:**

Member Dunn moved that the Board approve the open session minutes from its Regular Meeting of April 21, 2017. Member Robinson seconded the motion. The motion passes unanimously by roll call vote.

**CHAIRMAN'S REPORT/COMMENTS –**

Chairman Tracy read a letter for a licensee, commending staff on their professionalism and a job well done.

**ADMINISTRATOR'S REPORT –**

Administrator Ostrowski stated that there are 6,091 locations with 26,736 VGT's.

**Proposed Rulemaking – Sheera Hobfoll**

Member Dunn moved to amend the Video Gaming Rules by creating Rule 595, and amending Rules 615 and 715 by authorizing staff to submit a proposal for First Notice Filing with the Secretary of State upon final review and approval by the Administrator. Member Dolins seconded the motion. The motion passed unanimously by roll call vote.

**TERMINAL OPERATORS**

**Initial Licenses**

**Skybox Gaming Group, LLC**

Member Dolins moved that based on Staff’s investigation and recommendation, the Board **issue** a Terminal Operator license to **Skybox Gaming Group, LLC**. for a term of one year, expiring in May, 2018, as the applicant has demonstrated its qualifications and suitability for licensure. Member Dunn seconded the motion. The motion passed unanimously by roll call vote.

## **Illinois Interactive Gaming, LLC**

Member Robinson moved that based on Staff's investigation and recommendation, the Board **deny** the Terminal Operator license application of **Illinois Interactive Gaming, LLC**, as it has failed to demonstrate its qualifications and suitability for licensure, and to authorize the Administrator to issue a notice of denial. Member Alejandro seconded the motion. The motion passed unanimously by roll call vote.

### **License Renewals**

Member Alejandro moved that based on Staff's investigation, and my review of materials provided to the Board, I move that the Board renew the following Terminal Operator Licenses for a term of one year, expiring in May 2018:

- Illinois Gaming Investors, LLC
- LZ Entertainment, LLC, and
- Tap Room Gaming, LLC

Member Robinson seconded the motion. The motion passed unanimously by roll call vote.

Member Alejandro moved that based on Staff's investigation, and review of materials provided to the Board, that the Board renew **Hyperactive Gaming, LLC's** Terminal Operator License for a term of one year, expiring in May 2018. Member Robinson seconded the motion. The motion passed with a 4-0 vote with Member Dolins abstaining from the vote.

Member Alejandro moved to renew the Terminal Operator License of **Gaming & Entertainment Management – Illinois, LLC** for a term of one year, retroactive to April 2017, expiring in April 2018. Member Robinson seconded the motion. The motion passed unanimously by roll call vote.

## **MANUFACTURERS, DISTRIBUTORS & SUPPLIERS**

### **License Renewals**

#### **Novomatic Americas Sales LLC – Renewal of Manufacturer, Distributor and Supplier Licenses**

Member Dolins moved that based on Staff's investigation and recommendation, the Board **renew** the Manufacturer, Distributor and Supplier licenses of **Novomatic Americas Sales LLC** for a period of one year, expiring in May 2018. Member Dunn seconded the motion. The motion passed unanimously by roll call vote.

## **TECHNICIANS & TERMINAL HANDLERS**

### **Initial Licenses - Approvals and Denials**

Member Robinson moved that based on Staff's investigation and recommendation, the Board approve **(43) Terminal Handler** licenses and **(1) Technician** license, and authorize the Administrator to issue Notices of Denial to:

- 1. Andrele Williams**
- 2. Jessie N. Tucker**
- 3. Timothy Evitts**
- 4. Kevin D. Bruens**
- 5. Chad Michael Wendling**

Member Alejandre seconded the motion. The motion passed unanimously by roll call vote.

### **License Renewals - (second motion)**

Member Alejandre moved that based on Staff's investigation and recommendation, the Board **renew** the licenses of Technicians and Terminal Handlers who were licensed or renewed in May 2016, and who have properly updated their applications, timely paid their annual fees and remained in compliance with the requirements of the Video Gaming Act and the Board's Rules. Member Robinson seconded the motion. The motion passed unanimously by roll call vote.

## **VIDEO GAMING LOCATIONS**

### **Initial Licenses - Approvals & Denials**

Member Robinson moved that the Board approve **70 Video Gaming Establishment Licenses**, for a period of one year, expiring in May 2018, and authorize the Administrator to issue **Notices of Denial** to:

- Darla Reiter d/b/a The Sound Bar
- PHASE IV – D, Inc. d/b/a TRUDY'S CAFÉ CASH ISLAND
- Omega Bar & Grill, LTD. d/b/a Omega Bar & Grill LTD
- MORT'S TAP, INC. d/b/a MORT'S TAP
- Smoking Grill & Pizzeria LLC d/b/a Smoking Grill & Pizzeria
- El Tollo Corporation d/b/a Little Mexico Restaurant; and
- Symerton Tap, LLC d/b/a Symerton Tap LLC

Member Alejandre seconded the motion. The motion passed unanimously by roll call vote.

### **License Renewals - (second motion)**

Member Alejandre moved that based on Staff's investigation and recommendation, the Board **approve the renewal** of licenses held by Retail Establishments, Truck Stop Establishments, and Veteran and Fraternal Establishments previously licensed or renewed in May 2016, that have properly updated their applications, timely paid their annual fee, and are otherwise in compliance

with the requirements of the Act and the Board's Rules, and authorize the Administrator to issue notices of non-renewal to:

- **Cousin Vinny's, LTD d/b/a Cousin Vinny's; and**
- **Zupa, Inc., d/b/a Zupa**

Member Robinson seconded the motion. The motion passed unanimously by roll call vote.

## **ADMINISTRATIVE REQUESTS FOR HEARING, REQUESTS TO REAPPLY**

### **Requests for Hearing**

Member Dolins moved that based on information provided to the Board establishing that applicant's owner is not statutorily ineligible, moved that the Board **rescind** its denial, and **grant** an establishment license to **JRW Electrical Enterprises, Inc. d/b/a Bottom's Up on 7th.**

Member Dunn seconded the motion. The motion passed unanimously by roll call vote.

Member Alejandro moved that based on Staff's investigation and recommendation, moved that the Board **deny** the requests for hearing submitted by:

- 100 PROOF GAMING LLC d/b/a THE HOT SPOT;
- Mazzarisi Gaming Inc. d/b/a Maria's Gaming Lounge; **and**
- Julia L Reaves d/b/a ED & MILLIES TAVERN

since each request fails to establish a *prima facie* case for a hearing. Member Dolins seconded the motion. The motion passed unanimously by roll call vote.

### **Requests to Reapply**

Member Alejandro moved that based on Staff's investigation and recommendation, the Board grant **JRAY'S BAR & GRILL, INC. d/b/a Tortuga's Bar & Grill** leave to reapply for a retail establishment license. Member Dolins seconded the motion. The motion passed unanimously by roll call vote.

Member Dunn moved that based on Staff's investigation and recommendation, the Board grant **Red Carpet Ent Inc. d/b/a Red Carpet Lounge** leave to reapply for a retail establishment license. Member Dolins seconded the motion. The motion passed unanimously by roll call vote.

## **DISCIPLINARY ACTIONS**

### **Active Tax Liability and Failure to Meet the Minimum Qualifications for Licensure**

Member Alejandro moved that based on Staff's investigation and recommendation, the Board issue Disciplinary Complaints **revoking** the retail establishment licenses of:

- Carlos Tequila Grill Corp. d/b/a Carlos Tequila Grill; and
- BEVERLY BRINK, INC. d/b/a THE OFFICE

for failing to maintain the minimum qualifications for licensure, said actions to take effect 21 days from the date of service of the Complaints, unless Answers are properly filed within that timeframe. Member Robinson seconded the motion. The motion passed unanimously by roll call vote.

Member Dolins moved that based on Staff's investigation and recommendation, the Board issue a Disciplinary Complaint revoking the establishment license of **VILLAGE GARDEN RESTAURANT, INC. d/b/a VILLAGE GARDEN RESTAURANT** for failing to properly monitor video gaming terminals on its premises, this action to take effect 21 days from the date of service of the Complaint, unless a \$5,000 fine is paid or an Answer is properly filed within that timeframe. Member Dunn seconded the motion. The motion passed unanimously by roll call vote.

#### **Failure to Update RTT System/Unauthorized Relocation of VGTs**

Member Robinson moved that based on Staff's investigation and recommendation, move that the Board issue a Disciplinary Complaint fining Terminal Operator **Illinois Video Gaming, Inc.**, \$5,000 for failing to obtain the Administrator's prior approval before moving and installing video gaming terminals on its premises, this action to take effect 21 days from the date of service of the Complaint, unless an Answer is properly filed within that timeframe. Member Alejandro seconded the motion. The motion passed unanimously by roll call vote.

#### **Failure to Remove Inoperable VGTs**

Member Alejandro moved that based on Staff's investigation and recommendation, issue a disciplinary complaint fining terminal operator **Illinois Gaming Investors, LLC d/b/a Prairie State Gaming, LLC**, \$2,500 for failing to remove video gaming terminals from a location under rehab; this action to take effect 21 days from the date of service unless an Answer is properly filed within that timeframe. Member Robinson seconded the motion. The motion passed unanimously by roll call vote.

#### **Failure to Comply with Section 25**

Member Alejandro moved that based on Staff's investigation and recommendation, to issue a disciplinary complaint fining **Gaming & Entertainment Management – Illinois, LLC** **\$100,000** for failing to pay a licensed establishment 50% of after-tax profits as required under Section 25 of the Video Gaming Act; and ordering the economic disassociation of Robert Nader, this action to take effect 21 days from the date of service unless an Answer is properly filed within that timeframe. Member Robinson seconded the motion. The motion passed unanimously by roll call vote.

### **Rescission of Nonrenewal**

Member Robinson moved that based on Staff's investigation and recommendation, to rescind the July 2016 nonrenewal of the establishment license of **T&G Inc. d/b/a All Star Bar & Grill**, and grant renewal of the establishment license retroactive to July 2016, expiring in July 2017. Member Alejandre seconded the motion. The motion passed unanimously by roll call vote.

### **Settlements of Disciplinary Complaints**

Member Robinson moved that based on Staff's recommendation and the information provided by the establishment license, to delegate to the Administrator the authority to enter into a settlement agreement with, and to administratively dismiss the complaint against **MI CHAPALA INC. d/b/a Mi Chapala (DC-V-17-39)**, and to provide the settlement agreement to the administrative law judge for disposition. Member Alejandre seconded the motion. The motion passed unanimously by roll call vote.

### **OTHER MATTERS**

Member Alejandre moved that the Board adopt the Administrative Law Judge's recommended decision in DC-V-16-53 in its entirety, and enter a final order fining **4 Play Pub N' Grub, LLC d/b/a Route 12 Bar & Grill**, \$5,000 for serving alcohol to a minor, and allowing the minor access to the location's Video Gaming Terminals. Member Robinson seconded the motion. The motion passed unanimously by roll call vote.

At 9:54 A.M., Member Dunn motioned to adjourn and Member Robinson seconded the motion. All members voted in favor of adjournment.

Respectfully submitted,

Mary C. Boruta  
Secretary to the Administrator