

**From:** [dick2479@aol.com](mailto:dick2479@aol.com)  
**To:** [Sanders, Marilyn](#); [Sanders, Monica](#)  
**Cc:** [Ellington, Brandon](#); [Fowler, Dan](#); [Barnes, Lee](#); [Loar, Teresa](#); [Justis, Amy](#); [McCoy, Keema](#)  
**Subject:** Fwd: More Chapter 10 problems  
**Date:** Tuesday, November 30, 2021 5:43:30 PM  
**Attachments:** [image003.png](#)

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Good evening ladies, would you please add this email, below in bold, to the public record for the Chapter 10 review set for tomorrow. Thanks Dick Bryant

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**From:** [jbowers@rousepc.com](mailto:jbowers@rousepc.com)  
**To:** [dick2479@aol.com](mailto:dick2479@aol.com), [Joseph.Ragsdale@kcmo.org](mailto:Joseph.Ragsdale@kcmo.org), [Brett.Jarmer@kcmo.org](mailto:Brett.Jarmer@kcmo.org),  
[Jim.Ready@kcmo.org](mailto:Jim.Ready@kcmo.org), [jason@pizza51.com](mailto:jason@pizza51.com)  
**Cc:** [andrea.bough@kcmo.org](mailto:andrea.bough@kcmo.org), [emalea.black@kcmo.org](mailto:emalea.black@kcmo.org)  
**Sent:** 11/30/2021 3:56:37 PM Central Standard Time  
**Subject:** RE: More Chapter 10 problems

**Councilwoman Bough, I have reviewed Dick Bryant's comments below and his suggested changes to Section 10-162 concerning approval of transfer of interest in a business.**

**I agree with him.**

**The City Council needs to chip away at provisions that prevent the City from delivering on its promises to make it easier to do business in KCMO.**

**The changes he suggests, if adopted, would be one small step toward fulfilling those promises.**

**James C. Bowers, Jr.**

Attorney

**|| ROUSE FRETS WHITE GOSS  
|| GENTILE RHODES, P.C.**

4510 Belleview Avenue, Suite 300 || Kansas City, Missouri 64111

D 816-502-4711 || O 816-753-9200 || C 816-835-2757 || [jbowers@rousepc.com](mailto:jbowers@rousepc.com)

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**From:** [dick2479@aol.com](mailto:dick2479@aol.com) <dick2479@aol.com>  
**Sent:** Tuesday, November 23, 2021 5:20 PM  
**To:** dick2479@aol.com; Joseph.Ragsdale@kcmo.org; Brett.Jarmer@kcmo.org; Jim.Ready@kcmo.org; [jason@pizza51.com](mailto:jason@pizza51.com)  
**Cc:** andrea.bough@kcmo.org; James C. Bowers, Jr. <jbowers@rousepc.com>; [emalea.black@kcmo.org](mailto:emalea.black@kcmo.org)  
**Subject:** More Chapter 10 problems

Andrea, I'm happy to visit with you to explain how this posture by Fire and ultimately Liquor Control prohibits an uninterrupted transfer of interests in a business. Throughout Chapter 10 (now and as proposed) there is language that says:

"Before a license or permit is issued under the provisions of this chapter, the applicant shall furnish to the Director upon request, approval [ the old language said certificate] from the director of city planning and development, fire, health, public works and neighborhoods stating that with respect to the application the applicant is in compliance with the respective codes and the zoning ordinance of the City." (among other places 10-162 (a)(13)

Jim Ready has taken the position that the Code prohibits him from issuing a license unless Fire and Health tell him it's ok to proceed with his liquor control licensing independent of fire and health inspections--in other words he is not authorized to issue a liquor license without "approval" of fire and health. Joe Williamson at health has regularly told liquor control that health has their application and that liquor control may proceed and Jim has accepted that confirmation as an approval. Fire also has in the past, told liquor control to move ahead and that fire will proceed independently. That policy of the Fire Marshal has changed and Fire will not inspect a business until the new operator is actually in possession...and health will not accept an application without a fire waiver or inspection.

In this case, then the buyers of a convenience store take possession of a business on December 1...fire comes out sometime after that...and then health comes out sometime after than...and liquor control issues their license sometime well after that. So the new owner/operator is put in a position where they either sell liquor illegally or don't sell liquor, or close their doors until these 3 departments get their act together.

Can you imagine telling Capitol Grill or Loews Hotel they could not lawfully sell liquor for a couple of weeks if there were a change in ownership within their organization?

I personally believe 10-162 gives Jim the ability to issue the license so long as he knows applications to fire and health are in the works; ( If an application is complete in all respects except for approval from the directors of the city planning and development, , fire, health and neighborhoods departments, then the director may issue a letter notifying the applicant that the issuance of the license or permit will be approved contingent on providing the approvals to the director. The director may withdraw the letter if the director determines that the delay in obtaining the certificates is a direct result of the applicant's action or inaction.). Jim disagrees. The language could better be written to say "If an application is complete in all respects except for approval from the directors of the city planning and development, , fire, health and neighborhoods departments, then the director may issue the license or permit, approved contingent on providing the approvals to the director."

I always hear you say we should be making it easier to do business in Kansas City--not harder...The provision for approval from health and fire should be removed completely from Chapter 10--those departments can do their own thing---or Jim should issue his liquor licenses and get confirmation of approval of health and fire within a reasonable time after he issues his license.

Dick Bryant

Jim Bowers, I hope you will share my concerns with ABAG members.

In a message dated 11/23/2021 4:18:31 PM Central Standard Time, [dick2479@aol.com](mailto:dick2479@aol.com) writes:

I am not asking you to give a clearance or "approval" from you department. I am asking you to advise liquor control that you have no objection with liquor control moving ahead with their liquor licensing process without first obtaining your fire department approval.

Jim Ready, this is going to be a Chapter 10 derailment if this cannot be sorted out.

In a message dated 11/23/2021 3:33:06 PM Central Standard Time, [Joseph.Ragsdale@kcmo.org](mailto:Joseph.Ragsdale@kcmo.org) writes:

I cannot give any kind of clearance on a business without an inspection. We have made an exception in current times because of a backlog of inspections due to pandemic restrictions, but we do not allow this exception for new businesses or change of ownership.

Should you have any further questions or concerns, please feel free to reach out.



Joe Ragsdale  
Assistant Fire Marshal  
Kansas City Fire Department  
635 Woodland, Suite 2103  
Kansas City, MO 64106  
Office: 816-513-4643  
Fax: 816-513-4689

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**From:** [dick2479@aol.com](mailto:dick2479@aol.com) <[dick2479@aol.com](mailto:dick2479@aol.com)>  
**Sent:** Tuesday, November 23, 2021 10:27 AM  
**To:** [dick2479@aol.com](mailto:dick2479@aol.com); Ragsdale, Joseph <[Joseph.Ragsdale@kcmo.org](mailto:Joseph.Ragsdale@kcmo.org)>; Jarmer, Brett <[Brett.Jarmer@kcmo.org](mailto:Brett.Jarmer@kcmo.org)>; Jackson, Sierra <[Sierra.Jackson@kcmo.org](mailto:Sierra.Jackson@kcmo.org)>; Ready, Jim <[Jim.Ready@kcmo.org](mailto:Jim.Ready@kcmo.org)>  
**Subject:** Re: 4225 North Oak

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Joe Ragsdale, can liquor control move forward with their licensing? We are trying to get a new business open in 1 week. Dick Bryant

In a message dated 11/22/2021 2:36:54 PM Central Standard Time, [dick2479@aol.com](mailto:dick2479@aol.com) writes:

Joe, the application which was attached showed a December 1 transfer. That is the date my folks take possession. You can schedule it for inspection that day. **In the meantime, can liquor**

**control move ahead with their licensing process?**

Jim, this is our dilemma on all transfers/sales

In a message dated 11/22/2021 2:33:13 PM Central Standard Time, [Joseph.Ragsdale@kcmo.org](mailto:Joseph.Ragsdale@kcmo.org) writes:

Let us know when the transfer of ownership is complete and we can schedule a fire inspection. We cannot schedule an inspection for a business that does not have legal possession of the property.

Should you have any further questions or concerns, please feel free to reach out.



Joe Ragsdale  
Assistant Fire Marshal  
Kansas City Fire Department  
635 Woodland, Suite 2103  
Kansas City, MO 64106  
Office: 816-513-4643  
Fax: 816-513-4689

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**From:** [dick2479@aol.com](mailto:dick2479@aol.com) <[dick2479@aol.com](mailto:dick2479@aol.com)>  
**Sent:** Monday, November 22, 2021 1:43 PM  
**To:** Jarmer, Brett <[Brett.Jarmer@kcmo.org](mailto:Brett.Jarmer@kcmo.org)>;  
Jackson, Sierra <[Sierra.Jackson@kcmo.org](mailto:Sierra.Jackson@kcmo.org)>  
**Cc:** Ragsdale, Joseph <[Joseph.Ragsdale@kcmo.org](mailto:Joseph.Ragsdale@kcmo.org)>  
**Subject:** 4225 North Oak

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Brett, the transaction on this site will close on December 1, with Z H & Sons taking over. I need a fire permit to complete this liquor licensing process (there is no health

permit as no food). Either Joe will need to give you the ok to proceed with your licensing or some other action taken so the new operators can go in on 12/1. The state license is approved. The fire application is attached for the FD.