MEMBERS PRESENT:
Ann O’Connor, Vice Chair
Ronald Bucher, Alternate
Ryan Kuehl
Brian W. Kruse
Blake Peterson, Alternate

MEMBERS NOT PRESENT:
David C. Levy, Chairman
Ryne Bessmer

STAFF PRESENT:
Mike Wilwerding, Planning Department
Tim Himes, Law Department
Clinette Ingram, Recording Secretary

Ms. O’Connor called the meeting to order at 1:00 pm. The Board received as Exhibit 1 the contents of the City's file on each case.

CASES:

1. 19-09-066
   Jacob Hurley
   5120 Walnut Street
   Apt. 12
   Omaha, NE 68106
   REQUEST: Appeal of the Omaha Police Department’s denial of a firearm registration dated 8/16/19.

At the Administrative Board of Appeals meeting held on September 23, 2019, Jacob Hurley appeared before the board. Sgt. Angie Martinez appeared on behalf of the Omaha Police Department.

Sgt. Martinez stated that the applicant was denied a firearm registration due to a traffic stop incident from September 2013 which resulted in the applicant receiving a citation and a fine for marijuana less than one ounce.

Mr. Hurley stated that he had not been in any trouble since that time. He wanted the gun for protection. He also mentioned that he was subject to random drug testing at his work.

Mr. Kruse moved to GRANT the appeal. Mr. Bucher seconded the motion.

AYES: Kruse, Peterson Bucher, Kuehl, O’Connor

MOTION CARRIED: 5-0. Appeal granted.
REQUEST: Appeal of the Omaha Police Department’s denial of a firearm registration dated 8/16/19.

REQUEST: Appeal of the Omaha Police Department’s denial of a firearm registration dated 8/30/19.

At the Administrative Board of Appeals meeting held on September 23, 2019, the applicant failed to appear before the board. Sgt. Angie Martinez appeared on behalf of the Omaha Police Department.

Ms. Ingram stated that she had attempted to contact the applicant by phone on August 23rd and September 17th but was unable to leave a message. She also mailed a copy of the agenda by certified mail but Mr. Willbrand had not signed for it.

Sgt. Martinez stated that the applicant was in an altercation with another party in May 2018 while he was intoxicated. He was arrested, received a fine and 12 months’ probation.

Mr. Bucher moved to LAYOVER the case until the October 23, 2019 meeting to give the applicant the opportunity to appear. Mr. Peterson seconded the motion.

AYES: Peterson, Bucher, Kuehl

NAYES: Kruse, O’Connor

MOTION CARRIED: 3-2.

At the Administrative Board of Appeals meeting held on September 23, 2019, Juan Nunez appeared before the board. Sgt. Angie Martinez appeared on behalf of the Omaha Police Department.

Sgt. Martinez stated that in September 2015 the applicant was the passenger in a traffic stop where he voluntarily told the officers that he was in possession of marijuana. He was found guilty, received a citation and a fine.

Mr. Nunez stated that he lives alone and wanted the gun for protection. He explained that he was only 19 years old at the time of the incident.

Mr. Nunez stated that he did not use marijuana.

Mr. Bucher moved to GRANT the appeal. Mr. Peterson seconded the motion.

AYES: Kruse, Peterson Bucher, Kuehl, O’Connor

MOTION CARRIED: 5-0. Appeal granted.
At the Administrative Board of Appeals meeting held on September 23, 2019, the applicant failed to appear before the board.

Ms. Ingram stated that the applicant called her on September 10th and explained that he was in Ohio with his father who was ill. Mr. Graham requested that his case be laid over until the October 28th meeting.

Mr. Kruse moved to LAYOVER the case until the October 23, 2019 meeting. Mr. Peterson seconded the motion.

AYES: Kruse, Peterson, Bucher, Kuehl, O’Connor

MOTION CARRIED: 5-0.

At the Administrative Board of Appeals meeting held on September 23, 2019, Adonus Marshall appeared before the board. Sgt. Angie Martinez appeared on behalf of the Omaha Police Department.

Sgt. Martinez stated that on June 20, 2016 the applicant was in an incident that resulted in him being found with a stolen firearm and marijuana. He was found guilty and received 4 years in prison.

Mr. Marshall explained the reason behind the 2016 incident. In response to Mr. Kruse, Sgt. Martinez stated that there was nothing on his record after that incident and that everything prior to 2016 had been dismissed. Mr. Marshall stated that he had a job offer with Ztrip and that he had not smoked marijuana since he was released from jail in April. He indicated that he was only smoking marijuana for pain management because he did not want to take pills. He also explained that the gun that was in his possession was bought online and he did not know that it was stolen.

Mr. Kruse moved to DENY the appeal. Motion failed for lack of a second.

Mr. Bucher moved to GRANT the appeal. Mr. Peterson seconded the motion.

AYES: Peterson, Bucher, O’Connor

NAYES: Kruse, Kuehl

MOTION CARRIED: 3-2. Appeal granted.
MINUTES:

Mr. Kruse moved to APPROVE the August 26, 2019 meeting minutes. Mr. Peterson seconded the motion.

AYES: Kruse, Peterson, Kuehl, O'Connor

ABSTAIN: Bucher

APPROVED 4-0-1.

ADJOURN:

It was the consensus of the board the ADJOURN the meeting at 1:17 p.m.