

Gallup Council denies Maloney Avenue restaurant a liquor license

Written by By Bernie Dotson Sun Correspondent
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Kozeliski: State is final decision-maker

For several months, it's been like a second job for Gallup City Councilor Linda Garcia and dozens of folks from the city's north side.

A liquor license is requested for an establishment situated in Garcia's District 1 – in the most recent north side case a proposed transfer of ownership of an existing license from Joe's Grill & Pub at 200 W. Coal Ave. to Bodega Liquors at 820 W. Maloney Ave.

In taking a collective stand, residents from Gallup's north side crowded City Hall to protest at public hearings. At the Feb. 14 city council meeting, those same north side residents uttered

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that they hope another downtown public hearing isn't again warranted.

In a unanimous vote Tuesday, the Gallup City Council denied a liquor license to businessman George Athens who wanted to open up shop at the former Plaza Café.

"The people on the north side are tired of that area being treated like a killing field and a dumping ground," Garcia told a packed council chambers. "The north side doesn't need this. It's the last thing that the neighborhood needs."

Albuquerque-based Marc Lowry argued on behalf of Athens to council members that granting the license was remotely removed from the lifestyle shared by vagrants who frequent the north side. Lowry said Athens grew up in Gallup, owns several business and residential properties, and wants to improve the quality of life around the community.

"There's no better person to operate this kind of business in a way that is consistent with local and state laws," Lowry told council members. "The business plan calls for special employee training with respect to screening and monitoring and proper training to keep alcohol sales out of the wrong hands."

City Attorney George Kozeliski provided some brief history on the Maloney Avenue location, saying years ago the location was an Allsup's that did not have liquor sales. A few years later, Plaza Café opened and obtained a liquor license, albeit against the wishes of the Gallup City Council and members of the community. That license was ultimately granted by the state.

"The city council, in that instance, voted against granting it, but that was overturned by the Director of Alcohol and Gaming in Santa Fe," Kozeliski said. "That was the only beer and wine license that I know of that was not approved by the (city council) and that was because of the location."

When it came time for north side residents to voice their concerns against the granting of the liquor license, none in the near 100-plus crowd held back their opinions. No one from the north side spoke in favor of the license and those who knew Athens praised him as an accomplished

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businessman.

“Gallup does not need another liquor license – especially on the north side,” resident Louis Maldonado, 82, said. Maldonado is a frequent letter-to-the editor writer to the Gallup Sun and other area newspapers. “This is the last thing that that area needs.”

Garcia and fellow city councilor Yogash Kumar spoke of an area where vagrants and homeless people go to the Casa San Martin – a shelter. Gallup City Manager Maryann Ustick gave police statistics indicating the high number of calls for service on the north side, most of which deal with public intoxication, drug use and vagrancy. McKinley county Sherrieff Ron Silversmith, a former city police officer for 30 years, put it simple to council members:

“Do not approve this license or any other license for that matter,” Silversmith cautioned. “We don’t have the reserves or availability right now.”

Hector Corral, a north side businessman, told council members, “Instead of adding to the problem. Let’s figure how to best keep school kids safe.”

Krista Bischoff, who is the principal at Juan de Oñate and Washington elementary schools, said school safety is a must. Bischoff read a letter from Gallup-McKinley County School Superintendent Mike Hyatt, which said such an establishment would pose a safety risk.

“There is vandalism and loitering on school property,” Bischoff said. “Students are exposed to frequent violence from the vagrant population.”

Kozeliski said the state still has the power to come in and grant the dispenser liquor license for alcohol, spirits and wine. He said should Alcohol and Gaming end up approving a license, there is nothing the city can do at that point.

“Mr. Athens next step is with Alcohol and Gaming and they make the final decision,” Kozeliski

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said. "The city is done with its portion and it will not come back to the city council. We will just be informed of the decision of the Alcohol and Gaming Director."

Lowry said he'll confer with Athens in the coming days as far as a next move goes. He declined further comment, but said Athens would probably appeal the city's decision.

Councilor Fran Palochak moved to grant Athens the license, but did not get a second. Palochak then moved for the unanimous affirmation to deny the license.

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