

Epiphany Regarding City Leadership

Written by Kathleen McCarthy
Tuesday, 13 March 2001 18:00

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I had an epiphany sitting in last week's regular Council Meeting. I finally realized that there are a paltry few individuals on the council who are actually qualified to be aldermen. A city of nearly 100,000 citizens, with a managed budget of approximately \$100 million, requires people with more experience in business, city planning, administration, finance, and leadership. Few of those on the council have any kind of experience that translates into sound fiscal decisions that best protect and invest in the interests of our community's taxpayers. Even aldermen with financial backgrounds don't appear to fully grasp the issues before them, or understand the financial data presented. The public has to constantly come forward with the correct information to force these individuals to see the error of their ways and the potential fiscal disasters the council blindly attempts to implement.

One of the biggest problems is that the aldermen don't see the money involved as theirs or ours. To them, it is just a big pile of available funds to appropriate as they see fit, not hard-earned dollars contributed by each of us for the best possible investment in our community. There is no long-term vision, only an odd catering to developers for the quick buck. There is no sound planning involved whatsoever. We don't even have an up-to-date Comprehensive Land Use Plan (CLUP) to direct development.

Alderman McGivern (6th Ward) had a ward meeting recently with about 50 residents in attendance. The clear theme of the meeting, I'm told, was the lack of planning throughout his ward. Yet he continues to ignore his own constituency by lauding the current proposals for additional development of nearly 300 acres north of 53rd Street, between Elmore and Eastern Avenues. This is outrageously unsustainable development based on current statistics for Davenport, and the Quad Cities at large. By allowing this development to occur without proper roads, sewers, city services, etc., and a qualified growth rate to absorb the development, we are implementing deliberate obsolescence of other established neighborhoods and retailers throughout the community. This planned deterioration will erode the tax base elsewhere so that any gain in new development is no gain at all.

A growing number of people recognize that Alderman Sherwood has betrayed nearly every issue he ran on, from supporting and approving an additional TIF on 53rd Street to circumventing open government by supporting censoring "Public with Business" to supporting

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urban sprawl in every instance while simultaneously claiming that such development north of 53rd Street is not sprawl.

In addition, Alderman Sherwood is one of eight aldermen who refused to end the legal battle on behalf of CURV when they were collectively elected, a campaign promise that was almost entirely responsible for their individual victories, and a responsibility that each of them abdicated immediately upon entering office.

I understand the growing disdain with which many of these elected officials are now held. As stated above, they continue to be woefully uninformed, easily persuaded against reason, absurdly concerned with appearances rather than substance, and adolescently cliquish rather than team- or public-oriented. Most of the aldermen have consistently proven unreliable, unpredictable, self-absorbed, and several are shamelessly self-serving. As a council, they rarely explore issues, ask basic questions or do their homework to any meaningful degree. They all promised taxpayers that they would investigate the issues, seek clarification when needed, promote the principals of open government by sharing information with the public, and represent their constituency according to the people, not their own wishes. These promises have been repeatedly reneged upon. This council not only lacks critical leadership skills, they have little vision either individually or collectively that remotely represents what most Davenport taxpayers want for our community.

Developers and special interests with their hands out, who need the council's ear, make their presentations with very little inquiry or healthy resistance. Our city council appears to be so intimidated by the business leadership, and some by city staff, that they are incapable of getting past their own insecurities to address the common causes that constitute our city's business.

The result is civic dysfunction, where city staff must walk very fine lines with these ten individuals because their behavior is so unpredictable and, many times, without apparent reason. Staff is forced to operate more like survivors than stewards of our community. The veneer of professionalism that staff admirably maintains under such pressure must be fragile at best. Their superiors behave more like children and bullies in a schoolyard power struggle than as civic professionals with common goals of unity and community enhancement.

How many movies have you seen of ancient Rome, where Caesar is an impossible brute, ignorant, corrupt, and dangerously unpredictable? This fairly describes the current city council. Collectively, they seem to lack the fundamental knowledge to make sound decisions about the issues facing them, but more importantly, the aldermen appear so profoundly intimidated by the process and the players that they are not asking the proper and meaningful questions to become informed. They are spoon-fed information, then turn around and regurgitate it back to the public, right or wrong. Point in case last week with Alderman McGivern, who has positioned himself as the lead man on THF Realty's proposed development of Wal-Mart and Home Depot north of 53rd Street on Elmore Avenue. He heralded financial data only to have to refute it later as erroneous and false information. At what point do such deceptive tactics become red flags to our city leaders? When does it become a matter of personal honor and credibility to insist on accurate information to support projects that are sustainable, without the use of deception? When does this council stand up for honest debate about development projects, or any other

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important community issue, especially those involving our tax dollars? Why, if development is sustainable and good for the community, can't the developers or the council stand in the light and have the debates, produce the studies, quantify and prove projects' merits? Why must the public be shut out, like the recent closing down of "Public With Business?" The timing of that action should also be scrutinized. Could it be that the council orchestrated this to be sure the public didn't hear the information about the likely consequences of THF's proposed development? Or the hardship that moving forward with Jersey Farm Partners' plans would eventually impose on taxpayers? Interestingly, some of the largest development proposals of the decade are conveniently coming forward with very little information being shared with the public about the downside. Even the daily's editorial board continues to issue blanket endorsements with reckless disregard for the potential economic risk that has otherwise been recognized by communities nationwide. Is this a coincidence?

City Attorney Mike Meloy's Unfair, Possibly Illegal Termination

City staff appears to be in an untenable position because the council has the authority to threaten staff members. This was acutely demonstrated by the recent termination of city attorney Mike Meloy. Aldermen Moritz, Sherwood and Brown, who have been in office for less than 15 months, were able to orchestrate the dismissal of a 22-year employee of the city without any due process or notice to Mike Meloy that his job was even in jeopardy. Alderman Brown openly admitted that he had no evidence for his position that Meloy was a problem in the legal department, but he was determined to support terminating him, regardless of whether he knew the facts. This is a clear and shockingly unabashed abuse of political power.

I have asked several aldermen, who claim they were not part of the conspiracy to dismiss Mike Meloy, to step in and investigate the matter thoroughly. What is being declared as "cause" for his termination appears not to be stacking up. I have specifically asked that aldermen fully investigate the information that is being used to support this termination without divulging or breaching any confidentiality policy as it relates to personnel. Mike Meloy's years of service deserve such an investigation, precisely because of the disturbing lack of any proper procedure. Otherwise, it is purely prejudicial and, therefore, indefensible as "just cause." The "information" that acting administrator Kent Kolway "reviewed" is profoundly suspect, especially as it relates to personnel activity throughout the legal department and city hall in general. It is unreasonable to expect Kolway, who is temporarily filling the city administrator position, to have complete and full knowledge of the pertinent circumstances, therefore he is at the mercy of the aldermen who have claimed the action warranted, and who have also held department head John Martin hostage to this action as part and parcel to his own job. All the more reason, with this blackest of political clouds enveloping Meloy's termination, to question what possible justification could exist for the subsequent shabby treatment of Mike Meloy and the way in which he was dismissed?

In the city's own "Administrative Policy," Section 3.2 states that "a meeting should be scheduled between the Department Director and the employee to advise the employee that disciplinary action is being considered, to present the employee with reasons for the disciplinary action, and to provide the employee an opportunity to present a defense, explanation, or mitigating circumstances." The policy further states that the employee is entitled to legal

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representation. No such meeting took place in Mike Meloy's case, with no consideration of any defense he might present on his own behalf. Certainly other employees were provided this basic due process. In fact there are several recent examples of far worse conduct being granted such protocol, where the employee did not lose his/her job and was indeed provided remedies.

In Mike Meloy's case, he was abruptly removed from his office, and the locks were changed to prevent his entry prior to being notified that he had been terminated. What kind of a message does this send to the other 800-plus personnel at city hall? Many in the public, who know and have worked with Mike Meloy, believe that he was terminated for political reasons. We are convinced there is a large, smelly rat in the woodpile, and we won't rest until we have forced it out.

More importantly, any alleged "cause" by Mike Meloy's superiors should have initiated a due process for remedy before the harsh act of termination was imposed. He should have been given a warning, several if we go by state standards, and a chance to correct things. The politicization of Mike Meloy's dismissal becomes obvious through the glaring lack of such a process, or procedural "progressive discipline," as the city's formal process is called—a process that many others at city hall were entitled to. Why not Mike Meloy, who had 22 years of dedicated service without so much as a reprimand? No excuse for the vindictive manipulation of a man's career, with a spotless two-decade-plus record of exemplary performance, should be tolerated for another minute.

Abuse of Power in City Hall

Let's examine the larger picture in the context of what Mike Meloy achieved for the City of Davenport. As city attorney, his responsibilities included defending major lawsuits against the city involving personal injury, discrimination suits, federal claims, city council actions, and police officer conduct. He was also engaged in appellate work, legal opinions, and provided legal counsel to the Davenport Zoning Board of Adjustment, the Plan & Zone Commission, and the city's Historic Preservation Commission. His more recent contributions relative to major lawsuits against the city include CURV v. Davenport City Council (district court found in the city's favor); Revolution Billboard v. City Zoning Board (district court ruled in city's favor, appeal by Revolution pending in Iowa Supreme Court); Elmore and 53rd Street Public Improvements Threatened Litigation where attorney Meloy negotiated improvements on the city's behalf to be done by Davies Development Group, now the responsibility of THF Realty. He also represented Davenport Police Officers in three separate cases, where the court ruled in favor of one, a settlement was reached in another, and the third is set for trial in April. Where in the disciplinary equation were these accomplishments considered? In fact, they were summarily ignored.

Mike Meloy's ordeal is a far greater issue than that of a solitary man losing his job. This is the purest example of corrupt politics and abuse of power within city hall. He was the sacrificial lamb, so to speak, of power-hungry, manipulative aldermen who play these games with people's lives simply because they can. Nothing less than full reinstatement of his position with a formal apology clearing his good name from the entire city council, most specifically from Aldermen Moritz, Sherwood, and Brown, and as an act of good faith from acting city administrator Kolway and corporate counsel John Martin, is acceptable to repair this destructive

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action.

The public cannot sit by and allow this. We must stand up for what is right. If we allow these three aldermen to perpetrate their evil on a young man who has served the city of Davenport for 22 years with a spotless record, who has a wife and three young children to care for, then we are no better than they because WE, THE TAXPAYERS, are these aldermen's supervisors and bosses. We have the final authority to demand accountability from them. Now is the time to act! Consider that the entire city staff is at these people's mercy. Who is next? Is it any wonder that many at city hall operate in an atmosphere of fear and mistrust when a handful of spiteful elected officials can so casually decimate one of their own peer's unblemished 22-year-long career and malign his reputation in the process?

If you believe this is wrong, and you want to ensure a fair process for all employees who serve the taxpayers, please call your aldermen, or write to them at city hall. Ask them to enter your objection into the record so there can be no denial of your complaint. Two of the three commissions that Mike Meloy served as city counsel, the Davenport Zoning Board of Adjustment and The Historic Preservation Commission, have already entered resolutions of testimony to his exemplary conduct and professional demeanor and honesty as their attorney. Mike Meloy's record speaks for itself. This man was politically shafted, therefore we must not stand silent and allow it to happen.

Finally, shame on the rest of the council for doing nothing to date. For those who are on record as accepting the party line that they are satisfied that there was "cause" for Meloy's dismissal, such submission only further demonstrates the dismal lack of fair play or leadership amongst these individuals. By not demanding satisfaction, this act brings dishonor to the entire council, not just the three stinky perpetrators.