

Traffic Crisis on 53rd Street Corridor

Written by Kathleen McCarthy
Tuesday, 10 April 2001 18:00

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We have a real crisis in Davenport relative to traffic on 53rd Street. Not only is it becoming increasingly unsafe to traverse that sector of town, but the Davenport City Council has every intention of making matters worse. All but one member of the current city council, Alderman Wayne Hean, voted in favor of moving forward with THF Realty's proposed Super Wal-Mart/Home Depot development regardless of the impact on traffic along the 53rd Street corridor. (The eight votes favoring the project do not presently include recently elected Alderman-at-Large Steve Ahrens, so the jury is still out on him and whether he intends to serve or merely follow. Mr. Ahrens was given facts about THF's project that he claimed to be unaware of prior to our interview for the at-large race, so we'll see if vital new information causes him to look deeper.)

THF's paltry \$3.8 million in intersection improvements to better access its own development is hardly considered to be improvements that will help traffic along the 53rd Street corridor. In fact, both the city and THF readily admit the improvements will do nothing to mitigate the problem, only maintain the status quo. In other words, the traffic problem will be maintained at the same dangerous level that it currently is—in all probability much worse. But our elected officials don't want to tell the public about that potential because then citizens may strenuously object. Rather, the aldermen are choosing to close their eyes, ears, and lips on the subject by voting almost unanimously to move forward with the project knowing full well that they are creating far worse circumstances than already exist.

This council's consistent lack of leadership is only further demonstrated by their feeble attempts to request (rather than demand) additional information from the developer as to impact studies relative to proposed developments. The normal protocol would be to create policy that insists on such information before a development proposal ever comes before Plan and Zoning, let alone the full council for approval. This would require a Plan and Zoning Commission competent to oversee such data, to understand, digest and disseminate information intelligently—a condition sorely lacking on the present commission, evidenced by projects coming out of P&Z without the work being done. Development projects move forward based on the minimum of standards and this must stop. There are two seats on the P&Z Commission being vacated in the near future. If there are citizens who are willing to take the time to

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research, investigate, ask the hard questions of those coming before them, then this is a very important committee to belong to. The public desperately needs citizens without personal agendas who want to see the community develop in a positive, sustainable manner to come forward and volunteer for these positions.

What we don't need are citizens who use their own children to unduly influence political matters. Just last week, a citizen brought his young child (5 or 6 years old by appearances) to sit through several hours of a Davenport council meeting while holding up a sign protesting a zoning petition near his neighborhood. Why on earth didn't the parent sit there and hold the sign? Why must the toddler be subjected to such an exercise? It was without a doubt the most disgraceful political exploitation of a child that I have seen. What could this parent be thinking? Shame on him and shame on the council for tolerating it. But tolerate it they did as they sat there preening and encouraging the poor little boy. This council has clearly lost it. In terms of professionalism, especially where citizen Niky Bowles is concerned, they have sunk to a new low. Their obvious prejudice relative to her particular zoning request is getting so far out of hand that children are allowed to languish in chamber seats to further their cause against this woman and her family. It was hard to imagine things getting any worse than they were with Alderman Sherwood at the Community Development helm, but they have. These elected officials wouldn't know proper protocol if it got up and bit them. So the menagerie continues at the expense of anything remotely resembling professionalism.

The Cost of Irresponsibility to Taxpayers

Last week, the City of Davenport lost a lawsuit in District Court to the tune of \$500,000. The suit was brought against the City and the Davenport Police Department by a resident who was struck broadside by a policeman speeding up Brady Street without emergency lights or siren on. The lead attorney on this case since 1999 was former city attorney Mike Meloy. So, not only did corporate counsel John Martin and acting city administrator Kent Kolway abruptly fire Mike Meloy without due process, they did so just four weeks before one of the most potentially costly lawsuits ever facing Davenport. The result is that we taxpayers will now have to pay a half million dollars because we basically had no representation for the city in that trial.

About halfway through the suit, the city hired outside counsel to represent the police officer because there appeared to be a conflict of interest between the city and the officer. Attorney Mike Meloy uncovered a discrepancy in the way that the evidence was being interpreted by the police department that could have meant a significant difference in potential damages that the city might have been liable for. As a result, they hired outside co-counsel for the police officer.

This means that after Meloy was let go, the lion's share of the trial was handled by outside co-counsel on behalf of the police officer, with no one seriously looking out for the city (translation: the taxpayers). For that, Mr. Martin should be held thoroughly accountable. This is not to cast aspersions on City Attorney Tom Warner, who replaced Meloy in court and was handed the case just four weeks before the trial. It is unreasonable to expect him to successfully litigate one of the largest lawsuits to ever face the city, one that has two years of extensive research behind it by a senior litigation attorney, who was unceremoniously let go under a heavy veil of suspicious conduct on the part of Aldermen Sherwood, Moritz, Brown and

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Englemann. So why didn't Corporate Counsel Martin step in on behalf of the city to litigate for the taxpayers? Is he not competent to try a lawsuit? Why would the city fire its senior litigation attorney shortly before trial and risk losing a million dollars in court? The jury's verdict was actually in favor of the plaintiff for \$1 million dollars, with fault assessed at 50% to each party, which means taxpayers will now have to pay \$500,000 of the \$1 million judgment.

Hello? So far, Kolway and Martin's decision to terminate Mike Meloy has cost taxpayers at least \$500,000, one of the largest judgments ever levied against the City of Davenport. For this alone, heads should roll! It dramatically highlights the irresponsibility with which Meloy's termination was executed. Putting aside the egregious immorality of the action, where is the accountability for the devastating financial impact of losing this recent lawsuit, arguably a direct result of letting Mike Meloy go so abruptly without any prudence whatsoever? When is enough enough?