

Yakima Herald-Republic

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The politically motivated attempt to recall Yakima City Councilman Rick Ensey has run its course.

Yakima County Superior Court Judge Michael McCarthy on Monday turned down a petition by two Democratic Party activists seeking a recall vote on Ensey. In their court filing, the two petitioners argued Ensey had helped to orchestrate a change in the city's budget-writing process earlier this year through a secret, behind-the-scenes e-mail campaign with fellow council members.

While the e-mails by Ensey and Councilwoman Kathy Coffey may have shown a concerted effort to line up votes for the change in the city's budget policies, the judge concluded the evidence presented in court failed to show an actual meeting or an e-mail chain had taken place involving a quorum of council members.

For that reason, the judge said he could not sanction a recall of Ensey.

We are not surprised by McCarthy's ruling. We have already referred to the recall petition as a thinly veiled attempt by the local Democratic Party to unseat Ensey, who in 2007 defeated Ron Bonlender, a former councilman and longtime Democratic leader. The fact that Coffey was not included in the recall petition further underscored the political motivations behind the filing.

However, this does not excuse what happened.

In his ruling Monday, the judge clearly didn't want to characterize Ensey's actions.

"It is not the court's role to decide whether Mr. Ensey is a saint or a sinner or whether his actions were clever or deceitful," McCarthy stated.

While it may not be the court's role, we have no problem describing Ensey's actions. They were clumsy and culpable, and demonstrated clear intent to engineer passage of an important policy out of the public eye.

Ensey sought, through the assistance of Coffey and the counsel of Bruce Smith, publisher of the Yakima Valley Business Times, to corral four votes and ram through the Priorities of Government policy in a show of force. Ensey got that wish in April when the policy won with four yes votes and no debate. This disregard for the public process so infuriated Councilman Neil McClure that he resigned his position on the spot.

Ensey's insistence that he did not violate the state's Open Public Meetings Act doesn't jibe with our understanding of the law. His e-mail messages demonstrated a clear desire to circumvent the

public process and line up a plurality of votes without the benefit of discussion and critical analysis.

"I want to make sure that we go in with an agreed-upon motion and an agreed-upon defense of the motion," Ensey wrote in an e-mail to Smith and Coffey two days before he made the motion to change the city's long-established budget process.

At least Coffey has apologized for her indiscretions. Ensey has so far refused.

But it is time to close the book on this matter. Enough has been spent on legal fees. We hope the two petitioners in this recall effort also come to this same conclusion and don't appeal the case to a higher court.

We are encouraged by the City Council's recent adoption of a Code of Ethics. We look forward to seeing evidence of this heightened awareness of civic responsibility on a daily basis. Allowing the public to view the decision-making process at all stages is not only a nice sentiment -- it's the law.

** Members of the Yakima Herald-Republic editorial board are Michael Shepard, Bob Crider, Spencer Hatton and Karen Troianello.*