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Commission takes steps to extend ordinance aimed at Scientologists

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CLEARWATER — The City Commission moved Thursday night to extend the life of an emergency ordinance aimed at the Church of Scientology. It is the same ordinance that a federal court order is preventing the city from enforcing while the ordinance's constitutionality is being challenged by the church.

The ordinance, which regulates the way nonprofit groups raise money, was passed March 15. Because of its emergency status, it is scheduled to expire in June, 90 days after it was passed. The commission agreed on first reading Thursday to extend it but will have to approve it again before it will be considered a standard law with no expiration date.

John Blakely, a Clearwater attorney hired by the city to represent it in court cases challenging the ordinance, attended the commission meeting and offered to answer any questions the commissioners had.

There weren't any.

"I THINK WE'VE discussed it enough," Commissioner Rita Garvey said.

The ordinance was approved 4-1, with Commissioner Jim Berfield dissenting, and Blakely was able to leave for another meeting just minutes after he arrived.

The commission passed the emergency ordinance two weeks before U.S. District Judge Elizabeth Kovachevich ruled that the city's original charitable solicitation ordinance was unconstitutional. The city is appealing that decision.

On April 21, the Church of Scientology challenged the new ordinance, contending that it is also unconstitutional. Kovachevich issued a temporary restraining order prohibiting the city from enforcing the law.

IN OTHER ACTION Thursday, the commission:

✓ Unanimously rejected a sales proposal submitted by Dr. Gilbert Jannelli, who owns land on Cleveland Street the city wants as the site for a nine-story office building.

The informal commission decision means that the city will proceed with condemning the property so that it can then sell it to JK Financial Corp. of St. Petersburg for \$650,000. JK and the city agreed on that price, but Jannelli is asking \$950,000 in one payment or \$1.025-million over four years.

✓ Authorized city officials to pursue purchasing nearly 9,000 street lights, now owned by Florida Power Corp., for \$3.7-million. The project would be financed by issuing bonds that would be repaid over 15 years.

A report by John Petty, the city's energy officer, says the city's annual charges for renting and maintaining the lights owned by Florida Power has increased 62 percent in the past five years. And a rate increase now proposed by Florida Power would drive up the costs another 26 percent.

For the 8,971 street lights and poles it wants to buy, the city now pays \$427,117 a year in rental fees to Florida Power.

By buying the lights, Petty estimates, the city will save \$1.7-million during the next 15 years while the bonds are being paid off, and up to \$1-million a year after that.

City officials estimate it would take about a year to complete the program, which calls for changing 6,934 of the lights from mercury vapor to more efficient sodium vapor.

✓ Approved a plan presented by the Clearwater Beach Association to fill the medians on the Memorial Causeway with bright flowers and trees.

The group expects the project to cost about \$100,000 and plans to seek contributions from business and civic groups to pay for the plan. Residents who wish to donate money may send it to City Hall in care of The Memorial Causeway Fund.