

YOUR LOCAL NEWSPAPER

# Clearwater Sun

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## A suggestion with no base

THE IDEA of the Clearwater city government's possible use of eminent domain to fight Scientology was raised in the January 1980 city commission election campaign by incumbent Richard Tenney and fellow candidate Jim Gray.

Both men, in their attempt to draw attention and votes, banded the term "eminent domain" about as if it were a parking ticket, frequently used and uncomplicated in nature.

Eminent domain is a government's right to force the sale of private property if there is a public necessity.

The city must pass an ordinance and a resolution, and then file a lawsuit in circuit court to condemn the property.

A judge decides whether the city has a right to the property, and a jury determines how much the property owner should be paid.

main cannot lawfully be used for political purposes. What must be demonstrated by a city government is a bona fide need.

A long and probably expensive study of the city's office space requirements would have to be carried out.

And heaven help the city commission if, in the course of such a study, it could be proved that the Scientologists were being targeted by the study.

The Scientologists, who love to sue, would then come roaring back with an accusation that city hall was improperly using its powers in an attempt to get rid of the cult.

If the cult proved its case, the amount of damages it might collect would put the city's treasury so far in the red it would look like the federal budget.

THIS WEEK Tenney and his business associate Alex Cornell revived the eminent domain notion.

Speaking on behalf of their anti-cult group, Save Sparking Clearwater, Tenney and Cornell launched a petition drive urging a centralized city hall in downtown Clearwater.

On its face, the petition is bland. After all, many persons would like to see one large city building that could bring together municipal offices now scattered far and wide.

But Tenney and Cornell urge that the city consider using eminent domain as a justification for taking over the only building in the downtown area that suggests itself as a suitable structure for a consolidated city hall.

That building is the former Fort Harrison hotel, home of the Scientologists.

What Tenney and Cornell are NOT telling their followers is that the eminent domain road, even if it did lead to a purchase of the Fort Harrison, is loaded with pitfalls and dynamite.

First of all, eminent do-

BY LIFTING the banner of eminent domain for their followers to salute, Tenney and Cornell are probably setting people up for a cruel disappointment.

In fact, by pointing their eminent domain movement directly at the Fort Harrison, the two anti-Scientologists are almost certainly guaranteeing that the Fort Harrison (or any other Scientology-owned structure) would be the last place the city commission would try to acquire.

By their espousal of eminent domain as a weapon against the cult, Tenney and Cornell are giving their latest idea its own kiss of death.

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A postscript: a reasonable, logical date for a referendum vote on the Fort Harrison acquisition might be next February's city elections.

If Tenney ran for mayor, his candidacy plus the eminent domain issue would make a formidable one-two punch for him to use against his opponent.

All these angles should be kept in mind by the city commission.