

Local political activist criticizes Carrboro Community Coalition

By JOHN CONWAY
Staff Writer

Students living in Carrboro, as well as permanent residents, are being deceived by the Carrboro Community Coalition, despite a mandate by voters in the November 1981 local election for more "open government" in Carrboro. These were the sentiments of Carrboro political activist Roger Messer as he called for "politics of compromise" to solve representation problems in the local government.

Messer, 32, was unsuccessful in his bid for mayor of Carrboro last year against incumbent Mayor Robert Drakeford. In that election, Messer carried 35.6 percent of the vote to Drakeford's 48.6 percent. A third candidate, William Pressley, gathered 15.8 percent of the vote.

However, Messer said his comments about the coalition were not spurred by bitterness over his defeat in the election. Messer said he expressed jubilation at the results of the election because several coalition members were voted out of office and their stronghold on Carrboro government was reduced.

Membership on the six-member Board of Aldermen is split between the coalition faction and those members supported by the Association for a Better Carrboro. Before last year's election, five of the six seats were held by coalition members. Mayor Drakeford also is supported by the coalition.

The coalition still exercises strong control of the Carrboro government, Messer said. Prior to last year's election, the Board of Aldermen was appointing only coalition members to the Orange Water and Sewage Authority board instead of citizens at large. It is this type of action which demonstrates the coalition's desire to control politics in Carrboro, Messer said.

Messer, once a member of the coalition, said he left the organization when he realized that it was becoming static, resisting the desire for input and progress by most town residents and students.

"The idea is to be progressive," he said, "allowing as much participation as possible." Messer said that the coalition, when first organized, held liberal beliefs; its goal was to improve the quality of life in Carrboro and raise the standards of the status quo. But current actions of the coalition indicate a more conservative view on the role of government. Messer said the coalition is now pushing for tax cuts.

Messer acknowledged some positive

actions of local government, such as the bike paths. But he said these progressive changes took too long.

Messer cited the battle to locate a Wendy's in Carrboro as an example of the coalition's resistance to progress. He also said the coalition was deceiving the students by not taking enough active interest in them.

Before the November 1981 elections, Messer said local government was less representative of the residents than it is now.

"It wasn't open government in Carrboro," he said. "They (Coalition) were pitting one group against another." The students were pitted against the permanent residents, especially on the decision of whether to extend the bus route to Carrboro, Messer said. Students were strongly in favor of the proposal while long-term residents doubted that such an extension of services would receive much use.

Messer takes legal actions against town

By JOHN CONWAY
Staff Writer

A proposal dating back to 1978 to develop solar condominiums on a parcel of land just outside the Chapel Hill corporate limits has not only been the subject of controversy but has sparked a complex web of law suits between the town and local developer Roger Messer.

Since 1978, Messer has taken five separate legal actions against the town and individual council members which have been consolidated into three cases, said Cletus Lyman, Messer's attorney.

The legal actions stem from a proposal by Messer in 1978 to develop a parcel of land off Parker Road in an area called Laurel Hills. In 1980, Messer proposed a 41-subdivision solar condominium project named Laurel Hills IV. Conflict developed when the Chapel Hill Town Council looked at Messer's proposal and required that he relocate open space in the northeast corner of his lot. This action was to provide land for a planned public park for 5,000 residents of the Morgan Creek subcommunity nearby, Lyman said.

Messer and his attorney contended that the town, by requiring this particular open space, was in violation of the subdivision ordinance. Lyman said that according to the ordinance, the use of open space was for use by people in the subdivision, not by residents of a neighboring area. A suit was filed against the town in Orange County Superior Court, and in February 1981, Judge Gordon Battle made a split decision. Battle ruled that the "town had exceeded its authority to deed this space to the town, but the town has authority to require the relocation of open space," Lyman said.

Chapel Hill Planning Director Mike Jennings said the town had won the decision because Battle upheld the town's right to relocate the parcel and dedicate it to the town.

Lyman said that Messer is appealing the decision to the North Carolina Court of Appeals, where the case is still pending.

Messer said he was particularly upset with a remark by coalition and Board of Aldermen member Steve Rose which appeared in *The Daily Tar Heel* ("Advisory board needs participants," *DTH*, Nov. 3). Rose said that an anti-student sentiment had developed in the town and that students were "expected to simply rent an apartment and shut up."

Messer said he believed this was another attempt by the coalition to pit students against permanent residents. He said that he had not encountered any hostility against the students and would like to find where it existed, if it did.

"Politics of compromise" will help restore proper balance between liberalism and conservatism in Carrboro government, he said. Control needs to be decentralized and placed in the hands of more diverse groups of the population. This has been the "natural progression of government throughout history," Messer said.



Roger Messer

In addition to his bid for mayor in 1981, Messer has held many posts on committees and advisory boards during his six years of residency in Carrboro. He was chairman of the Appearance Commission, a member of the Downtown Redevelopment Commission, the Mayor's Task Force for Industrial Development and the Zoning Rewrite Committee.

Prior to the Laurel Hills IV proposal in 1980, Messer proposed Laurel Hills V in 1978. Instead of a condominium subdivision project, Laurel Hills V was a housing development which both Messer and town officials agreed was more desirable and suitable for the terrain.

In the summer of 1979, Messer also applied for the subdivision of the land, seeing that there was a possibility the council might reject the housing development.

Both the proposal for the housing project and the subdivisions came before the town council at the same time. The housing project was approved, but with two conditions that Messer said he could not meet.

The council required that adequate provisions be made for fire protection, which would require redistricting, and that improvements be made to Parker Road, a street which passes near the proposed site.

The town council subsequently denied the subdivision of the land on the basis that it had approved the housing project.

Not being able to develop the land by either means, Messer again took the town to court. Messer appealed both council decisions in Orange County Superior Court. On Sept. 30, 1981, Judge Battle ruled in favor of Messer on both points.

The council denied the housing project but approved the subdivision on the condition that Parker Road be improved to provide adequate access. Messer felt this condition was too expensive, Lyman said.

The matter once again returned to the courts where on Aug. 6, 1982, Judge Gordon Battle ruled that the cost for improvements to Parker Road was too expensive. He ordered the town to approve the special use permit for the subdivision.

The Town of Chapel Hill has filed an appeal with the North Carolina Court of Appeals.

A civil legal suit is also pending in the U.S. District Court in Greensboro. Messer is seeking damages on the basis of his civil rights of property use being denied by the Chapel Hill Town Council.

cooking From page 1

because he was waiting for Donald Boulton, vice chancellor for student affairs, to get in touch with the insurance commission before proceeding with the study.

That step was necessary for the working of the task force because "it would require the support of student affairs" in order to be taken seriously, Vandenberg said.

Templeton said that he was disappointed that the Student Government task force had taken no action, but hoped it would begin to try getting some appliances off of the prohibited list, such as popcorn poppers and hot plates. He said that black students had informed the RHA that hot plates also were used for straightening hair.

Student Government is the only group advocating student interests, Vandenberg said. He criticized RHA's position on the issues. Throughout the semester, RHA had been working on developing an enforcement policy to be implemented in the spring rather than advocating alternatives, Vandenberg said.

"I think it (RHA) seriously damaged Student Government's efforts to improve the policy," he said.

Templeton said that criticism of RHA was "unjustified." The enforcement proposal was completed on Sept. 20, he said, leaving the remainder of the semester to study the policy.

"Since the 20th of September, we have said we were more than willing to look into changes in the policy."

RHA has been representing what it felt students thought on the issue, Templeton said.

"Once students were informed of the reasoning behind the policy, the majority of students were supportive," he said. "You don't have to like something to understand it."

Templeton added that RHA representatives had been working with the University administration on the issue since last spring, but that Student Government had declined to participate in discussions.

"It bothers me a little that they choose not to (participate) when given an opportunity," he said.

Templeton said that it was still possible to get revisions in the policy, hopefully through the work of the task force.

"The opportunity is there," he said. "I think it's up to Mike to start up the task force. That has shown itself for another opportunity for RHA and Student Government to work together."

Harpster said that he hoped that the task force would begin reviewing the list of prohibited appliances in the policy.

"I think that the potential is always there for revision of that list," he said.

Vandenberg said he had hoped the administration would have either postponed Tuesday's decision or encouraged the task force to begin reviewing the policy.

He added that efforts to change the policy next semester looked grim.

"I think it will be difficult to change it after it's been implemented," he said.

Draggan From page 1

New York. Regardless of what city he is in, Mihailovich is constantly working on his material for the broadcast. While most of us are sound asleep on Saturday mornings, Mihailovich is up and working on his notes for the pre-game show.

"In the pre-game show you have to organize your thoughts or you will be groping for words during the broadcast," he said.

His preparations for football Saturdays actually begin on Tuesdays with Coach Dick Crum's press conference. The work continues through the week with Mihailovich somehow finding time for school as well. But doing his football homework pays off as the pre-game show flows free of problems. His other responsibilities include the half-time and post-game shows.

During the game, Mihailovich's style comes alive. His concise insights have allowed listeners to "see" much more of the game. Durham echoes this impression.

"Draggan has seen things and made good judgements in the broadcast," he said. Mihailovich concentrates on pleasing the "average fan," not the "football expert."

Mihailovich acknowledges the extra responsibility and feels that the broadcasting has "really helped me mature. In that respect it has added to my college experience; I don't think I would have matured as quickly if I was only a student," he said. But he modestly fails to mention that he is the youngest football color man in the ACC, perhaps in the Southeast. Mihailovich looks at his career quite simply.

"I am just another student who happens to have an out-of-the-ordinary occupation on Saturday afternoons."

snack From page 1

Southerland stressed that the process of bringing hot food to South Campus would be trial and error and on a temporary basis.

"It will be trial and error on estimating the number of people we will serve," he said. "We'll probably estimate high so we don't run out of food."

"Also, it is not going to be as good as going downtown or going to the Pine Room," Southerland said. Styrofoam trays will be used, allowing students to take their meals to their rooms if they wish, but the food service also plans to add to the atmosphere of the two snackbars by painting and adding plants.

CGC From page 1

But Vandenberg vetoed the bill immediately after the meeting, citing that "the financial burden for developing proper accounting procedures should be borne in large part by the organization benefiting from those procedures."

The bill could have spent up to \$5,000 for the study by the accounting firm of Burnstein and Landis.

The CGC also approved a subsequent requisition to the Student Consumer Action Union so that the organization, along with the Residence Hall Association, can print 6,000 copies of a book outlining the new dormitory cooking policy and providing suggestions for the purchase and use of allowed cooking appliances.

Law suit pending in 1981 mall accident

By PETE AUSTIN
Staff Writer

A trial began in Hillsborough Wednesday involving a \$1.4 million law suit against the sponsors of the Budweiser Clydesdale horse show that took place at University Mall in February 1981.

William Guthrie Kilpatrick of Chapel Hill and Daniel G. Badgett of Durham, the fathers of two children who were struck by a car at the show, are suing for \$1 million and \$400,000 in damages respectively.

The families claim that their children, Christopher Kilpatrick and Lance Badgett, needed extensive hospitalization, surgery and physical therapy because of injuries. Christopher also needed psychological counseling, the Kilpatricks claim.

Suit has been filed against the University Mall Shopping Center, Anheuser-Busch, Provident Life and Accident Insurance Co., the University Mall Merchants Association, North Hills Inc., and Harris Inc., a Durham-based beer distributor. The defendants are charged with not providing safe conditions at the event.

Police reports state that on Feb. 25, 1981, Mildred Cox drove her car into the horse show, injuring eight people and two horses. No suits have been filed against Cox, who was acquitted of any fault since investigation of her car revealed that her accelerator apparently stuck.

After two days of interrogation, 10 men and two women were chosen Tuesday to serve on the jury. Five of the jurors are from Chapel Hill.

Judge Giles R. Clark of the Superior Civil Court in Hillsborough said the case could last up to two weeks.

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All members of *The Daily Tar Heel* arts staff must attend a meeting Friday at 4:30 p.m. in the *DTH* office. If you cannot attend, notify Leah by calling 962-0245.

Put Your View On The Back Page Of The Daily Tar Heel.
see Gelarah Asayesh about columns and column ideas

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