

# The Daily Tar Heel

**INSIDE WEDNESDAY**  
AUGUST 21, 1996



## 'Top' notch brew

Chapel Hill's longest-awaited eatery will open Aug. 31 — finally. *Page 8*



## A woman of stature

A bust of Sonja Haynes Stone has been missing from the BCC but will soon be replaced. *Page 9*



## 'Carolina Blue' Olympic Summer

Twenty-eight UNC-affiliated athletes competed in Atlanta. *Page B1*

## Today's Weather

Sunny, high 80s.  
Thursday, Sunny, high 80s.

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News/Features/Arts/Sports: 963-0245  
Business/Advertising: 963-1163  
Volume 104, Issue 52  
Chapel Hill, North Carolina  
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# UNC settles with press, opens some meetings

■ The settlement will open certain committee meetings at UNC-system schools.

BY JAMIE GRISWOLD  
UNIVERSITY EDITOR

After banging for more than a year, the doors finally swung open.

The University agreed in late July to open committee meetings to the public, ending a long-running dispute with The Daily Tar Heel and other members of the N.C. Press Association over the application of the N.C. Open Meetings Law to committees within the UNC-system.

"We were able to arrive at an agreement that we could both live with with-

out going through the expense and distraction of a lawsuit," said Hugh Stevens, an N.C. Press Association attorney.

The revised open meetings guidelines will open Faculty Council committee meetings, institutional grievance committee meetings and meetings of all chancellor's advisory committees established "to make collective findings or recommendations for action."

Meetings of the chancellor's administrative cabinet, which consists solely of his administrative colleagues, and meetings of school or departmental committees will remain closed under the new guidelines.

Jane Brown, Faculty Council chairwoman, said having the media present at meetings might inhibit some committee members, but as a journalism professor

she understood the reason for the law.

"I'm willing to work with it in the interest of our being a public university and being as open as possible," she said.

The issue of opening faculty meetings came to a head in the summer of 1995 when the DTH asked Chancellor Michael Hooker to open many of the University's faculty committee meetings to the public. The request focused on the University's legal interpretation of revisions made to the N.C. Open Meetings Law in 1993.

The amended Open Meetings Law states that "each official meeting of a public body shall be open to the public, and any person is entitled to attend such a meeting."

Stevens said members of the N.C. Press Association advised the University of

their intention to file a lawsuit if a resolution could not be reached.

He said the Board of Governors initially was not interested in discussing the issue, but a negotiating committee was eventually formed.

"After a couple of meetings, we came fairly quickly to a broad outline of an agreement that we thought might resolve it," he said.

Stevens said committee members exchanged several drafts of the resolution but were slowed over the summer months as negotiators on both sides went on vacation. A mutual agreement was finally reached in late July. UNC-system President C.D. Spangler issued an administrative memo outlining the new amended law on Aug. 9.

Stevens said the revised open meet-

ings guidelines would increase the accountability of faculty committees.

"I think they should, and hope they will, result in a significant change in the general atmosphere in regard to some of the most important committees at the University," Stevens said. "I expect the people who have become accustomed to closed meetings will be reluctant and may try to resist (the changes). I hope they can overcome that and realize that these new guidelines help with their accountability."

DTH Editor Jeanne Fugate said the newspaper was planning to cover the committee meetings now that they have been opened.

"We are very excited about the opportunity to cover these meetings," she said. **SEE OPEN MEETINGS, PAGE 10A**

# Students charged in blaze

■ Two fraternity members will plead not guilty to a weekend couch fire.

BY DAVE SNELL  
STAFF WRITER

Two Kappa Alpha fraternity brothers accused of setting a couch on fire in front of the burned-out Phi Gamma Delta fraternity house early Saturday morning will plead not guilty to the charges brought against them.

Colin Campbell Clode, 21, and Charles Allen Davis III, 21, are charged with willful or malicious burning of property using an incendiary device, a Class G felony, and misdemeanor larceny, police reports stated.

Davis' lawyer, Mark Bibbs, said the larceny charge was invalid because the couch was the personal property of one of the defendants and not of Kappa Alpha fraternity.

"You cannot be convicted of larceny for taking your own property," he said.

The fire was not a felony, Bibbs said, because the law states the fire must be started using an incendiary device, such as an explosive or torch. The defendants used newspaper and matches, which are not incendiary devices, to set the fire, he said.

"North Carolina state law does not provide for the prosecution of a person for burning their own personal property," Bibbs said.

Since the fire occurred off-campus prior to the beginning of the fall semester, Bibbs said he did not foresee any charges being brought against Clode and Davis by the University.

"Any type of charges would be more or less a reaction in an emotionally charged atmosphere," Bibbs said. "University officials want to discourage this type of behavior in the future and I agree ... (but) I don't think this incident should prevent my client from being able to graduate or to attend class."

The couch was set ablaze at about 3:40 a.m. in the middle of West Cameron Avenue near the intersection with Pittsboro Street, a few feet down from the Phi Gamma Delta property. A police officer watched Clode and Davis as they set the sofa on fire, police reports stated.

Clode and Davis were under the influence of alcohol or drugs at the time of their arrest, reports stated.

An earlier fire at the same location

**SEE COUCH, PAGE 7A**

## FIRST STEPS



Sophomores Ian Reynolds and Jeremy Kimmel look over their new schedules while walking on the steps of South Building. A new school year has many students anticipating their classes.

# Professor: more input needed to choose Spangler's successor

BY ERICA BESHEARS  
STATE & NATIONAL EDITOR

Finding a new president for the 16 UNC-system schools by June shouldn't be a mission impossible. However, some leaders are upset about how exclusive the search process could be.

One student, three professors, four chancellors, eight citizens and 29 members of the Board of Governors will be directly involved in determining who will replace C.D. Spangler.

Peter Petschauer of Appalachian State University, chairman of the faculty assembly, said he understood how the process was set up but thought students and faculty needed more representation. "One student is definitely not sufficient under those circumstances," Petschauer said. "The same is true of faculty members."

Four committees will work together to select the president according to state guidelines, said BOG Chairman C.C. Cameron.

The nominating committee — comprised of Cameron, Vice Chairman Benjamin Ruffin, Secretary John Cecil, former Chairman Sam Neill and BOG member Lois Britt — has already begun to meet. It will suggest members for the other three committees at next month's BOG meeting for the board's approval.

"The nominating committee will go out of business immediately," Cameron said. "We are only selecting the participants for each of those committees."

**Spangler to step down in June**  
**See Page 4**

The search committee, or the "parent committee," as Cameron called it, will consist of 13 BOG members. They will interview the applicants. The screening committee, consisting of five to seven BOG members, will screen applications.

The leadership committee will determine what kind of person the state wants in a president. Members will hold five statewide public meetings. Four BOG members, four chancellors, three professors, one student and eight at-large citizens will serve on the committee.

At the Aug. 9 BOG meeting, board members and chancellors received forms asking them which committees, if any, they were interested in. To fill out the three faculty positions on the leadership committee, Cameron has asked Petschauer to give him six names. Petschauer and two of the six names will serve on the leadership committee.

Cameron said UNC senior John Dervin, president of the Association of Student Governments and a non-voting BOG member, would be the student on the leadership committee.

Dervin said he still hoped to serve on the search committee. The association of trustees and the alumni association are providing the committee with names for the at-large positions.

Petschauer said he wished more professors and students could be involved. He also said he thought they should be on the screening and search committees, which have more say in who is selected.

"I fully understand why the board does these things," he said. "As a faculty member, and if I were a student, I have to say, 'Wow, why are we not in there?'"

# Two bars condemned; owners to reopen soon

BY LAURA GODWIN  
CITY EDITOR

Owners of two popular Chapel Hill bars are working hard to reopen their businesses and assure patrons their building is safe after being condemned by the town.

Cheap Shots and Bub O'Malley's have been closed for two weeks since the town building inspector found their building was not up to code. The building, located at 157 Rosemary St., was condemned after town building inspectors noticed a hole in a nonsupporting foundation wall outside of Cheap Shots. The wall eventually collapsed. Town inspectors gave the bar owners a list of repairs relating to the

damaged wall that must be completed before the bars reopen.

Building owner Jimmy Paliouras said the problem began with a tree growing on the property of the Phi Mu sorority house located next to his building. Paliouras said Phi Mu had tried for years to remove the tree but never received permission from the city. The roots of the tree eventually grew under the walls and began to damage the collapsed wall, which was located five feet behind the bars.

"The building needed some work, mostly cosmetic," said Roger Reed of Bub O'Malley's. Reed, who is in the

**SEE BARS, PAGE 4A**

## It's back to school

The Daily Tar Heel welcomes you back to class. We will be printing our papers every day, Monday through Friday, and invite you to keep up on what's going on in this community.

We're also accepting applications for all staff positions, including writers, designers, photographers and the many other key roles in putting out a daily student newspaper.

We will be holding two interest meetings

for students. The first meeting will be **Sunday, from 5:30-6:30 p.m.** in Union 224. The second meeting will be **Monday, from 5:30-6:30 p.m.** in Union 205. Come and hear more about how you can get involved.

The DTH will be accepting applications on a rolling basis until **Aug. 30**, so do not delay. If you have any questions, stop by the DTH office in Suite 104 of the Student Union.

# New high school opens despite ongoing construction

BY TODD DARLING  
STAFF WRITER

Amidst stacks of steel beams and roars of construction machinery, the new East Chapel Hill High School opened its doors Tuesday and welcomed students for the new school year — and to a new campus.

Although much construction remains to be completed, administrators said they felt the opening went well and are optimistic for the upcoming year.

"Things are going very smoothly, but it's a day-to-day thing," Assistant Principal Barbara Stroud said. She said students and faculty must be patient during the building process.

"Nothing is going to come easily," Stroud said.

Principal Dave Thaden said things went well despite the school's unfinished state. He said he anticipated the major construction work would be completed soon.

"The entrance roads and the fence should be finished in two weeks, but the entire campus won't be finished for some time," Thaden said.

Students also thought the opening day at the school went well. Junior Conor Flannery said the first day went without problems.

"Everything went pretty smooth," he said.

Due to the overcrowding of Chapel Hill High School, the majority of the student body is comprised of transfer



Students and workman share ground at East Chapel Hill High School on Tuesday afternoon. The new school has already opened even though it is not yet completed to ease the strain on the current high school.

students from CHHS. ECHHS will only house grades nine through 11 this year to avoid senior transfers. Approximately 40 percent of the school's current student body was transferred to ECHHS.

But overcrowding is already looming over the new school. Although a 500-

student addition will be built, Thaden said the future building is estimated to become overcrowded by the year 2000 due to town growth.

"There are a number of potential housing developments with families moving in and they bring children," he said.

To the students, however, overcrowding was not the main concern on the opening day of school. They said they just wanted things back to normal.

"The school will look better when

**SEE NEW SCHOOL, PAGE 13A**

*Voice mail is the technological upchuck of the age.*

Herb Caen