

The Daily Tar Heel

**INSIDE
TUESDAY**
MARCH 4, 1997



**Pizzeria partner
sells slice of pie**
Pepper's Pizza will not undergo changes after the sale. Page 2



**Please sir, can I
have some more**
Student telemarketers target alumni for fiscal donations. Page 4



**Watching one
slip away**
Three late runs helped UConn clip UNC in baseball. Page 7

**Today's
Weather**
Mostly sunny,
mid 70s
Wednesday, Showers, 68.

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Law students question Nakell's dismissal

BY TERESA KILLIAN
STAFF WRITER

Some School of Law students speculated Monday about Chancellor Michael Hooker's motivations for discharging law professor Barry Nakell.

"The sentiment in the law school is that things were not done as they should have been," said Carrie Meigs, a second-year law student.

"I think that a number of law students have some questions about the way things were handled."

Nakell was suspended in October after being charged with a misdemeanor for shoplifting \$36 worth of items from A Southern Season.

Hooker discharged Nakell from his tenured position Friday, going against the recommendation of a faculty committee.

Mark Nome, a former student of Nakell's who spoke at his hearing, said the issue was very complicated.

Nome said he thought Hooker would have



Former School of Law Professor **BARRY NAKELL**, who was discharged Friday, will file an appeal later this week.

received pressure politically and from the press if he had decided not to discharge Nakell.

The three weeks Hooker took to make the decision after receiving the committee's recommendation reflected the difficulty of the decision, Nome said.

A first-year law student who asked not to be identified said Hooker's decision was good.

"I think it is just applying the law equally," she said. "It is only fair that we hold a professor to the same standards that we expect from students. After all, professors are role models."

She said the law school emphasized the importance of abiding by the law

from the start.

"You can be disbarred for so many things."

But Troy Page, a third-year law student who testified at Nakell's hearing, disagreed.

"From the things I heard at the hearing and from what I know of Professor Nakell, the decision was not in the best interests of the University," Page said.

The anonymous student said she understood that Nakell had mental problems, but she questioned the kind of message not discharging Nakell would send to students.

Nakell's attorney, Daniel Pollitt, said his client suffered from dysthymia, a depressive neurosis.

Nome said mental problems had differing levels of danger.

"I view Professor Nakell's problem as a disability," Nome said.

A first-year law student who asked to remain unidentified said Hooker's decision set a good precedent for faculty expectations.

If you give faculty members too many chances, they will assume they can get away with too much, the student said.

Pollitt, a Kenan professor emeritus in the law school, said he expected to file an appeal when Nakell returned from a trip Friday.

The Board of Trustees will have 45 days to respond.

Rail system gets mixed responses

Local leaders support the mass-transit plan, but disagree on its urgency.

BY DAVID COENEN
STAFF WRITER

The Triangle could be connected by a rail system within 13 years, but area governments don't necessarily share this same connection on the importance of getting the plan under way.

The Triangle Transit Authority introduced a plan last week to connect Raleigh, Durham, Cary and Chapel Hill with a \$450 million rail system.

Some local officials praised the TTA's plan.

"We're delighted, and we want the TTA to do well," Chapel Hill Town Council member Joe Capowski said. "We recognize that mass transit in general is a top priority."

Capowski said the town strongly supported the transit authority's plan because of the traffic congestion and pollution.

Chapel Hill Town Council member Pat Evans said the council wanted to introduce the TTA plan into the N.C. General Assembly.

"This is one of our top priorities," Evans said.

Cary Mayor Koka Booth said the town government supported the proposal.

"In principle, we are solidly behind it," Booth said.

Raleigh City Council member Stacy Miller said the plan made sense for Raleigh economically and environmentally.

"I feel like we're pretty excited about the plan," Miller said. "I'd like to see it go through."

Some Triangle government officials said they liked the plan but didn't put it at the top of their agendas.

Cary Town Council member Bob Godbold said, "I support the plan, but it's not necessarily a top priority."

Cary has already built a train station and depot which has the TTA's support

Realtors face gripes about maintenance

BY KATE HARRISON
STAFF WRITER

Reports that some smoke detectors may have failed to go off during the recent fire at Kingswood Apartments have prompted further questions about maintenance procedures at complexes owned by Triangle Communities realtors.

Many residents of the area Triangle Communities complexes, which include Kingswood, Royal Park, Estes Park, University Lake, Booker Creek Townhouse Apartments and Pinegate Apartments have complained of lost maintenance requests, slow response time and numerous phone calls required to get maintenance workers to their apartments.

Lenise Graber, who lived in Royal Park last year and has since moved to Foxcroft Apartments, said her new complex was much better maintained.

"When we moved in (to Royal Park) we had a leak in the roof," she said. "We called and called, and they looked at it three or four times and even ripped up the ceiling. But at the time we left a year later it still wasn't fixed."

Brooke Small, a graduate student who has lived in Royal Park since

August 1994, said his frustration with maintenance prompted him to take a petition around the complex last year asking residents dissatisfied with maintenance and rent increases to sign.

"I just made a quick run and knocked on every door," he said. "Of the two-thirds who were home, about 80 percent signed the petition."

Small said he told his apartment manager about his complaints and the petition but she said she did not have the authority to change things.

Crystal Sorrell, Royal Park manager, said residents called an individual maintenance number with their requests so she only heard about half of the problems.

"Maintenance has been run out of Durham, but we're working on Chapel Hill on-site maintenance. It's not all there yet, but it should be in place by mid-March," she said, adding that the move was for convenience rather than a response to complaints from Chapel Hill tenants.

Sorrell said she had heard complaints about maintenance from residents but would not comment on them.

Richard Fox, regional manager of Triangle Communities, said the group sent out frequent management ques-



DTH FILE PHOTO

The Feb. 22 fire at Kingswood Apartments destroyed 12 units. After a resident said her smoke alarm didn't go off, residents at Kingswood and complexes owned by the same company revisited various complaints about maintenance.

tionnaires and had gotten fairly positive responses.

"Of course nobody's perfect," he said. "We have reports on occasion of a missed call or one of our men may make a mistake fixing a leaky faucet, but in general the responses were good."

Norman Latva, area service director at Triangle Communities, said maintenance usually got about 30 to 40

requests from the Chapel Hill area each week.

"We try to get out to them in 72 hours," he said, adding that he thought residents were pretty satisfied with the response times.

"I'm not going to say we're 100 percent," Latva said. "Nobody's 100 percent, but if you take your car in to get fixed or have Sears or someone come

out to work on it, it's probably going to take them longer than it takes us."

However, Clarissa Lloyd, a Kingswood Apartments resident, said dissatisfaction with maintenance response time had played a part in her decision to live elsewhere next year.

"Maintenance definitely had some-

SEE APARTMENTS, PAGE 6

Franklin Street revelers cause minimal damage

An estimated 300 to 400 fans flocked to Franklin Street after the Duke game.

BY STEVE MRAZ
STAFF WRITER

Police say the 300 to 400 fans that swarmed Franklin Street after Sunday's basketball victory behaved well.

"The crowd was a good crowd," Chapel Hill police Capt. Tony Oakley said. "We issued no alcohol violations."

Officers closed off Franklin Street from Columbia Avenue to Henderson Street between 6 p.m. and 6:15 p.m. because of the number of fans celebrating Duke's 91-85 loss in UNC's last home game of the season, he said.

Oakley estimated a maximum of 300 to 400 fans stormed Franklin Street, which was cleaned and back to normal by 7:15.

But fans said they still had a good time.

"It was loud, very loud. Everybody was screaming and honking their horns," said Jennifer Arthurs, a junior from Gastonia.

"Everybody was running out in the street and yelling. Toilet paper was hanging from the trees."

"It seemed like we won the ACC Tournament. That's what people were acting like."

Lynn Ward, a junior from San Diego, also celebrated the victory.

"You could see people coming out of

the bars and coming from all over, migrating to Franklin Street," Ward said.

Fans stood around a small fire, burning mostly paper and a piece of wood, on the street in front of NationsBank, yelling out cheers.

"Everybody was chanting 'Wojo (Duke guard Steve Wojciechowski) sucks,'" she said.

Scott Lydon, the night manager for the Intimate Bookshop, said that when he saw flames in the street, the store put up a sign that read "Closed because you're drunk."

Other Franklin Street businesses accepted the masses with open arms.

"We had a lot of people in here having a good time," said Scott Maitland, owner of Top of the Hill. "There were a lot of UNC fans pumped up over the win."

Maitland said his fondest memory of the night involved a couple of crazed fans of Ed Cota.

"After it all died down, these six dudes all covered in blue paint were walking down the road chanting, 'Cota, Cota,'" he said. "They came in and lead a cheer from the balcony."

Jeff Tsipis, owner of BW-3, said his restaurant had to cut people off at the door because it was filled to capacity.

"After the game, people stayed in here and hooted and hollered. We were even busier after the game," he said. "We had to call in extra bartenders."

"Everybody was celebrating. It's typical Carolina when they win a big game."



DTH/JOHN DEEA

After the UNC men's basketball team upset No. 7 Duke, excited fans stormed Franklin Street. Chapel Hill police said property damage was minimal.

Officials mark deadline for Fran debris pickup

BY MEEGAN P. SMITH
STAFF WRITER

The N.C. Department of Transportation will make its final pickup of Hurricane Fran debris Sunday.

Any remnants from the destruction of the September storm should be placed roadside by Orange County residents to ensure efficient pickup by the DOT.

Since the hurricane, cleanup crews have been collecting the debris from around the county.

Orange County maintenance engineer Chuck Edwards said most of the debris had already been picked up.

"So far, we've picked up 113,000 cubic yards. This is vegetative material blown down as a direct result of the hurricane," Edwards said.

"In Orange County alone, we've spent about \$2.2 million (on cleanup)," Edwards said. "The Federal Emergency Management Agency will pick up a large percentage of that (cost). The state will pick up the remainder."

The debris picked up by the DOT is delivered to the landfill located on Eubanks Road in Chapel Hill.

Gayle Wilson, landfill administrator, said Hurricane Fran greatly impacted residents and businesses across the county. "The storm generated more debris than all other storms combined," he said.

But Wilson said the cleanup was surprisingly quick, and that residents responded well to the need for relief work. "They did a marvelous job coor-

dinating collections and pickups," he said.

Wilson said the DOT was currently the largest hauler of vegetative waste.

Edwards said the DOT had been very successful in removing remains of the hurricane destruction from the county.

"I think we've made great progress. The vast majority of the material has been removed and disposed of," he said.

Chris Peterson, public works director for Carrboro, said the expense of the hurricane relief effort placed a burden on the town. "Total costs ... were easily over \$100,000," he said. Peterson said most of Carrboro's expenses will be reimbursed by the state.

Although their mid-February deadline for DOT pickup was earlier than those of other towns, Peterson said most residents had already disposed of most of their debris.

"Since the first of January we just have not seen ... any major storm debris out at the roadside," he said.

Bruce Heflin, Chapel Hill public works director, said estimates of the cleanup's total cost in Chapel Hill were hard to make. However, he said the town had not yet spent all the money allocated from FEMA.

Heflin said the cleanup was taking about as long as he had expected. "We're really at the mercy of the people to bring (the debris) out," he said. "When the weather dries up, we will get more."

Residents who have not yet compiled their storm debris can make deliveries to the landfill directly.

A hand on your cock is more moral — and more fun — than a finger on the trigger.

Lawrence Lipton