

WEATHER
TODAY: Partly cloudy; high mid-50s
THURSDAY: Cloudy; high mid-50s

KING SPEAKS: Author talks of defining black scholars **CAMPUS, page 4**
TAR HEELS SPIKED: Volleyball falls to rival N.C. State **SPORTS, page 5**

ON CAMPUS
Take Back the Night march, educating students about the dangers of walking alone at night, at 7:30 p.m. in the Pit.

The Daily Tar Heel

Serving the students and the University community since 1893

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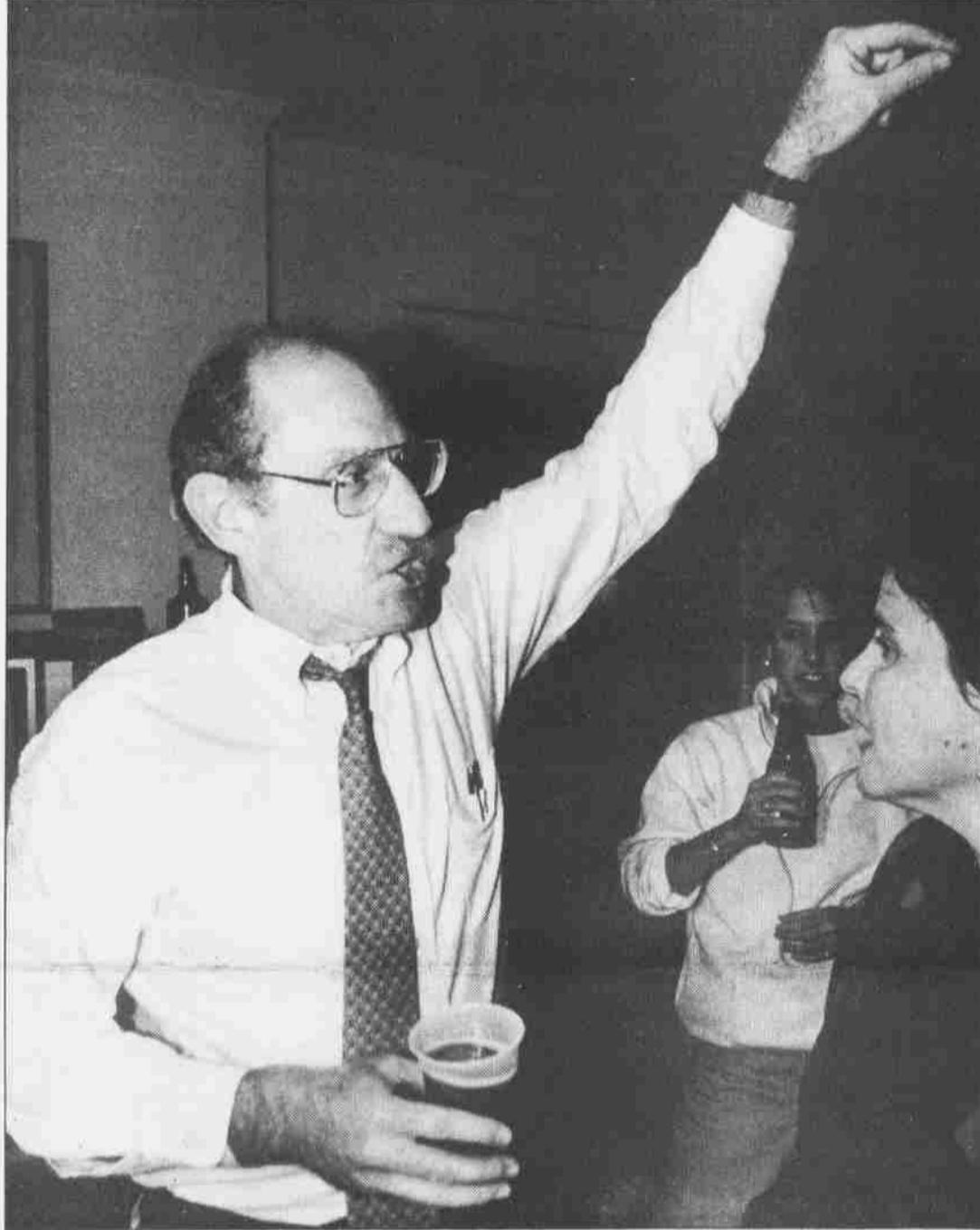
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Broun wins in Chapel Hill mayoral race



Ken Broun thanks supporters at victory party after learning of his win in the Chapel Hill mayoral race

By Amber Nimocks
Assistant City Editor

Chapel Hill voters chose Ken Broun over Tommy Gardner and Rosemary Waldorf to be the next mayor of Chapel Hill, with 49 percent of the vote going to the University law professor.

Waldorf received 40 percent, with 3,061 votes, while Gardner received 903 votes.

Broun, who received 3,992 votes, said at his victory party Tuesday night that he was pleased with the outcome of the election but that he had planned for a tighter race. "Waldorf had a lot of support and started early," he said.

Incumbent Mayor Jonathan Howes opted not to run for a third term.

Broun said he was looking forward to working with University officials. "People in town were concerned about my affiliation with the University," Broun said. "The majority of voters felt I could maintain my independence."

Broun, a former dean of the UNC School of Law, said his election should not be seen as an endorsement of an anti-University agenda. "I am against the South Loop Road and the new park-

Incumbents victorious in Carrboro 3
Student voter turnout helps Chilton 3

ing decks, but that doesn't necessarily mean that I ran on an anti-University platform."

Broun also said his victory could be viewed as a reflection of Chapel Hill residents' feelings about TaxWatch. "I think the majority of citizens have rejected the simple solutions of TaxWatch."

Candidates in both the mayoral and Chapel Hill Town Council races who were supported by TaxWatch lost. Waldorf and Gardner are members of the watchdog group.

Undergraduate and graduate students played a positive role in Broun's campaign, he said. "I got a lot of support from a whole lot of different groups, and I want to thank all the groups who supported me," Broun said.

Present Chapel Hill Town Council member Art Werner, who attended Broun's victory party, said he thought the results were a rejection of TaxWatch.

"I think it's a real kick in the pants for them," Werner said. "It's not so much on the issues as on their lack of civility."

Waldorf said she thought the race

They take guttural approach, personal approaches, and the voters in Chapel Hill aren't going to put up with that."

Harry Gooder, UNC professor of microbiology and former chairman of the faculty, said he thought Broun would represent the concerns of the University and the town.

"Just because Mr. Broun is with the University, one shouldn't automatically assume he will ascribe to a University viewpoint or a town viewpoint," Gooder said. "He obviously has a good understanding of the University's problems."

Gardner wished Broun "all the luck in the world."

"Anything I could do to help him out, I certainly would," he said after learning the election results.

Gardner said he was somewhat surprised at the election's outcome.

Gardner said he did not think Broun's victory was a rejection of TaxWatch. "I think TaxWatch is probably the most misperceived organization in Chapel Hill," Gardner said. "It has a very narrow purpose."

Waldorf said she thought the race

See MAYOR, page 5

Chilton makes history, gains town council seat

Incumbents Herzenberg, Wilkerson, newcomer Capowski finish on top in 12-candidate contest

By Peter Wallsten
City Editor

University senior Mark Chilton made history Tuesday, becoming the youngest person and the second student to be elected to the Chapel Hill Town Council.

Chilton, 21, came in fourth place behind incumbents Joe Herzenberg, Roosevelt Wilkerson and challenger Joe Capowski. Chilton turned 21 Sept. 27, barely reaching the age requirement to sit on the council.

Herzenberg received 17 percent of the vote with 4,803 votes, while Wilkerson grabbed 16 percent of the vote with 4,476 votes. Capowski earned 15 percent of the vote with 4,073 votes, while Chilton received 11 percent with 3,012 votes.

In 1973, UNC political science graduate student Gerry Cohen won a council seat. Cohen, who later lost two mayoral elections, was 23 when he first was elected to the council.

Chilton said he would encourage student participation in town government, but students were already taking the initiative themselves.

Herzenberg



Mark Chilton, left, enjoys historic town council win with campaign supporters

Chilton said the University and town should work together but added that some University policies would have to change.

"I think the University needs to rethink its relation with the town," he said. "UNC is in Chapel Hill and is under the jurisdiction and control of Chapel Hill."

Mary-Dell Chilton, Mark Chilton's mother, said her son's victory was unexpected.

"It never crossed my mind that Mark would become a politician," she said. "I knew he had a lot of environmental concerns. I never dreamed he'd go for such an active application."

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DA to investigate complaints about SHS post-rape services

By Bonnie Rochman
Assistant University Editor

The local district attorney plans to talk with the UNC Student Health Service about its post-rape counseling program after receiving complaints from two University students and a former student.

The three sexually assaulted women told Orange-Chatham District Attorney Carl Fox that SHS's handling of post-rape counseling and its treatment of victims were inadequate. The three complaints were filed in the past two years.

Fox said he planned to meet with SHS officials before the end of the month to discuss the charges and the service's procedure for dealing with rape victims.

SHS director Judith Cowan could not be reached for comment Tuesday.

Fox said SHS should follow an es-

tablished procedure for dealing with rape victims. "I'm sure they do have an established procedure, but it ought to be followed," he said. "I'm aware of some deviations from the established protocol."

Fox said he could not elaborate on those deviations until he discussed them further with the people involved.

Two of the three students have charged that SHS provided them with incorrect information, Fox said.

But he said he could not comment on the details of those complaints. "It was about things that had been discussed that were going to happen or were happening, and they didn't," he said. "This happened on at least one occasion."

One woman who has complained about misinformation decided to file charges against her alleged rapist and another man after discovering that SHS officials were not handling the case the

way they said they would.

The woman, a University sophomore, filed charges last month against Carmen Edward Catullo, of 1-3 Kingswood Apartments, alleging he raped her after an August party.

She has said SHS officials told her Catullo and another man originally charged in the case would receive counseling for the assault. But she later was told that Catullo was receiving counseling only for alcohol abuse and that the second man was no longer a UNC student.

Fox said he received the third complaint from a University student after the Catullo case was made public. But he could not discuss any details about it, he said.

Former UNC student Sara Townsend was the first woman to file a complaint

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dowment.

The University would donate half of the interest from the endowment to the library and reinvest the other half, according to the plan. Shelburne estimated that the endowment would generate \$30,000 for the library after five years and more than \$60,000 after 10 years.

Student Congress Speaker Tim Moore said the idea of a library endowment fund was a good one, but student activities fees are meant for

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See FEES, page 5

Plan would raise fees for library endowment

By Heather Harrelle
Staff Writer

A proposal to raise student fees by \$2.50 to create a library endowment fund might appear on a spring student referendum.

Student Congress members will decide within the next two weeks if the proposal will be put on a spring referendum, said Mark Shelburne, congress speaker pro tempore.

Shelburne devised the plan, which calls for an increase in student fees by \$2.50 each semester to create the en-

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Catullo

was suspended from the team after the charges were filed against him Sept. 25.

The trial will be held at the Superior Court in Hillsborough after Dec. 9, the opening of the next criminal court session.

At the hearing, the UNC sophomore testified that Catullo and Burns had reneged on a promise to take her home from an Aug. 25 fraternity party. She said the two men took her to Catullo's apartment, where Catullo had sexual intercourse with her against her will and Burns watched from a window.

Catullo, who is out on bond, said he had no comment Tuesday.

In an Oct. 25 hearing, a Chapel Hill District Court judge found probable cause to send Catullo before a grand jury.

But the judge dismissed the same charge against Christopher Mitchell Burns, a former University student and wrestler now attending Wilkes Community College.

At that hearing, the UNC sophomore testified that Catullo and Burns had reneged on a promise to take her home from an Aug. 25 fraternity party. She said the two men took her to Catullo's apartment, where Catullo had sexual intercourse with her against her will and Burns watched from a window.

Fox could have attempted to charge Burns again Monday through an indict-

ment. But the district attorney said he had found no legal basis to bring Burns' case before a grand jury.

"The statutory and case laws that I'm aware of would not allow me to try him with any hopes of success," Fox said.

In the Oct. 25 hearing, Fox said that although the woman had testified she had not screamed or fought with Catullo, she had not consented to have sex with him and had asked to be taken home.

Fox said Tuesday that he could not say if this would be the focus of the prosecution at the trial.

"You can quote me on what I said at the trial, but I can't make statements as to what the crux of the case will be at this point," he said.

Student indicted for second-degree rape

By Warren Hynes
Assistant Sports Editor

A University senior will face the Orange County Superior Court as early as next month after being indicted Monday on charges of second-degree rape of another student.

An Orange County grand jury found Monday that Carmen Edward Catullo, 22, of 1-3 Kingswood Apartments, should be tried on charges of raping an 18-year-old UNC sophomore.

Second-degree rape, which is defined as forced intercourse without the use of a weapon, carries a maximum penalty of 40 years in prison.

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was suspended from the team after the charges were filed against him Sept. 25.

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No matter how you slice it, it's still baloney. — Alfred E. Smith