

Herald Journal 7/11/73

Attorney Tells Logan To Pay Librarian

Over the objections of Mayor Ted Perry, Logan City Attorney Blaine Zollinger Tuesday handed the city commission an opinion saying the city should release the funds to pay Assistant Librarian Judy McMahon.

Mrs. McMahon, hired May 18 by the Cache County Board of Trustees, has worked without pay since getting the job because of legal questions raised by Perry.

Perry said there was a possibility there had been discrimination in the hiring of the librarian, but Zollinger's written opinion states: "There appears to be no intentional or conscious effort on the part of anyone involved in the process of hiring the librarian to

(Continued on page 2)

City Attorney Says Librarian Should Get Pay

(Continued from page 1)

discriminate against any person on the basis of sex."

The city attorney's two-page opinion was presented to the commission Tuesday evening by Commissioner Russell Fjeldsted. Thursday morning when the commission convenes he will call for a motion to approve the hiring of Mrs. McMahon and release nearly \$600 in withheld paychecks.

Zollinger's opinion further answers the mayor's contention that the librarian could not be hired without city commission approval. His opinion states that Utah law gives library boards the power to select librarians. This power, he adds, "does not deprive the city of control over municipal functions."

Moreover, Zollinger contends the library board was created by contract between the city and Cache County. To attempt to exercise sole authority in hiring, says the attorney, "comes very close to, if not breaching that agreement."

In May the mayor said he would not rubber stamp the library board's selection. He said the city commission had the authority to accept or reject the board's choice and that the commission would interview Mrs. McMahon. The woman, however, was never called before the commission for an interview.

"My recommendation," states the opinion, "is that you as a Logan City Commission do not attempt to override the joint library board's decision to hire Mrs. McMahon nor withhold joint library funds which have been appropriated for the purpose of operating the library to Sept. 13, 1973. The city should pay Mrs. McMahon's salary from those funds."

H.S.

7/11/73