

MARCH 14, 1945

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Minutes of a Regular Meeting of the City Council of the City of Idaho Falls, Idaho, held March 2<sup>nd</sup>, 1945, and recessed until March 7<sup>th</sup>, 1945, and again recessed until March 14<sup>th</sup>, 1945.

There were present at said Meeting: E. W. Fanning, Mayor; Lee Walker, City Clerk; Councilmen Sutton, Crabtree, Wasley, Freeman; when the following proceedings were had to wit:

The following Certification was read:

March 14, 1945

To the Mayor & City Council  
City of Idaho Falls, Idaho

Gentlemen:

The following candidates have been nominated by petitions for the offices of Mayor and Councilmen of the City of Idaho Falls:

For Mayor:           E. W. Fanning  
                              D. V. Groberg

For Councilmen:  
                              T. C. Wasley  
                              Ray Crabtree  
                              Cecil E. Hart  
                              A. W. Naegle

I, Lee Walker, City Clerk of the City of Idaho, do hereby certify that the above list of candidates is the correct list of all candidates which have been nominated by petitions for the offices of Mayor and Councilmen for the first election to be held on the 3<sup>rd</sup> day of April, 1945.

s/ Lee Walker  
CITY CLERK

Councilman Freeman stated that he understood that D. V. Groberg, candidate for Mayor, and Cecil E. Hart and A. W. Naegle, candidates for Councilmen, did not file their acceptance of nomination on or before the legal deadline date as required by law, and asked City Attorney, Ralph L. Albaugh, for a legal opinion and to advise the Mayor and City Council if they had authority to authorize the three candidates names to be printed on the official ballots for the election to be held April 3<sup>rd</sup>, 1945.

The City Attorney stated that the three candidates are not legally qualified under the statutes and there is serious doubt if they can hold office if elected. The law clearly states that candidates must file their acceptance of nomination at least 25 days prior to the election. The candidates in question did not file their acceptance of nominations until March 10<sup>th</sup>, which is 24 days.

The Mayor asked the City Attorney if the City Council would be assuming any responsibility if they waived the technicality and authorized the names to be printed on the ballots.

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The City Attorney advised the Mayor that the Council was assuming no responsibility in waiving the technicality.

Mayor Fanning suggested that the Council ignore the technicality, and authorize the names to be printed on the ballot.

It was moved by Wasley, seconded by Sutton, that the certification be approved and filed, and the three candidates names in question be printed on the ballot. Roll call voting Aye: Wasley, Freeman, Sutton, Crabtree; Nay: None; Motion carried.

It was moved by Sutton, seconded by Freeman, that the City Clerk be authorized to publish the proclamation calling for the City Election to be held April 3<sup>rd</sup>, 1945, and the registration notice. Roll call voting Aye: Freeman, Sutton, Crabtree, Wasley; Nay: None; Motion carried.

It was moved by Freeman, seconded by Sutton, that the Meeting adjourn. Roll call voting Aye: Crabtree, Wasley, Freeman, Sutton; Nay: None; Motion carried.

Passed and approved this 16<sup>th</sup> day of March, 1945.

ATTEST: s/ Lee Walker  
CITY CLERK

s/ E. W. Fanning  
MAYOR

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