

RESOLUTION NUMBER 23-62

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA ACCEPTING THE DONATION AND OWNERSHIP OF A REPLACEMENT CLOCK PREVIOUSLY LOCATED IN THE TIMES SQUARE AREA FROM GEORGE AND LINDA MERSCHMAN; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach (“Town”) empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the George and Linda Merschman has purchased a replica clock and wishes to donate the clock to the Town (“Donation”); and

WHEREAS, the Town believes it is in the best interest of the Town’s business owners, residents, and visitors to accept the Donation and accept ownership and maintenance responsibilities for the clock.

NOW, THEREFORE, BE IT HEREBY RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:

Section 1. The above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. The Donation from George and Linda Merschman is accepted.

Section 3. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

Section 4. This resolution shall take effect immediately upon its adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Veach and seconded by Council Member Woodson, and upon being put to a vote, the result was as follows:

Dan Allers, Mayor aye
Jim Atterholt, Vice Mayor aye
Bill Veach, Council Member aye
John King, Council Member aye
Karen Woodson, Council Member aye

ADOPTED this 20th day of June 2023, by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Dan Allers

Dan Allers, Mayor

ATTEST:

Amy Baker

Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

John R. Herin, Jr.

John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 20th day of June 2023.

Signature: *Dan Allers*
Dan Allers (Jun 21, 2023 14:55 EDT)
Email: allersd@fmbgov.com

Signature: *John R. Herin, Jr.*
John R. Herin, Jr. (Jun 22, 2023 13:14 EDT)
Email: jherin@foxrothschild.com

Signature: *Amy Baker*
AMY BAKER (Jun 21, 2023 09:57 EDT)
Email: AMY@FMBGOV.COM