ORDINANCE NO. 2011-39
INTRODUCED BY: Mayor Rinker and Council as a Whole

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN ADDENDUM TO THE SUBSCRIBER SERVICE AGREEMENT WITH ONECOMMUNITY

WHEREAS, pursuant to Ordinance No. 2008-47, the Village entered into a Subscriber Service Agreement with OneCommunity; and

WHEREAS, at this time, Mayfield Village has requested an increase to their bandwidth; the same has been incorporated in the Amended Addendum B; and

WHEREAS, based upon the above, Mayfield Village wishes to enter into an Amendment to the Subscriber Service Agreement with OneCommunity to provide Mayfield Village with the connectivity that it has requested for the Mayfield Village Fiber Network.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. That the Mayor and President of Council are hereby and herein authorized and directed to enter into an Amendment to the Subscriber Service Agreement as more fully set forth in the Amended Addendum B with OneCommunity in a form substantially similar to that attached hereto and incorporated herein by reference as Exhibit "A".

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the health, safety and welfare of the residents of Mayfield Village, Ohio. It shall, therefore, take effect immediately upon the passage by the

affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

WILLIAM BUCKHOLTZ
Council President

First Reading: November 21, 2011

Second Reading: Suspended 2011

Third Reading: Suspended 2011

PASSED: November 21, 2011

BRUCE G. RINKER, Mayor

APPROVED AS TO FORM:

JOSEPH W. DIEMERT, JR.
DIRECTOR OF LAW

ATTEST:
MARY E. BETSA,
Clerk of Council

ADDENDUM B

FEES AND CALCULATIONS

Addendum B Site Number: B-5.1
Client: Mayfield Village
OneCommunity Head End (A-Site): Mayfield Village Fire Department 770 S.O.M. Center Road Mayfield Village, OH 44143
Client Circuit Address (Z-Site): MayFran International, 6650 Beta Drive, Mayfield Village, OH 44143

SITE CONNECTION, MEMBERSHIP, SERVICE & EQUIPMENT FEES

Client Service: Mayfran International	Monthly Site Fees
10 MB service connection - Billed Monthly	$500.00
Amortized Construction - Billed Monthly for 36 months beginning 6/2010	$541.67
Total Monthly	**$1041.67**

Term: 5 years (60 Calendar Months) from Effective Date of service start of 6/16/2010.

Billing Cycle: Monthly upon Service Start

Notes: Installation and Monthly service costs will be billed directly to Mayfran International. Invoices not paid to OneCommunity within 60 days by Mayfran International, will result in service termination.

Amortized Construction charges are scheduled to be paid in full by 7/2013. Services will continue to be provided and bill at the monthly rate of $500.00/month for 10mb of service through the life of the contract.

ACCEPTED AND AGREED AS OF THE EFFECTIVE DATE:

Mayfran International, Inc.

By: _____
Authorized Signature

_____
Name (Print or Type)

_____
Title

_____
Date

Mayfield Village

By: _____
Authorized Signature

BRUCE G. RINKER
Name (Print or Type)

MAYOR
Title

11/23/11
Date

EXHIBIT
A

Revision 541412.2