ORDINANCE NO. 2011-40
INTRODUCED BY: Mayor Rinker and Council as a Whole

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE SUBSCRIBER SERVICE AGREEMENT WITH MAYFRAN INTERNATIONAL

WHEREAS, pursuant to Ordinance No. 2010-20, the Village entered into a Subscriber Service Agreement with Mayfran International; and

WHEREAS, at this time, Mayfran has requested an increase to their bandwidth; the same has been incorporated in the Amended Addendum B to the Subscriber Service Agreement; and

WHEREAS, based upon the above, Mayfield Village wishes to enter into an Amendment to the Subscriber Service Agreement with Mayfran International to provide Mayfran International with the connectivity that it has requested to 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 Mayfran International 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

Mayfield Village Cost	Monthly Site Fees
10 MB service connection – Billed Monthly	$250.00

Client Service: Mayfran International	Monthly Site Fees
10 MB service connection - Billed Monthly	$500.00
Amortized Construction –Billed Monthly	$541.67
Total Monthly	**$1041.67**

Term: 5 years (60 Calendar Months) from Effective Date.

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.

ACCEPTED AND AGREED AS OF THE EFFECTIVE DATE:

OneCommunity

By: _____
Authorized Signature

_____
Name (Print or Type)

_____
Title

_____
Date

Mayfield Village

By: _____
Authorized Signature

BRUCE G. TRINKER
Name (Print or Type)

MAYOR
Title

11/23/11
Date

EXHIBIT
A