

April 28th, 2024

Clarissa Slater
3645 State Route 4
Bucyrus, OH 44820

Bucyrus City Council
500 S Sandusky Ave.
Bucyrus, OH 44820

Dear Council Members:

I am writing to express my deep concerns about the business dealings of Mr. Kurt Fankhauser, the proprietor of Wavelinc, LLC, and its relationship with the City of Bucyrus. It has been confirmed that Bucyrus City has no written agreement about any of Mr. Fankhauser's business relationships regarding his business, Wavelinc, and the City of Bucyrus, per the emailed records requests I have submitted. However, it has come to this citizen's knowledge that Mr. Fankhauser has installed Wavelinc as the new city internet and phone service provider. As you may know, a service or goods may be donated to the city by a city official if it passes four means tests per the Ohio Ethics Commission. The first test is necessity. The Internet is an essential service, so it passes the first test. Second, the goods and services provided are a continuance and/or cannot be found at a lower cost. We will not find someone giving free internet to the city. So again, it passes this test. Requirement three is that Mr. Fankhauser's business treats the city as well as his other customers or better. We can presume that this is true. The last test is that he officially discloses his interest in securing a contract; if the contract didn't exist before his term, he does not participate in the deliberations or discussions of securing said contract. This test is not passed.

The contract is not written down. It was an undisclosed verbal contract between Mr. Fankhauser and Mr. Truka. Because of this, the public had no input or opinion to provide if they agreed or disagreed with the contract, as it did not go through the proper channels of being voted on as legislation. However, it has come to this citizen's attention that new cameras are being utilized on public lands owned and operated by Mr. Fankhauser's company, Wavelinc. Therefore, Mr. Fankhauser is directly benefiting by receiving free services from the city in exchange for his services to the city. Mr. Fankhauser has advertised on his company's Facebook page that new cameras are available at Millennial Park. Millennial Park is not public land; however, the light poles that the cameras attach to access Millennial Park are public land. It states in the RC. 2921.42, that Mr. Fankhauser cannot benefit from or advertise the donation. Mr. Fankhauser is in clear violation since he is advertising on his Facebook page that he is donating the service. He is also advertising Millennial Park on his Wavelinc page.

In addition, per the last ruling of the Ohio Ethics Commission, Mr. Fankhauser cannot do any of the following: "R.C. 2921.42(A)(I) and R.C. 102.03(D) prohibit Mr. Fankhauser from participating in the deliberations and discussions of the City Council in any matter that would affect Wavelinc's financial interests. For example, Mr. Fankhauser will be prohibited from:

- Using his unique access to City personnel to influence them to select Wavelinc for any new lease or secure a modification to the terms of the current Agreement;
- Using his unique access to City information that pertain to competitors;
- Securing favorable treatment for Wavelinc, such as expedited approval of invoices and payments;"

According to that OEC opinion, he is also not permitted to do the following: "R.C. 102.03(A)(I) prohibits him from representing Wavelinc before the City, or any state or local public agency in Ohio, on matters in which he has personally participated as City Council President." On multiple occasions, he has spoken directly to the full council and committees as Wavelinc's proprietor.

He bypassed the city council and used his unique position as Council President to gain access to Mayor Truka to secure a verbal contract violating both R.C. 102.03(A)(I) and R.C. 102.03(D). He also has used his unique access to City information that pertains to his competitors, OmniFiber and Brightspeed, to attempt to slow down installation for his competitor in the March 5, 2024, city council meeting. He gave his direct input, questioning Mr. Gernert. "Could the city stipulate on the permit that you can only have so many machines working simultaneously?" Mr. Gernert replied that they could. Mr. Fankhauser stated, "So you could slow them down that way." Mr. Fankhauser may not intend ill will for his competitors and may only be looking to protect city resources. However, he directly violates the ethics commission's stipulations on interference with his competitors. Despite his direct conflict of interest, he presided over the meeting and did not recuse himself. Mr. Fankhauser used his favorable position on the council to expedite a verbal agreement/contract between himself and Mr. Truka and circumvent the council's authority to draft a lease/agreement for public land use. By doing so, he has also violated the procedures above.

Given these circumstances, I demand that Mr. Fankhauser immediately recuse himself from conversations regarding OmniFiber and Brightspeed. I also demand he cease representing himself as Wavelinc's proprietor during council meetings, given the opinion previously rendered by the OEC. I also insist that he reports his transgressions to the Ohio Ethics Commission. Furthermore, I call for removing all cameras and signal boosters/dishes/antennas from city land and for all Wi-Fi, internet, phones, and any other business dealings involving Wavelinc to cease until the Ohio Ethics Commission forms an updated opinion. We must ensure the safety and security of citizens' information through proper advisement from applicable governing agencies (such as ODAS.) I also demand that Mr. Fankhauser's company, Wavelinc, go through the appropriate channels to obtain lease agreements for the city streetlight poles, the use of the city-owned towers/antennas, and any other public property/land. I also call for a contract to ensure an ethical and secure internet and phone supply to the city compliant with all local, state, and federal policies/guidelines and for that agreement to be voted on by the full council. In that agreement, I call for Mr. Fankhauser's company, Wavelinc, to follow all policies, procedures, and guidelines set forth by the Ohio Department of Administrative Services Ohio Information Technology division to ensure that all citizen data on the city's network is adequately protected and that Mr. Fankhauser cannot readily access citizens' protected data, private identifiable information (social security number, medical information, tax filing information, etc.) I also call for Mr. Fankhauser to subject himself to any punishments if he is found of any wrongdoing: ethical violations, violation of any ordinances, laws, or policies/procedures outlined by the City of Bucyrus/State of Ohio/US Government, and to apologize to the citizens of Bucyrus for his lack of transparency. I urge the City of Bucyrus to file misfeasance charges against Mr. Fankhauser due to his apparent violation of the Ohio Ethics Commission's previous opinion and the guidelines set forth. If those charges are affirmed, I call for Mr. Fankhauser to resign as Bucyrus City Council President and for Wavelinc to be permanently banned from supplying services to the City of Bucyrus.

Thank you for your time and attention to these pressing matters. I trust that you will take the necessary actions to address these concerns. I have included the evidence of my findings with this letter.

Respectfully,

Clarissa Slater

The following citizens affirm my letter to the council.

[illegible]









Page 3 of 4
Invoice Number: 047767001020124
Account Number: 047767001
Invoice Date: 02/01/24
Due Date: 03/02/24
Security Code: 714879

CITY OF BUCYRUS
047767001020124
047767001
02/01/24
03/02/24
714879

Spectrum
ENTERPRISE

Contact Us at
1-888-812-2691

count number	End User ID Name/Address	Description	Circuit ID	Date Range	Prorated Charges	Recurring Charges	One Time Charges	Adjustments	Taxes, Fees & Surcharges	TOTAL
Invoice Location 1 of 4										
2767801	City of Bucyrus Fire Dept KELLI TUTTLE 223 E MANSFIELD ST BUCYRUS, OH 44820	Network Services Metro Ethernet Interstate 5MB	41.L1XX.002981.TWCC	02/01-02/29	\$0.00	\$375.00	\$0.00	\$0.00	\$0.00	\$375.00
		Taxes, Fees and Surcharges			\$0.00	\$0.00	\$0.00	\$0.00	\$15.33	\$15.33
		Regulatory Cost Recovery Fee			\$0.00	\$0.00	\$0.00	\$0.00	\$133.58	\$133.58
		Federal Universal Service Fund								
		Subtotal			\$0.00	\$375.00	\$0.00	\$0.00	\$148.91	\$523.91
Invoice Location 2 of 4										
7767101	PRU ACCOUNTS PAYABLE 500 S SANDUSKY AVE BUCYRUS, OH 44820	Internet Services Fiber Internet 100Mbps	41.L1XX.002934.TWCC	02/01-02/29	\$0.00	\$725.00	\$0.00	\$0.00	\$0.00	\$725.00
		Fiber Internet	41.L1XX.006472.TWCC	02/01-02/29	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		5 Static IP Addresses		02/01-02/29	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		Network Services Metro Ethernet Interstate 20MB	41.L1XX.002933.TWCC	02/01-02/29	\$0.00	\$600.00	\$0.00	\$0.00	\$0.00	\$600.00
		Phone Services Enterprise Trunking 23		02/01-02/29	\$0.00	\$375.00	\$0.00	\$0.00	\$0.00	\$375.00
		DID Block 20 Members		02/01-02/29	\$0.00	\$3.00	\$0.00	\$0.00	\$0.00	\$3.00
		3,000 Minutes		02/01-02/29	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		Taxes, Fees and Surcharges			\$0.00	\$0.00	\$0.00	\$0.00	\$37.50	\$37.50
		Subscriber Line Charge			\$0.00	\$0.00	\$0.00	\$0.00	\$8.80	\$8.80
		ER11 Surcharges			\$0.00	\$0.00	\$0.00	\$0.00	\$30.83	\$30.83
		Regulatory Cost Recovery Fee			\$0.00	\$0.00	\$0.00	\$0.00	\$213.72	\$213.72
		Federal Universal Service Fund								
		Subtotal			\$0.00	\$1,703.00	\$0.00	\$0.00	\$290.85	\$1,993.85
Invoice Location 3 of 4										
2767701	City of Bucyrus Water Treatment TOM GESING 3457 BEECHGROVE RD BUCYRUS, OH 44820	Network Services Metro Ethernet Interstate 5MB	41.L1XX.002935.TWCC	02/01-02/29	\$0.00	\$375.00	\$0.00	\$0.00	\$0.00	\$375.00
		Taxes, Fees and Surcharges			\$0.00	\$0.00	\$0.00	\$0.00	\$15.33	\$15.33
		Regulatory Cost Recovery Fee			\$0.00	\$0.00	\$0.00	\$0.00	\$133.58	\$133.58
		Federal Universal Service Fund								
		Subtotal			\$0.00	\$375.00	\$0.00	\$0.00	\$148.91	\$523.91



Kurt Fankhauser
2h · 🌐

Well here are some of the exact bills that the city
WAS paying prior that no longer is paying

👍 2

👍 Like



External Inbox



to Lisa, Braylen, Kim, Bucyrus, Kali ▾



I have the Wavelinc internet hooked up to the city hall and remote offices that share the phone system and have confirmed the phone system is working with DTE. You can remove the following services from two of the city's spectrum bills. On attached documents called "1" and "2" I have highlighted in red what can be removed. (see attached). Anything in red can be removed from the following two bills as its no longer being used. The removable items total more than \$2000/monthly. The highlighted "PRI service" in green **has to stay** as it is still in use and feeding the phone system. The PRI for the phones is \$375/month and must continue to be paid as without it the phone system wont work.

[illegible]





Kurt Fankhauser

[Aaron Sharrock](#) I dont run any ads that mention the donation. FYI that donation to the city is going to be saving \$30,000+ per year to the city. You can verify that with the city auditor. What have you donated to the city thats saving any tax money?

1d Like Reply

1 🤔



Kurt Fankhauser

[Melissa Bloomfield](#) I am 100% donating services to the city and its saving \$30,000/per year of your tax dollars. How am I gaining anything from that?

11m Like Reply



Kurt Fankhauser

Kevin Myers she can't even advertise that her business is donating the shirts either:

<https://ethics.ohio.gov/advice/opinions/90-003.pdf>

5d Like

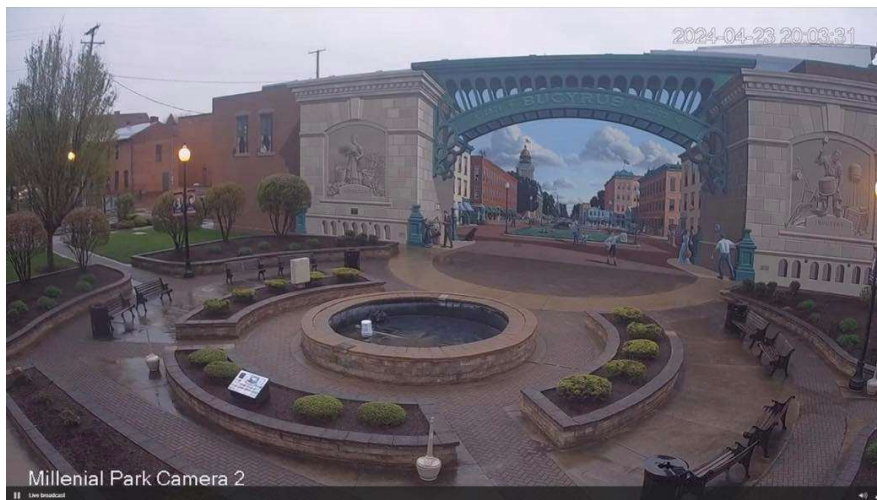


WaveLinc

1d • 🌐



We now have many more live webcams including the mural on the square in downtown Bucyrus! Check them out <http://www.wavelinc.com/webcams.html>



Amy Miller Monk and 21 others

23 shares



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Turbo Wave

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[Network Status](#)
[FAQ's](#)
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Live Web Cams

Bucyrus Live Webcams:

98 Tower (SR98/US30) - Bucyrus, OH

Washington Square - Bucyrus, OH

Millenial Park Mural Cam 1 - Bucyrus, OH

Millenial Park Mural Cam 2 - Bucyrus, OH

Wavelinc HQ (SR98/Beal Ave) - Bucyrus, OH

West Side Feed - Bucyrus, OH

Crawford County Live Webcams:

Burkhart Farm Center - New Winchester, OH

Kibler Farms - Sulpher Springs, OH

Ridgeton Rd / NS Tracks - Ridgeton, OH

Studer Farm (North Chatfield) - Chatfield, OH

Waines Farms (SR598/Tiro) - Tiro, OH

Wyandot County Live Webcams:

Schilling Farms (US23/US30) - Upper Sandusky, OH

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