

City of Edgerton, Kansas
Minutes of City Council Regular Session
June 11, 2026

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on June 11, 2026. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Donald Roberts	Present
Clay Longanecker	Present
Josh Lewis	Present
Deb Lebakken	Present
Bill Malloy	Present
Ron Conus	Present

With a quorum present, the meeting commenced.

Staff in attendance: City Attorney, Todd Luckman
Assistant to the City Administrator, Trey Whitaker
Assistant to the City Administrator, Kara Banks
City Clerk, Dusti Callahan
Public Works Director, Dan Merkh
Development Services Director, Zach Moore
Parks and Recreation Director, Levi Meyer
Finance Director, Karen Kindle
Senior Accountant, Justin Vermillion
Public Works Foreman, Chase Forester
Construction Project Manager, Todd Veeman

2. WELCOME. Mayor Roberts welcomed all in attendance.

3. PLEDGE OF ALLEGIANCE. All present participated in the Pledge of Allegiance.

Consent Agenda (*Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action*)

4. Approve Minutes from May 28, 2026, Regular City Council Meeting

Councilmember Lewis motioned to approve, seconded by Councilmember Longanecker item four on the Consent Agenda. The motion carried 5-0 by the following vote:

Yes: Longanecker, Lewis, Conus, Lebakken, Malloy

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Regular Agenda

5. **Declaration.** Council members had nothing to declare.

6. **Public Comments.**

Debbie Gilliland, an Edgerton resident, spoke about her concerns regarding the data center. Mrs. Gilliland stated she believes these jobs will be mostly temporary jobs, then maybe 20 to 50 permanent jobs. These tax breaks save them billions of dollars, where nobody else is benefitting. She is concerned about water usage and the proposed closed loop system. She claimed that even with the loop cooling they will still need to add water occasionally, up to 30% plus. Energy goes up every year; we don't have many fossil fuels left. Big companies such as Google, Microsoft, and Amazon are predicted to spend \$364 billion to accelerate the construction of these data centers, it is all about money for them. Who cares about the environment? Data Centers sign contracts with utility companies that provide a special deal to them. These contracts are confidential to the public, and some states do not review these contracts. The size of these facilities uses more energy than a larger city. They use more energy than in a large city. She is concerned about how all of the data in the data centers are sold for profit.

Wade Kiefer, IBEW representative, stated support for the data center but emphasizes accountability and responsible growth. He stated IBEW has been building data centers for over 30 years. Transparent water reporting and community benefit agreements should be a part of this project. Public investment should ensure local workers have a fair opportunity to participate. When done correctly, they can deliver economic opportunity and environmental responsibility. He stated that they understand the concerns of citizens in this area and they too want to maintain quality of life. Beyond construction, these facilities require ongoing maintenance and periodic full upgrades. Many IBEW members spend entire careers working on these facilities. Perspective is important. Modern facilities typically rely on a closed-loop system to limit water consumption. For example, golf courses in Johnson County use 1 billion gallons of water yearly. Another data center using a closed-loop system uses 400,000 to 600,000 yearly, compared to a billion. He stated IBEW supports stronger energy regulation at the state level, and data centers are subject to some of the highest utility rates. Recent legislation in Kansas and Missouri are specifically designed to protect residential customers from bearing the cost.

James Oltman, ElevateEdgerton! President, shared his support for the data center and analyzed the moratorium idea. Mr. Oltman provided a packet of information to Council members on actual impacts in several Johnson County communities. Referencing the moratorium, he stated Edgerton has invested time, effort, and public input into creating the comprehensive plan, future land use map, unified development code, and planning processes that guide growth in our community today. These are the same tools that have grown LPKC for 15 years. He stated a moratorium is not required to amend the code; a moratorium pauses investment in development while creating uncertainty for property owners and businesses. When rules

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become unclear, business and investors are more likely to go to a more stable environment offered by other cities. The growth in Edgerton has benefitted this community, such as home improvement grants, new streets, parks, trails, community facilities, property tax rebate programs, etc. He asked Council to trust the framework, trust the vision the community adopted, and continue using those tools to evaluate individual projects on their merits.

Carrie Schmidt, a Gardner resident, expressed her concerns regarding data center zoning. Ms. Schmidt read onto the record emails provided through a KORA Request between Development Services Director, Zach Moore and Brody with North Point (attached with these minutes). She stated the City will not release the native file for Mr. Moore's letter to NorthPoint, and the L-P district does not fit a data center. She advised council to have executive sessions to fire staff, and whoever played a part in making this decision without formal process. She requested that Council find who created the document and hold them accountable.

William LaFalce, an Edgerton resident, supports a moratorium and calls for updates to the UDC and oversight process. He states the citizens blinked, took our eyes off the ball but never again. He supports a moratorium of up to three years so all of the data and impacts can be assessed. He would like an update and strengthen the UDC against projects like this to remove ambiguity to never allow this danger to impact the community, and oversight to the process. He demanded safeguards of \$10,000,000 per household so if it doesn't work out, they can recover their losses and move on with their lives. He asks for a dissolution of Elevate Edgerton! And a moratorium on funding it. He would like to see an exemption of city workers to only live in Edgerton and Gardner. Once this is done, he thinks all of council should resign.

Mary Rogers, an Edgerton resident, expressed her concerns about the data center's impact on the City's integrity and resources. This is DAMAC first project in the US, and we are going to be their guinea pigs. We are a free country; their country has an acceptance of slavery and camps set up to bus people back and forth. She stated they say they will bring in jobs, but after build out, there will be only 10 to 25 permanent jobs. Most likely those jobs will not go to anyone in our community. She claims the lifespan of data centers is 5 to 10 years. Many places will sit with these big concrete bunker-looking places and a lot of them end up just taking over farmland and wildlife and resources. Most of the country has been in a drought for some years, with these data centers, there isn't a magical spout to get more water. What we have on Earth is what we get for our lifetime. Fire protection is another concern. One caught fire in LA and burned for 7 days. She stated that she spoke to one of our firemen and they are not totally trained on how to respond to all of this at this time.

Kim Twente, an Edgerton resident, opposes the data center and supports a moratorium. She states the moratorium should be longer than 6 months, as that is not enough time. These data centers have recently blown up across the country and become a popular subsidy. There are states trying to pass moratoriums in 14 states across the country. The few states who have computed their returns on taxpayer investments have determined they lose between 52 and 70 cents per dollar they spend on data center sales tax exemptions. Finally, many of the citizens

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would agree that we need to employ staff in our city because they live here, breathe here, and are affected.

7. Public Officials Liability Training

City Council members watched a video training presentation.

8. Presentation. 2026 ETC Citizen Survey Results

Ryan Murray with ETC Institute has been with the firm for 20 years and is the Director of Community Research. He reviewed the results of the Citizen Survey, which show that the majority of Edgerton residents are satisfied with the quality of services provided by the City. Edgerton performs well against the KC Metro average and performs a high level of service. There has been a lot of growth in staff and leadership. ETC Institute mailed a survey to every address and promoted it online. The survey shows high overall quality of life ratings and satisfaction with City services, particularly parks and customer service. Areas for improvement include maintenance of City streets and enforcement of codes and ordinances. He stated the results also highlight the importance of communication and the use of social media for community engagement.

Business Requiring Action

9. CONSIDER THE 2025 AUDIT OF FINANCIAL STATEMENTS AS PRESENTED BY VARNEY & ASSOCIATES

April Swartz, with Varney & Associates, CPAs, LLC, presented the 2025 audit financial statements. The audit shows a clean letter with no journal entries required, indicating no instances of management override. The state indicates what is needed, and Edgerton gives more details than necessary by the state. There is more transparency here than most will report. The City's compliance with the budget law is demonstrated, showing the City was under budget on all funds.

Councilmember Lebakken motioned to approve, seconded by Councilmember Longanecker, item nine under the Business Requiring Action items. The motion carried 5-0 by the following vote:

Yes: Longanecker, Lewis, Conus, Lebakken, Malloy

10. CONSIDER RESOLUTION NO. 06-11-26A OF THE CITY OF EDGERTON, KANSAS, IMPOSING A MORATORIUM ON THE SUBMISSION OF REZONING APPLICATIONS, VARIANCES, PLATS, SITE PLANS, AND OTHER SUBMISSIONS UNDER THE EDGERTON UNIFIED DEVELOPMENT CODE FOR DATA CENTERS

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Public Works Director, Dan Merkh, stated on May 28, 2026, Council provided consensus to bring forward a resolution to consider a moratorium on the submission of rezoning applications, variances, plats site plans and other submissions under the Edgerton Unified Development Code. This Resolution will not halt or restrict any filed applications submitted prior to this resolution for Data Center uses within the B-P and L-P districts.

City Attorney, Todd Luckman recommended an amendment to the resolution to take out the line "with only administrative approvals pending," to clarify that the moratorium does not impair vested rights of landowners.

Councilmember Lewis motioned to deny item ten on the Business Requiring Action items, seconded by Councilmember Longanecker. The motion carried 3-2 by the following vote:

Yes: Longanecker, Lewis, Malloy

No: Conus, Lebakken

11. Report by the City Administrator

12. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCPITION TO INCLUDE CITY ATTORNEY AND ACTING CITY ADMINISTRATOR FOR THE PURPOSES OF CONSULTATION WITH AN ATTORNEY WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP (K.S.A. 75- 4319(B)(2))

Mayor Roberts requested a motion to recess into executive session. Councilmember Lebakken moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) for the purpose of a consultation with the City's attorney. Councilmember Longanecker seconded the motion.

The executive session will start at 8:16 PM and last 15 minutes. The open meeting will resume in the Council Chambers at 8:31 PM.

Yes: Longanecker, Lewis, Conus, Lebakken, Malloy

Councilmember Lebakken moved to return to open session with no action being taken. Seconded by Councilmember Longanecker. Motion passed unanimously, and the open session resumed at 8:32 PM.

13. Report by the Mayor

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- Consider Kansas Open Records Act (KORA) Request – City Attorney, Todd Luckman, stated there was a submission for a request which was denied in part because of the exception of council right to allow the information release if it is or not.

Councilmember Lewis motioned to not release the information requested, seconded by Councilmember Longanecker for item thirteen. The motion carried 4-1 by the following vote:

Yes: Longanecker, Lewis, Malloy, Lebakken
No: Conus

Mayor then reminded the Council of the future meetings.

- June 11: City Council Meeting
- June 25: City Council Meeting
- July 9: City Council Meeting
- July 14: Planning Commission Meeting
- July 23: City Council Meeting

14. Adjourn

Councilmember Lewis moved to adjourn, seconded by Councilmember Lebakken. The motion carried 5-0 by the following vote:

Yes: Longanecker, Lewis, Conus, Lebakken, Malloy

The meeting was adjourned at 8:34 pm.

Submitted by Dusti Callahan, City Clerk.

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