The City Council of the City of Gardner, Kansas met in regular session on June 1, 2026, at 7:00 p.m. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with Mayor Todd Winters presiding. Present were Councilmembers Mark Baldwin, Kacy Deaton, Mark Wiehn, Steve McNeer, and Kelly Johnson. City staff present were City Administrator Jim Pruetting; Deputy City Administrator Amy Nasta; Finance Director Matt Wolff; Police Chief Pam Waldeck; Parks Director Jason Bruce; Community Development Director David Knopick; Public Works Director Kellen Headlee; Utility Director David Hunter; City Attorney Ryan Denk; City Clerk Renee Rich. Others present included those listed on the sign-in sheet and others who did not sign in.

There being a quorum of Councilmembers present, Mayor Winters called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Winters led those present in the Pledge of Allegiance.

PRESENTATIONS

1. **Public Officials Liability Training**
2. **2027 Budget Presentation**

PUBLIC HEARING

PUBLIC COMMENT

Frank Bannister discusses Intermodal truck traffic on Gardner Rd. Has addressed Johnson County and Gardner asking for increased enforcement in that area. Also discussed right turns by truck traffic on Gardner Rd near Culvers.

Multiple individuals spoke in favor of a moratorium related to data centers as listed on the agenda. All comments can be viewed on the City of Gardner's YouTube channel: https://www.youtube.com/watch?v=JaOaiaihWuE

CONSENT AGENDA

1. **Standing approval of the minutes as written for the regular meeting on May 18, 2026**
2. **Standing approval of City expenditures prepared May 14, 2026 in the amount of $1,661,636.19; May 21, 2026 in the amount of $4,326,627.37; and May 22, 2026, in the amount of $900.00**
3. **Consider authorizing the execution of an agreement with Kansas Gas Service to reimburse their incurred cost to relocate gas facilities due to the planned 167th Street Roadway Improvements Project, Center Street to Moonlight Road**
4. **Consider authorizing the payment of Transportation Project Fees to Mid-America Regional Council**

Councilmember McNeer made a motion to approve the Consent Agenda.

Councilmember Deaton Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

PLANNING & ZONING CONSENT AGENDA

COMMITTEE RECOMMENDATIONS

OLD BUSINESS

NEW BUSINESS

1. **Consider adopting a resolution imposing a moratorium on the acceptance or consideration of applications for data centers**

City Administrator Pruetting said the proposed resolution is to establish a six-month moratorium on data center applications to give staff time to further study the issue.

Extensive discussion on whether to implement a six-month moratorium. Opinions differed on the length and usefulness of a moratorium. Some felt putting a pause on accepting applications would allow time to conduct further studies related to data centers to address resident concerns. Others argued existing processes and development agreements provide sufficient tools and flexibility to address concerns.

City Attorney Denk explained case law surrounding moratoriums generally only allows them to be in place long enough to study issues and implement appropriate regulations. Extensions are possible, but if extended too long, his opinion is delays could be viewed as prohibitive. The goal would be to try and figure out what needs to be in

place right now, not to predict what would be needed in the future. Any studies done would be financed by the city without knowing the nature of the next data center application.

By using current tools such as the application process and development agreements, the city would not be financing studies deemed necessary, as those costs would be required of the developer. The current code does allow some flexibility to address concerns by including conditions tailored to each unique application. Some emphasized potential revenue benefits of industrial development. Staff confirmed that studies and code updates could continue regardless of a moratorium.

Councilmember Johnson made a motion to adopt Resolution 2193, a Resolution of the City of Gardner, Kansas, imposing a six-month moratorium on the acceptance of applications relating to the establishment or expansion of data centers.

The motion died for lack of a second.

2. Consider adopting an Ordinance amending Section 10.35(C)(4) of the Gardner Municipal Code relating to appropriate zoning for fireworks stands

Community Development Director said this ordinance came up from discussion at the last meeting. There was an inquiry about a fireworks stand on the county fairgrounds. Our current code does not allow fireworks stands in that zoning. This ordinance would add the REC zoning into the code but does not change any of the application and permitting process.

Councilmember Baldwin made a motion to adopt Ordinance 2879, an Ordinance amending Section 10.35(C)(4) of the Gardner Municipal Code relating to appropriate zoning for fireworks stands.

Councilmember McNeer Seconded.

With a majority of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned number 2879.

Wiehn:	Yes
Johnson:	Yes
McNeer:	Yes
Baldwin:	Yes
Deaton:	Yes

COUNCIL UPDATES

Chief Herron said in follow up on the trucks on Gardner Rd, PD did set up some special enforcement for this area.

Councilmember Mcneer thanks staff and those on the dais for the good discussion. Thanks to Finance Director Wolff for the presentation on the budget for next year and Community Development Director Knopick for the input.

Councilmember Johnson thanks people who came and spoke. Asks about Gorney Park. The project is about two weeks behind due to weather.

Councilmember Wiehn appreciates those who came and appreciates all the discussion. Happy Pride month.

Council Vice-President Deaton wishes Councilmember Wiehn a happy birthday. Congratulations to the girls softball team for winning state. Congratulations to all spring sports.

Council President Baldwin encourages everyone to share real concerns with council and not send form letters so concerns can be addressed. The process work better when there are specific concerns.

Mayor Winters said decisions are not made lightly because council all lives here too. Congratulations to the Gardner softball team.

EXECUTIVE SESSION

ADJOURNMENT

There being no further business to come before the Council, on a motion duly made by Councilmember McNeer and seconded by Councilmember Deaton the meeting adjourned at 9:12 pm.

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City Clerk