

MAPC Meeting October 14th, 2025

1. Call to order

2. Roll Call

Present (7): Dennis Zolper, Jeff Steiling, Jim Little, Kevin Bailey, Lonnie Roberts, Monroe Pointer, Stephanie Nelson

Absent (2): Jimmy Cooper, Paul Ford

3. Approval of minutes

MIN-25:086 MINUTES September 23rd, 2025 MAPC

A motion was made by Dennis Zolper, seconded by Jim Little, that the minutes be approved, the motion was PASSED with the following vote:

Aye (6): Dennis Zolper, Jeff Steiling, Jim Little, Kevin Bailey, Monroe Pointer, Stephanie Nelson

Nay (0)

Absent (2): Jimmy Cooper, Paul Ford

4. Final Subdivisions

PP-25-10 **The Orchard Phase 2 Subdivision**

The Applicant Mark Morris is requesting approval of a Final Subdivision Plat for a 61-lot single-family subdivision on 23.10 Acres or less located at Southwest Quarter of Section 4, Township 13 North, Range 4 East

Lonnie Roberts (Chair): Do we have a proponent for this item?

Mark Morris (Proponent): My name is Mark Morris, we're seeking final approval on Orchard Phase 2, 61 lots. It is complete, we have the first round of asphalt. Got the bond amount approved we're waiting to get that in the mail.

Lonnie Roberts: Okay, City Planner do you have any comments on this?

Derrel Smith (City Planner): Yes sir, we reviewed it. It does meet all requirements of the subdivision code and so we would recommend approval.

Lonnie Roberts: Commissioners have any questions or discussion?

Dennis Zolper (Commission): Mr. Chairman?

Lonnie Roberts: Yes sir?

Dennis Zolper: I'd just like to say, Mr. Morris, you do a very fine job in what you do and you should be congratulated. You do a first-grade job.

Mark Morris: Thank you, I appreciate that.

Jim Little (Commission): Little, motion to approve.

Stephanie Nelson (Commission): Nelson, second.

A motion was made by Jim Little, seconded by Stephanie Nelson, that the matter be approved, and the motion was PASSED with the following vote:

Aye (6): Dennis Zolper, Jeff Steiling, Jim Little, Kevin Bailey, Monroe Pointer, Stephanie Nelson

Nay (0):

Absent (2): Jimmy Cooper, Paul Ford

5. Preliminary Subdivisions

PP-25-11

Don Parker is requesting approval of a 5 lot subdivision containing 5.59 acres in the Core Mixed Use Redevelopment District.

Lonnie Roberts (Chair): Do we have the proponent for this item?

Don Parker (Proponent): Don Parker, on behalf of First United Methodist Church of Jonesboro.

Lonnie Roberts: What's the plan?

Don Parker: The plan is we have taken, I think, 27 or 28 meets and bounds parcels. You can combine them into 5 separate lots on the existing, there's existing on lots 1 and 2, and lots 3, 4, and 5, are all parking lot. Any questions from the commissioners?

Lonnie Roberts: Do we have any questions from this point?

Jeff Steiling (Commission): So, is this basically covering the block where the buildings are and then the parking behind?

Don Parker: Yes that's correct. The only reason the blocks are separated for the parking is because they're in separate locations, divided by streets. So, we're just trying to put everything together. We went through an alley abandonment with the city to get rid of an old alley that really hadn't been officially platted but it was there and there was a sewer line so we took care of all of that with City Water and Light, and got that cleaned up and we had a neighborhood encroached on us. We gave them about three feet of where the curb was and so it's all cleaned up and good.

Lonnie Roberts: City Planner do you have staff comments?

Derrel Smith (City Planner): Yes sir, we do. Again, we've looked at this, it does meet the requirements of our subdivision ordinance so we would recommend approval.

Don Parker: We also cleaned up a little portion of where the city had expanded their turn lane coming from Union where it curves back and it hits Main. On that southwest corner, we cleaned that up a bit, property line actually extended out to the street and we made clear that was granted to the city. To the back of the curb, I believe.

(Commission): That includes the parking to the east as well? That small parking lot on the street.

Don Parker: Yes, that is true. There's another parking lot there but it's owned by Saint Bernards and we just lease it from them.

Dennis Zolper (Commission): Mr. Chairman, I make a motion that we approve the request.

Jeff Steiling (Commission): Steiling, second.

A motion was made by Dennis Zolper, seconded by Jeff Steiling, that the matter be approved, and the motion was PASSED with the following vote:

Aye (6): Dennis Zolper, Jeff Steiling, Jim Little, Kevin Bailey, Monroe Pointer, Stephanie Nelson

Nay (0):

Absent (2): Jimmy Cooper, Paul Ford

6. Miscellaneous Items

COM-25:042

FOIA legal Update from John Keeling Baker with Michel Williams, Selig Gates, and Woodyard PLLC

Lonnie Roberts (Chair): Now I'll turn this meeting over, we have a FOIA presentation.

John Baker (FOIA Attorney): Mr. Chairman, I'm John Baker, I'm an attorney with Michell Williams and our law firm represents a whole bunch of governmental bodies, a bunch of public

entities, governing bodies all over Arkansas. I am retiring from the practice of law in three months, but I've been advising my clients about significant changes that have come about with the Freedom of Information Act, that recently came into enactment in August. And my law partner said, you need to take this on the road with all our public clients and even those who aren't our clients but with whom we work a lot, and our firm works with the city a lot. Ms. Duncan asked that I share this with you guys because I've been sharing it with other here in Craighead County and all over Arkansas, because this is a serious change in the FOI law and we need to all be up to speed on it. I'm not going to go over this six pager that I just handed to you, I'm going to let you put that on your nightstand. But it summarizes my area of concern. I'm only going to zero in on a very few. The first one is something you may not worry about, but Game and Fish Commission's worried about it, because they'll send out a public notice when three Game and Fish commissioners go to a duck blind with each other and go duck hunting. They'll send out a notice of a meeting, and I always thought that was wild but the law was vague about it. They now have changed that law and you don't have to worry about social encounters. If you run into each other in public, you don't have to worry about it. So, they clarified that and that's helpful. So, the big deal is on page 3, number 3. You need to pay attention to this one because it is the C change that has occurred. You cannot communicate with one another as members of this governing body about any matter that is likely to come before your body in the future. Any issue, any specific example of a property issue, any strategic general issue that relates to overall zoning and planning that may come before your body or is foreseeable to come before your body. You cannot talk to one another about that, except for in this room in a convene meeting. That is a C change from the way we have had the law before. The law used to be if three or more of you got together and talked about it, that was a no. Now, you cannot talk to one another, the legislature has imparted upon all of you. They want the decisions to be made, in this room, in a convene meeting only. That's a big change. It was common for my clients to talk to one another before a meeting. You can't have those conversations now, you can't text one another about it. You can't call one another about it. You can't talk about it in the parking lot. You can't talk about it even after you voted on it. Outside of this meeting, because it could get reversed and come back down before you, from City Council. The discussions have to be made for the first time in a convene meeting. Now, you can talk to your constituents, you can talk to people like brother Parker because he's not a member of your body. You can talk to anybody else about it, just not to each other. You have to be careful on social media as well, if there is some post about a new project and one of you makes a comment on it and then another one makes a comment on it, well you've just communicated with one another, about a topic that may come before you. You may have not intended it that way, but that's what it means. If you violate this rule and somebody believes you have, they can now file a lawsuit and ask the judge to invalidate whatever you voted on. It's invalid, because you violated these requirements. We've never had that in a law before so that is a significant change as well. So, you need to be very careful in making sure that you don't talk about anything that is going to come before this body or reasonably be seen to come before

this body. Outside of a convene meeting. That is the take away, and I'm going to stop and answer questions.

Carol Duncan (City Attorney): You're going to get a question, because MAPC has a pre-meeting, the day before the Tuesday meeting, where they go over, everyone's invited but not everyone attends. But the media is also invited and notified about it. So, that I don't think is a violation of this because they've been given notice, everybody gets notice to that pre-meeting.

John Baker: Because you given notice. But you can't talk before that meeting either. You cannot talk unless you're in a convene meeting. But you're right, they can have that pre-meeting. I would recommend strongly that they notify the press.

Carol Duncan: We do.

John Baker: And if you screw up the notice, that can also invalidate what you vote on in here. Generally staff takes care of the notice, but it's super serious now. It's always been serious but now it has stronger ramifications than it did before. Any other questions?

Jim Little (Commission): I have a question, so if I'm talking to Monroe about a flood that happened on his street. Or anybody up here, we talk about projects because there's contractors, civil engineers, architects. Say there is a flood on Gee Street and we're just talking about it. Then, six months later, something comes to our body about this flood on Gee Street and we talked about it before, not knowing it was going to be here, is that going to?

John Baker: I think as a lawyer who is going to sue you and you're in the planning and zoning business. If there is a problem in the city with how it's zoned and designed, there's a pretty good chance it's going to come back in front of you. So yes, I as a mean plaintiffs lawyer, will sue you to invalidate that, when you screw my client over, because you were talking about it, outside of a convene noticed meeting. In my opinion, that is something that could foreseeably come before you, because it was a public event that affected the public and it deals in your area of jurisdiction. Now, you can ask staff for information. There is one exception and I write about it in here, you can actually ask one another for background information on a topic. They don't consider that a violation. So, if you phrase it as a question and by the way, I recommend you do all of this through email and not orally, so there's no miscommunication or confusion. That is permissible. You can seek information. You just can't talk about your feelings about it, how you're thinking about the issue from a vote standpoint or how we should solve the issue. That sort of communication can't occur. You can only solicit information from staff and one another. There's another exception for scheduling, like if you're trying to set up a meeting for something that's time sensitive. When can I get a quorum here? It does permit you to call around and staff, who can make it on whatever date, we have to have a meeting. And I want to make sure that we'll have a quorum. That's permissible too. It's a big change everybody and I need you to review this, talk to Ms. Duncan with questions, or you can call me if you want to. Even though I don't have a client relationship with you but it's a serious issue and a big change. A lot of folks

are going to get burned on it and I want you to not be one of them. Thank you, Mr. Chairman.
Any other questions?

Lonnie Roberts: Any other questions? Thank you.

John Baker: Thank you.

7. Conditional Use

8. Rezoning

9. Staff Comments

10. Adjournment

Meeting was adjourned.