

REPORT TO THE BOARD OF MAYOR & ALDERMEN

DATE: June 8, 2026

FROM: Molly Mehner, Town Administrator

SUBJECT: Approval of Amended Citizen Comments Participation Policy to Prohibit All Campaign or Electioneering Remarks

INTRODUCTION:

The purpose of this agenda item is to consider an amendment to the Citizen Comments Participation Policy to prohibit all campaign or electioneering remarks.

BACKGROUND:

Since 1997, the Board of Mayor and Aldermen have had a standing practice of allowing time for Citizen Comments during Board meetings to allow residents to address the Board about matters not otherwise on the agenda. In February 2021, the Board approved a Citizen Comment Participation Policy to formalize a set of rules and instructions to help speakers better prepare to address the Board (Attached). As recently as 2023, the Tennessee General Assembly enacted amendments to the Open Meetings Act requiring governing bodies to reserve a period for public comment at all public meetings. The Policy approved by the BMA in 2021 aligns with the state law that expressly authorizes governing bodies to impose "reasonable restrictions on the period for public comment, such as the length of the period, the number of speakers, the length of time each speaker will be allowed to provide comment," and may require advance notice of the desire to offer comments.

At recent Board meetings, candidates for County offices have appeared during Citizen Comments to introduce themselves and share their campaign platforms with the Board, Town Staff, and the public. Administration was uncomfortable with political campaigning at a forum for transacting Town business and asked legal counsel for an opinion on the Town's ability to restrict political speech. Town legal counsel researched the matter and determined the Board may prohibit campaign speeches/electioneering during the public comment period required by State law if the prohibition is viewpoint-neutral and reasonable.

DISCUSSION:

According to legal counsel, state law does not specifically address campaign speeches. It neither protects nor forbids restricting them. Therefore, any rule limiting campaign speech must meet constitutional standards under the First and Fourteenth Amendments and their Tennessee counterparts. In a limited public forum, a legislative body, such as the Board of Mayor and Aldermen, may restrict certain subject areas of speech—including campaign speech—if the restrictions: (1) do not favor or disfavor any viewpoint within the restricted category, and (2) are reasonable given the purpose of the forum. Upon receipt of legal counsel's opinion, an amendment to the Citizens' Comment Participation Policy was drafted to prohibit all campaign or electioneering remarks, regardless of political party, viewpoint, or the office being sought. A draft Amended Citizen Comment Participation Policy is attached to this report.

BUDGET IMPACT:

There is no budget impact.

ATTACHMENTS:

[Citizen Comments Participation Policy 2021.pdf](#)

[Amended Citizen Comment Participation Policy 2026.pdf](#)

PROPOSED MOTION:

To approve the Amended Citizen Comments Participation Policy to prohibit all campaign or electioneering remarks.

Board Action: Motion By _____ Seconded By _____

Vote Total	Hall	Jordan	Robbins	Marshall	Stamps	Fraser
Yes						
No						
Abstain						