



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL WORKSHOP

DECEMBER 17, 2024, AT 6:30 PM

Cover Sheet

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ITEM TITLE: Discussion of the Right of Public Speaking in Meetings.
(Councilwoman Randolph)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE
INTRODUCTIONS		Exhibits: <ul style="list-style-type: none">Florida Statutes 286.011 Reference
CONSENT AGENDA		
COUNCIL DISCUSSION	YES	
ADMINISTRATIVE		

REQUEST: The request is for the Town Council and other participants to be privileged to speak freely and present issues in public meetings according to the Florida Statutes and Open Meetings.

SUMMARY: On December 3, 2024, the Town council meeting was held and during the closing comment section, the Mayor violated Councilwoman Randolph rights to speak freely on a subject pertaining to her report regarding the status of an alleged ongoing investigation of a law enforcement officer who has been on a paid nonwork status for over a year without any explanation to the officials and the public at will. During the town council report/discussion period, Councilwoman Wanda D. Randolph was rudely interrupted by Mayor Gardner in an effort for not publicly asking questions pertaining to the status of the investigation. Councilwoman Wanda D. Randolph alleges that this practice has occurred several times in the past and is requesting this practice desist and cease as a disparity of treatment not the same as other elected officials on the town council. Councilwoman Wanda D. Randolph contends that the mayor generally cannot simply stop an elected official from speaking or silence an elected official during a public meeting, as this would likely violate the principles of free speech and the right to participate in government discussions, especially if the elected officials are attempting to speak on an relevant topic or making a valid report, however, the mayor can enforce reasonable rules of procedure to manage the meeting, such as established time limits or decorum standards and maintaining respectful conduct, or if an official is disrupting the meeting with inappropriate behavior. The mayor has the right or option to address or answer the issues if desired, but not to violate the rights of others whether elected or nonelected persons. The First Amendment of the Constitution protects the right to free speech while this includes the ability of elected officials to express their views during public meetings.

The First Amendment provides that Congress makes no law respecting an establishment of religion or prohibiting its free exercise. It protects freedom of speech, the press, assembly, and the right to petition the Government for a redress of grievances.

Under Florida Statutes 286.011, also known as the Government in the Sunshine Law by recommendation is for the Town of Eatonville Mayor to adhere to the Florida Constitution to protect the freedom of speech and the press. It states that no law can be passed to restrict or limit the freedom of speech or the press to anyone. It is the mayoral duties by being respectful not to violate the right of speech and likewise in public open meetings.

RECOMMENDATION: The recommendation is for the Town Council and other participants to be privileged to speak freely and present issues in public meetings according to the Florida Statutes and Open Meetings.

FISCAL & EFFICIENCY DATA: N/A