

Belinfante, Butler Hired to Represent Opposing Sides in Milton City Council Ethics Complaint

NEWS

Belinfante, Butler Hired to Represent Opposing Sides in Milton City Council Ethics Complaint

In a May complaint, Tony Palazzo accused District 2/Post 2 Councilman Paul Moore of seven ethics violations regarding a possible conflict of interest stemming from a council meeting vote earlier that month. The city's three-member ethics panel ruled in Palazzo's favor on four of the seven counts in its decision, which was released Aug. 30.

September 19, 2022 at 06:30 PM

5 minute read

State and Local Government

Everett Catts

Both the accuser and the accused in an ethics complaint case regarding a Milton City Council member have hired veteran attorneys to represent them.

In a May 6 complaint, Tony Palazzo accused District 2/Post 2 Councilman Paul Moore of seven ethics violations regarding a possible conflict of interest stemming from a May 2 council meeting vote. At that meeting, the council was to vote on an agreement the city reached with the White Columns subdivision's homeowners association (HOA) on sharing the cost of four traffic-calming, radar-feedback signs to be installed there.

Both Palazzo and Moore live in White Columns, and Palazzo is president of its HOA. The city's three-member ethics panel ruled in Palazzo's favor on four of the seven counts in its decision, which was released Aug. 30 following an Aug. 2 hearing.

Palazzo hired **Josh Belinfante**, a partner with the **Robbins Firm**, also known as **Robbins Alloy Belinfante Littlefield**, in Atlanta, and Moore hired E. Logan Butler of Patterson Moore Butler in Cumming.

Belinfante was Georgia Gov. Sonny Perdue's lead attorney from 2003-11. Earlier this year, he and the Robbins firm's Richard Robbins represented Atlanta Municipal Court Judge JaDawnya Baker in another ethics complaint case in which she was accused of 16 ethics violations.

Georgia Business Litigation

A comprehensive guide to matters business litigators will encounter written by a stellar panel of veteran GA litigators and arbitrators.

[View This Book](#)

In March Baker was ordered by the Georgia Supreme Court to be publicly reprimanded after she and her lawyers negotiated with the Georgia Judicial Qualifications Commission, the state's judicial watchdog group, to reach an agreement on her punishment.

According to his firm's website, Butler had extensive experience as a prosecutor before shifting into private practice. He served as an assistant district attorney in both the Piedmont Judicial Circuit (Barrow, Jackson and Banks counties) and the Bell-Forsyth Judicial Circuit (Forsyth County). Butler also worked for the Prosecuting Attorneys' Council of Georgia and served as an assistant solicitor for the Cumming Municipal Court.

At the panel's hearing, Moore said the complaint should be dismissed because Georgia's anti-SLAPP statute protected his conduct at the May 2 meeting. But the panel stated that law does not apply in this situation.

"Based on such review, the Panel determined that there existed specific, substantiated evidence from a credible source(s) to support a reasonable belief that there has been a violation of the [city's ethics] ordinance," the panel said in its ruling.

At the May 2 meeting, during the White Columns agenda item's public comment period, residents both for and against the agreement spoke, and some pointed out that the HOA used its authority to approve the agreement with the city without having to get the say-so from two-thirds of White Columns' homeowners.

Instead of approving the agreement, the council voted 5-2 to defer for 90 days voting on it, to provide time to conduct a speed study, install stop signs on White Columns Drive and get more data from the city's police department. In its motion, the council also "strongly encouraged" the HOA to conduct a survey to determine how much support existed for the devices, and that the agreement be approved by a majority of residents.

According to the panel's ruling, Moore said he "had no 'interest' in the Agenda item," but the panel said that because his home is one of 28 in White Columns where its residents must pass all four devices once they're installed, that constitutes an "interest."

The panel also concluded that Moore violated four of the seven counts of ethics violations: abstention to avoid conflicts of interest, code of ethics for city officials and department directors, conflict of interest transactions and disclosure of interest.

But regarding the count of violating the code of ethics for municipal service generally, it said it was “unable to conclude that [Moore] violated such provision.” On the counts of violations for withholding of information and political recrimination and activity, the panel said there was no evidence Moore did so.

Due to the fact that Moore violated some city ethics rules, the panel said it recommends he be given a written censure and reprimand and that the punishments be publicly announced at a future council meeting.

“I think they heard evidence, they recognize this is a case where the critical evidence and dispositive evidence was not in dispute, and they found to have required disclosure and withdrawal from the discussion on the speed-reducing devices, the radar signs,” **Belinfante** said of the panel’s decision.

Butler did not return phone messages to his office seeking comment on the ethics complaint and the panel’s ruling.

It is unclear when the council will announce Moore’s censure and reprimand, especially since Moore can appeal the panel’s decision, but its next meeting is at 6 p.m. today.