

Milton councilman cited for ethics violations sues resident who filed complaint

NORTH FULTON COUNTY

By Adrienne Murchison, The Atlanta Journal-Constitution

A Milton official who was found to have committed ethics violations last year is seeking to have the decision reversed and has filed a lawsuit against the resident who made the ethics complaint.

Councilman Paul Moore is asking the Fulton County Superior Court to review and reverse findings of the Milton ethics panel. The lawsuit also seeks financial compensation for attorney's fees spent during the panel investigation.

Moore's appeal says that the Milton ethics panel erred in its decision that he had a conflict of interest when he participated in a discussion during a City Council meeting last spring. He spent more than \$5,000 on legal fees, he says.

Resident Tony Palazzo filed the ethics complaint against Moore and says the councilman's lawsuit discourages citizens from speaking out against elected officials.

"I never in my wildest dreams would have expected this is where we would be ... sued after Councilman Moore losing in the ethics hearing," Palazzo said. "I don't regret doing it. I just never imagined in my wildest dreams this is how the process would play out."

Moore did not return a call to the Atlanta Journal-Constitution and his attorney Doug Chalmers declined to comment.

Moore's attorneys filed his appeal to the ethics panel's findings through a writ of certiorari in November. A hearing is scheduled in Fulton County Superior Court in May to consider a motion by Palazzo's attorney **Josh Belinfante** to dismiss the lawsuit. The motion says Moore's team did not file legal action within the required time period.

The Milton City Council and the Milton ethics panel are named in the lawsuit but are not a part of the litigation, city attorney Ken Jarrard said.

"We are bystanders," Jarrard said. "Our job was to assemble documents and get them to superior court. The case is argued by Palazzo and Moore as to whether (the ethics panel) findings should be upheld or reversed."

Moore and Palazzo both reside in White Columns subdivision. The problem between them arose last spring when Moore did not remove himself from a City Council discussion on partially reimbursing White Columns homeowners' association \$6,800 for the cost of controversial speed radar signs that had been installed in the neighborhood.

Palazzo is president of the homeowners association, but his ethics complaint was filed independent of the organization.

"What I saw occur with Councilman Moore was effectively a politician putting his private interests ahead of public needs," said Palazzo, who operates a private equity firm.

"I think its disappointing from the citizen perspective," he said of the lawsuit. "Because if you can't come forward and point out wrongdoing of an elected official then who's going to do it?"

Following last year's decision that Moore violated municipal and city code of ethics, the ethics panel recommended that City Council issue a written reprimand. But Mayor Peyton Jamison and fellow council members voted to take no action and agreed that Moore had been "sufficiently sanctioned" already.

Moore is Milton's current mayor pro tem. He states in an affidavit for his lawsuit that he has suffered financial loss and damage to his communications business and personal reputation as a result of the ethics investigation and findings.

Moore's firm, Midland Communications, lobbies government officials on issues related to the offshore wind industry. Since the ethics investigation, his access to government officials has decreased, he said in the lawsuit.