

**3** **2012: A breakthrough year for the city of Tarrant**

3 comments



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Photo Caption: Before and after shots of Tarrant's Ford Avenue in its historic downtown district. (Ben Goldman/ Hand Arendall LLC)



TARRANT, Alabama - For decades, the small city of Tarrant has struggled with blight, but in recent years, officials have worked together to reinvent the city. This year, the city saw many results from its efforts, including the 2012 Municipal Quality of Life Award recognizing Tarrant for its "Making Blight Right" campaign. Mayor Loxcil Tuck credits this turning point in Tarrant's history to city attorney Ben Goldman.

Goldman, a partner with Hand Arendall LLC, has worked with city officials to implement new strategies and laws to create a cleaner and safer environment. When he started as city attorney in 2009, Goldman said he was excited to work with Tarrant.

"We're now in our 50<sup>th</sup> year of representing the city of Tarrant," Goldman said. "They are our favorite client and one of our most treasured clients because of that relationship. Our association with the city runs long and deep. But I will say that times have changed and the needs of the city have changed. It has been a very rewarding and challenging client to work with to try and take a fresh approach and find new, innovative ways to address its challenges."

**Deterioration and Frustration**

Many of the challenges facing Tarrant were tied to the city's blight problem. Pulling from the Merriam-Webster dictionary, Goldman defines blight as a deteriorated condition and something that frustrates plans or hopes. Goldman focused on two elements of blight: brokenness and absence. He said the brokenness aspect deals with place, what you see. For instance, Tarrant has dealt with a growing number of abandoned homes and dilapidated buildings and trash and junked cars polluting the neighborhoods. According to the 2010 Census, 18 percent of housing units in Tarrant were vacant. In 2009, due to economic struggles, the city started requiring citizens to pay for trash removal service, which led to more garbage on the streets left by residents who refused to subscribe to the service.

The absence part of blight is about people. "You look around the neighborhood and you can imagine what it used to be and all the people who used to be there," Goldman said about how blight affects communities. While not drastic, Tarrant has suffered a drop in population. The 2010 Census showed an 8.9 percent decrease from the prior census. "You find yourself asking the question 'Where did they go and how can we bring them back?'"

Goldman said it was his job to help the city not only answer those questions, but also improve the lives of its residents and plan for its future.

"On a practical standpoint it certainly is the attorney's job to help with easements and to help execute the contracts, but where I see my job as a little different than some city attorneys do is that I believe it's an important part of my role to help envision what the city can do," he said. "I help work with and listen to city leaders to help achieve their goals in ways that they may not have even thought about it."

The vision for Tarrant was to "to take what is an older industrial city and to re-imagine it, re-invent in new more livable ways for the future," Goldman said. Goldman helped tackle this vision by addressing needs on a practical level and fighting blight through new ordinances, laws and programs. The campaign not only cleaned up the city but also created more city-pride from residents, created a safer environment for the entire community and created more opportunity for growth and new businesses.

## **Success and Progress**

Goldman initiated an environmental docket to clean up properties in neighborhoods that were polluted with people leaving their trash out and junked vehicles that remained parked in the same spot for years. He also created a new building inspection program to ensure rental homes meet proper specifications, helped with efforts to remove or remediate dilapidated and abandoned homes, and assisted in plans to revitalize downtown.



Photo Caption: Ben Goldman, left, pictured with Chuck Thompson of the International Municipal Lawyers Association after receiving the Daniel J. Curtin Young Public Lawyer of the Year.

In October, he was awarded for his success with these programs. He was honored with the Daniel J. Curtin Young Public Lawyer of the Year Award by the International Municipal lawyers Association. The award recognizes a public law practitioner who has provided outstanding service to the public and who possesses an exemplary reputation in the legal community. In addition to receiving the award, Goldman's gained recognition for his work with Tarrant through visiting organizations and meetings to outline the programs and the results.

One of the main elements in fighting blight hinged on an environmental docket. "What we're looking at are litter issues, anything that would affect property condition, and basically anything that helps us clean up the city and makes us better neighbors and better stewards. That's what we try to address," he said.

If residents violate these laws, such as not subscribing for trash service, they have the option to prove they have addressed and fixed whatever the issue was and the case will be deferred for one year, at which time the case will be dismissed from their record if they are still complying. If they don't address the issue, Goldman said he will ask the judge to sentence the person to picking up litter in the city. So far, the city has seen a 100 percent success rate with every citizen choosing to address the issue.

The docket also brought other benefits. "The police department was very unhappy with us when we implemented environmental dockets because they thought that this was going to be the trash docket," Goldman said. "However, they have said that during the months where they're working on an environmental docket, because the officers are in the neighborhoods, that burglaries have been reduced by over 50 percent."

Another important policy instituted a requirement that all rental properties within the city be inspected on an annual basis. "They have found serious problems with a lot of these houses, particularly with old and faulty electrical wiring," he said. "We expected we would get a lot of pushback from the landlords, but they have actually turned out to be some of our greatest supporters because it helps them establish a baseline with their tenants and keep control over their property."

The policy has also helped create a safer community. Fire Chief Billy Hewitt has said that since the policy started, Tarrant saw a significant decline in residential fires.

Goldman drafted the policy and said one of the reasons for its success stem from city leaders thinking through the policy and addressing potential problems in the beginning. "One of the things we did that's different is we realized people aren't going to want to necessarily incur the expenses required and so we changed the policies for our electric department," he said. "The electric department cannot establish a new account if it's a rental property until the property obtains a certificate of occupancy through our property inspection policy and so it has become practically a self-enforcing policy."



Photo Caption: This house on Belle Avenue was one of a few homes in Tarrant that were restored. Several houses in Tarrant were abandoned, burned and had fallen trees through them and many were demolished.  
(Ben Goldman/ Hand Arendall LLC)

Another program initiated was the Tarrant Optimization Project. With T.O.P, the city

wanted to send a message to the community that positive change was taking place. Each time the city removed or fixed an abandoned or decrepit building, they placed large signs on the properties.

"Essentially we're making a statement that we're taking back this property, we're reclaiming it for the neighborhood," Goldman said. In order to demolish or fix these structures, the city had to bear the costs. However, it hopes to get the money returned by putting liens on the property that's due

whenever new owners pay property taxes. Through pulling its resources, the city has been able to demolish or remediate 2 percent of houses.

A major goal in cleaning up the city has been to bring in new business, and with that in mind, Goldman created a tax increment financing district and helped with the revitalization of downtown. With the tax increment, the city designated a certain area where it would put resources into redeveloping. "We essentially freeze the ad valorem rate and then any incremental improvements in the ad valorem as a result of increased property taxes are returned to the city for further investment within the district itself," Goldman said. "It also helps us attract new business to the area because it sets aside funds we can use for additional infrastructure and it also sends a message that we are making an investment."

Goldman said the city has undergone a number of positive changes in the last 8 years and one of those is centered around the revitalization of Ford Street and the historic downtown. "We're sort of taking it block by block." The city has used grants to help spruce up downtown, including building a pocket park. In the spring of this year, the city held a ribbon cutting ceremony for its nature park, which focuses on local plants. Tarrant also hung up banners around downtown, a portion of which were painted by a local artist.

## **Neighbors and Friends**

Goldman said he believes other cities and towns should pay attention to what Tarrant has done.

"It's relevant because of what's happening in not only our local economy but also our national economy. Times aren't good and we're not out of it yet," he said. "People need to understand in the greater Birmingham area, we'll all in this together. Our futures are tied much more than people realize." For instance, he referenced an article from 2011 where an analyst advised investors to shy away from all Alabama bonds, citing the state's unwillingness to help Jefferson County with its debt. He said that one county's problems or one city's problems can affect the cost of doing business in surrounding areas.

He also said many communities could benefit from using some of the same ordinances and policies.

"Whether you live in Mountain Brook or Vestavia or Hoover or any other community, in every neighborhood in this county there are instances and pockets of blight," he said. "Any place where there's room for improvement, these ordinances would work well."

Goldman has worked for some of these cities, including Vestavia, where citizens stepped up to the challenge and addressed remediation on their own after attending public hearings.

For any government looking to implement new strategies, Goldman said the key is to be innovative.

"More often than not we are establishing new ideas rather than following in trends," he said. For example, under Alabama law selling needles is an unregulated issue and pharmacists maintain

discretion on whether or not to require a prescription. A pharmacist in Tarrant chose to sell needles without a prescription. This led to a large amount of traffic into Tarrant from people who wanted to buy needles, including a lot of drug users. "We drafted our own ordinance to prohibit the sale of needles without a prescription," Goldman said. "Some people would tell you that it can't be done because no one else is doing it, and we really take the time to dig in to find new ways to use the law."

He said innovative thinking also helped when drafting the building inspection policy. "The property inspection policy in Anniston was getting some bad press. We looked at why they were having a lot of pushback, and we tried to set our own course," he said. "I never heard of any other city adopting a scheme of any nature similar to ours, and it's because we're fortunate to have the city employees take time and to work through the law."

Goldman also said cities need to leverage their resources and focus on what they can realistically accomplish. "What's important whether you're Tarrant or any other city is finding the pace at which you can affect change," Goldman said. "Where so many municipalities have gotten it wrong is focusing too much on the list and how many properties are in need of rehabilitation." Goldman represents Mulga, a town of less than 1,000 in west Jefferson County. He said the town's resources are limited but they are still working to fix issues. Goldman said he encouraged town officials that if they could take just one dilapidated house down a year, then they should do it.

"Whatever that pace to be successfully achieved is, commit to it and try to do it," Goldman said. "Focus on what can we change today rather than how much we need to change."