SUBJECT: Hess Village Community Liaison Committee (PED09127(a)) (Wards 1 & 2)

RECOMMENDATION:

a) That Council endorse the draft Terms of Reference for the Hess Village Community Liaison Committee, attached as Appendix A to Report PED09127(a), and direct staff to report back to the Economic Development and Planning Committee on the final Terms of Reference once the Community Liaison Committee has been provided an opportunity for input into the Terms of Reference.

b) That staff be directed to report back in January 2011 on the effectiveness of the Hess Village Community Liaison Committee, at which time the term of the Hess Village Community Liaison Committee will expire unless directed otherwise by Council.

c) That the 2010 operating cost in the amount of $20,000 for a facilitator and stenographer for the Hess Village Community Liaison Committee be referred to the 2010 Operating Budget for approval.

Tim McCabe
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

On May 27, 2009, Council endorsed the principle of a Hess Village Community Liaison Committee (CLC) and directed staff to report back on an implementation strategy, associated cost, required manpower, timing and area of responsibility for the CLC. Report PED09127(a) recommends that Council endorse the appended draft Terms of Reference for the Hess Village CLC. Upon endorsement, Downtown and Community Renewal Division staff will contact the prospective CLC members as listed in the Terms of Reference. The CLC is anticipated to begin meeting in August 2009, with a term lasting to the end of January 2011. At that time, staff intend to report back on the effectiveness of the CLC, and may recommend continuation of the CLC if warranted.

BACKGROUND:

City Council, through its approval of Committee of the Whole Report 09-015 as amended on May 27, 2009, endorsed the principle of a Hess Village Community Liaison Committee (CLC) and directed Downtown and Community Renewal Division staff to report back to the Economic Development and Planning Committee on an implementation strategy, associated cost, required manpower, timing, and area of responsibility for the CLC. This direction was one of many recommendations contained in the Hess Village Review (PED09127) presented to Committee of the Whole on May 21, 2009.

The Hess Village Review was the work of a multi-disciplinary team of City staff and Hamilton Police Services dedicated to addressing issues identified earlier in 2009 by City Council relative to Hess Village. Consultation during the review included the Alcohol and Gaming Commission of Ontario, the Hess Village Pedestrian Mall Authority, Hess Village bar owners, Hess Village property owners, and three (3) residents representing the adjacent neighbourhoods. In addition, representatives of Public Health Services were consulted. The Hess Village property owners suggested that a CLC be established for the purpose of dialogue between the community and Hess Village property owners. Staff and the neighbourhood representatives agreed that the creation of a CLC would be worthwhile, and it was so recommended. As noted, Council approved the recommendation.

ANALYSIS/RATIONALE:

The Hess Village Review process identified a number of issues relevant to Hess Village as well as various groups and specific individuals who expressed interest in collectively addressing the issues. The Review’s recommendations are intended to create opportunities to improve Hess Village and the effect on the surrounding residential areas. It is intended that the CLC will monitor and provide input to the City regarding the implementation and effectiveness of the recommendations, and establish a dialogue among the City, Hess Village bar owner/operators, property owners, and surrounding residents to foster a cooperative environment in which to address issues.
The CLC will examine issues identified in the draft Terms of Reference including:

- stakeholder concerns regarding the existing and potential effects of Hess Village on properties, businesses, and overall well-being;
- strategies to control and minimize the occurrence of inappropriate behaviour, nuisance and noise, including the Public Nuisance By-law;
- implementation and effectiveness of strategies to address licensing issues;
- implementation and effectiveness of safety and policing enhancements, including additional closing time street lighting, fixed garbage containers, additional police officers and patrols; and,
- implementation and effectiveness of parking and taxi lane strategies.

CLC membership will reflect area stakeholders, including a balanced representation of the following groups:

- Four (4) residents, including one (1) to represent each of the adjacent neighbourhoods (Central, Durand, Kirkendall and Strathcona);
- Two (2) members of City Council representing Wards 1 and 2;
- Three (3) Hess Village property owners, including a representative of the Hess Village Pedestrian Mall Authority; and,
- Three (3) Hess Village bar owner/operators.

Each of the four adjacent neighbourhoods has an active neighbourhood association from which to draw CLC members; two of these associations (Central and Durand) were represented by their executive in the Hess Village Review consultation. Nominees from the property owners and bar owner/operators will be sought from those who participated in the Hess Village Review consultation meetings.

All members of the Hess Village Review team will be contacted regarding their potential participation as a staff resource. Staff from the Downtown and Community Renewal Division will act as primary support, with additional resource staff provided on an as needed basis to address issues. They may include representatives of Parking and By-law Services, Hamilton Police Services, Zoning By-law Reform, Building Services, Public Works, Legal Services, Economic Development and Real Estate, Public Health Services, and Emergency Services (Fire Prevention Bureau).

In addition, a professional facilitator will be necessary to co-ordinate and facilitate the CLC meetings, prepare meeting minutes, and assist in the resolution of issues, as outlined in the draft Terms of Reference.

Staff will report back to the Economic Development and Planning Committee once the CLC membership and the Terms of Reference are finalized.

It is anticipated that the CLC meetings will occur on a bi-monthly basis beginning in August 2009, with additional meetings as required (e.g. monthly meetings may be appropriate during the outdoor patio season). In January 2011, staff plan to report back
to the Economic Development and Planning Committee on the effectiveness of the 
CLC. The report may recommend continuation of the CLC if warranted; the term of the 
CLC will expire at the end of January 2011 unless otherwise directed by Council.

**ALTERNATIVES FOR CONSIDERATION:**

This report (PED09127(a)) establishes draft Terms of Reference that will guide the Hess 
Village CLC. The principle of establishing such a CLC was endorsed by Council in May 
2009. If it is the opinion of Council that a Hess Village CLC is no longer warranted, 
Council has the alternative not to approve the recommendations of this report.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

**Financial** – Costs relating to the Hess Village CLC include funding the professional 
facilitator and supporting stenographic work, as well as the operating costs associated 
with staff time, copying and distributing minutes and agenda, and providing basic 
refreshments for the meetings. CLC operating costs will be absorbed in the operating 
budget of the Downtown and Community Renewal Division. It is likely that meetings 
can be accommodated within Hamilton City Centre, or at Hess Village establishments, 
at no cost for booking.

The cost for funding the facilitator and stenographic support during 2009 is estimated at 
$15,000 and will be charged to the Downtown and Community Renewal Division’s 
Consulting Account # 55801-815010. An estimated increase of $20,000 to the 
Division’s Consulting Account in 2010 will be forwarded to Committee for consideration 
as part of the 2010 budget deliberations.

**Staffing** – The Hess Village Review and the follow up administration of the resulting 
CLC were not anticipated components of Divisional work plans. Staff attention was 
diverted from other work plan items to address the issues raised in the Hess Village 
Review in a comprehensive and timely manner. Retaining a professional facilitator is 
recommended as the Department’s existing staff who may provide neutral facilitation 
expertise remain committed to other community liaison committees for other issues 
across the City, such as the regulation of rental housing. Downtown and Community 
Renewal Division staff will act as the primary resource to the CLC and to the 
professional facilitator. They will attend all CLC meetings and ensure that appropriate 
Hess Village Review team members are available for CLC discussions as needed.

**Legal** – Not applicable.

**POLICIES AFFECTING PROPOSAL:**

Establishing a Hess Village CLC supports the Corporate Strategic Plan approved by 
Council in June 2008, specifically the mission to engage our citizens and promote a fair, 
diverse and accepting community. Through its term, the CLC may have cause to 
examine the following legislation, policies and regulations in relation to Hess Village:

- Planning Act;
- Municipal Act;
• Ontario Building Code Act;
• Fire Protection and Prevention Act;
• Hamilton Official Plan;
• Zoning By-law 05-200;
• Business Licensing By-law 07-170;
• Noise By-law 03-117; and,
• Public Nuisance By-law.

**Relevant Consultation:**

As previously noted, the Hess Village Review team consulted with a range of interests including the Alcohol and Gaming Commission of Ontario, the Hess Village Pedestrian Mall Authority, Hess Village bar owners, Hess Village property owners, three (3) residents representing the adjacent neighbourhoods, and the Public Health Services Department. Staff will be canvassing these groups, as well as all members of the Hess Village Review team, including Hamilton Police Services, to establish membership on the CLC in accordance with the draft Terms of Reference, attached as Appendix A to Report PED09127(a).

**City Strategic Commitment:**

By evaluating the “Triple Bottom Line”, (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No

Hess Village Review initiatives are designed to create a safer entertainment district while addressing inappropriate behaviours experienced in the surrounding neighbourhoods. The Community Liaison Committee is intended to foster improved community relations between Hess Village establishments and their neighbours.

Environmental Well-Being is enhanced. ☑ Yes ☐ No

Efforts to support a safer, cleaner and less disruptive entertainment district will provide positive results for the quality of life within and near to Hess Village.

Economic Well-Being is enhanced. ☑ Yes ☐ No

Initiatives related to the Hess Village Review will assist in retaining and attracting business, investment and tourists.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No

Establishing the Hess Village Community Liaison Committee enables high performing staff to engage and share knowledge with local business and the community.

AW:vk
Attach. (1)
City of Hamilton  
Hess Village Community Liaison Committee (CLC)  
Terms of Reference (draft)  

PURPOSE OF THE COMMUNITY LIAISON COMMITTEE:  
The purpose of the Hess Village Community Liaison Committee (CLC) is to provide stakeholders with an ongoing role in monitoring the implementation and effectiveness of the strategy for addressing issues relative to Hess Village, as outlined by the Hess Village Review (PED09127), including the document prepared by Hamilton Police Services titled “2009 Policing Strategies at Hess Village” attached as Appendix F to Report PED09127. The CLC will also be used as a forum to establish ongoing dialogue between City representatives, the Hess Village bar owner/operators, property owners and neighbouring residents.

SCOPE OF ISSUES:  
The recommendations approved through the Hess Village Review are intended to create opportunities to improve Hess Village and the effect on the surrounding residential areas. The issues that the CLC may discuss and address include, but are not limited to:  

- stakeholder concerns regarding the existing and potential impacts of Hess Village on properties, businesses, and overall well-being;  
- strategies to control and minimize the occurrence of inappropriate behaviour, nuisance and noise, including the Public Nuisance By-law;  
- implementation and effectiveness of strategies to address licensing issues;  
- implementation and effectiveness of safety and policing enhancements, including additional closing time street lighting, fixed garbage containers, additional police officers and perimeter patrols, and closed circuit television cameras (CCTV);  
- implementation and effectiveness of parking and taxi lane strategies.

COMMITTEE COMPOSITION:  
Members will be invited to reflect area stakeholders, including a balanced representation of the following groups:  

- Four (4) residents, including one (1) to represent each of the adjacent neighbourhoods (Central, Durand, Kirkendall and Strathcona);  
- Two (2) members of City Council representing Wards 1 and 2;
• Three (3) Hess Village property owners, including a representative of the Hess Village Pedestrian Mall Authority;

• Three (3) Hess Village bar owner/operators.

The CLC will be guided by a professional facilitator. Staff from the Downtown and Community Renewal Division will act as primary support, and will be available to the CLC and facilitator as resource people. Additional resource staff, including but not limited to those who comprised the Hess Village Review team, will attend meetings of the CLC as needed to address issues. They may include representatives of Parking and By-law Services, Hamilton Police Services, Zoning By-law Reform, Building Services, Public Works, Legal Services, Economic Development and Real Estate, Public Health Services, and Emergency Services (Fire Prevention Bureau).

**ROLES AND RESPONSIBILITIES:**

Upon accepting membership in the Committee, CLC members will:

• Agree to a finalized Terms of Reference to guide the CLC;

• Attend CLC meetings;

• Review all documents, agenda and minutes presented to them before attending CLC meetings to provide informed discussion that is accurately documented;

• Receive information from, and provide input and advice to, the City regarding various initiatives and strategies related to Hess Village;

• Suggest agenda items for meetings, with the assistance of City staff;

• Strive to operate in consensus, where CLC members listen to others and openly discuss their respective views and opinions;

• Communicate accurate information to and from the community and/or, for CLC members who represent groups, to and from their groups.

The Committee will be led by a Chair elected by the CLC members. A vice-Chair will also be elected to act in the absence of the Chair. The Chair has the responsibility of leading the meeting and providing a safe and neutral space for members. All questions, comments and responses will be directed through the Chair.

Facilitation services will be provided to the CLC by a professional facilitator. The facilitator will:

• Agree to a finalized Terms of Reference to guide the CLC;
• Co-ordinate and facilitate CLC meetings, and participate in communication between meetings;

• Synthesize and summarize information and discussion from CLC meetings and prepare meeting minutes;

• Assist in the resolution of issues as required;

• Assist in the development of meeting agenda and other support materials as may be required.

Staff will contribute technical information, as well as professional perspectives and knowledge to assist the CLC in formulating its advice and recommendations. They will also:

• ensure that appropriate Hess Village Review team members, are available for CLC discussions;

• ensure that CLC advice and recommendations are considered in decisions made by the City of Hamilton in relation to Hess Village initiatives.

The City will cover costs associated with booking meeting facilities, providing simple refreshments for the meetings, and funding the facilitator, including the recording, copying and distribution of minutes and agenda. Copies of reports and monitoring information relevant to issues being considered by the CLC shall be made available to CLC members.

MEETINGS, MINUTES AND AGENDA

• The CLC shall meet at least once every two (2) months. Additional meetings may be scheduled at the call of the Chair.

• A meeting schedule shall be prepared and forwarded to CLC members for information.

• Meetings will be held at the Hamilton City Centre, City Hall (after July 2010) or in a location proximate to Hess Village and of easy access to committee members, generally during the evening hours to facilitate citizen participation. Meetings may be held at alternate times provided that all CLC members and staff can confirm their attendance.

• Decision-making will be based on the principle that everyone has a right to express his or her opinion. Decisions should be reached on a consensus basis, but when required will be made by a vote of greater than 50% of CLC members in attendance at the meeting.
• The meetings shall be open to the public, providing the public-at-large with an opportunity to participate in CLC meetings. Observers that are not CLC members will be provided with an opportunity to ask questions of provide comments during meetings.

• The minutes of each CLC meeting shall be prepared by the facilitator and included in the subsequent meeting agenda. Amendments to the minutes, if required, shall be dealt with at the subsequent CLC meeting.

• The minutes of each CLC meeting shall be forwarded to the City’s Economic Development and Planning Committee for information.

• Meeting agendas will be set by the Chair in consultation with staff and the facilitator. A draft agenda and any related information (e.g. previous meeting minutes) will be circulated to CLC members and staff one week in advance of a meeting. The Chair may grant requests for discussion of items not on the agenda.

TERM

In order to monitor the implementation and effectiveness of strategies for addressing issues relative to Hess Village, as outlined by the Hess Village Review recommendations, the CLC will function into the Fall of 2010. Assuming the initial CLC meeting occurs in August 2009, nine (9) bi-monthly meetings would occur through to December 2010. This term will allow observation of two patio seasons.

In January 2011, Staff will report to the Economic Development and Planning Committee on the effectiveness of the CLC, incorporating CLC input. The staff report may recommend continuation of the CLC if warranted. The CLC will conclude at the end of January 2011 unless directed otherwise by Council.