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

RECOMMENDATION:

That Council endorse the Terms of Reference for the Hess Village Community Liaison Committee, attached as Appendix A to Report PED09127(b).

EXECUTIVE SUMMARY:

On July 9, 2009, Council approved Report PED09127(a), endorsing draft Terms of Reference for the Hess Village Community Liaison Committee (CLC), and directing staff to report back to the Economic Development and Planning Committee on the final Terms of Reference once the Hess Village CLC had been provided an opportunity for input into the Terms of Reference. The initial meeting of the Hess Village CLC occurred on September 21, 2009. As a result of that meeting, some minor revisions to the draft Terms of Reference are recommended to incorporate the input received from the CLC. The changes include: adding a representative from Hamilton Police Services to the formal committee composition, rather than as an occasional staff resource; and, providing for co-Chairs and Vice-Chairs to lead the Committee, rather than one (1) Chair and one (1) vice-Chair. Report PED09127(b) recommends that Council endorse the appended, revised Terms of Reference for the Hess Village CLC.
BACKGROUND:

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 (EDPC) 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 the year relative to Hess Village.

Subsequently, Report PED09127(a) outlined the process to establish the Hess Village CLC in accordance with a draft Terms of Reference. Report PED09127(a)’s recommendations, approved by Council on July 9, 2009, directed staff to report back to EDPC on the final Terms of Reference once the Hess Village CLC had been established and provided an opportunity for input into the Terms of Reference.

ANALYSIS/RATIONALE:

As per the draft Terms of Reference and process set out in Report PED09127(a), the CLC membership composition reflects area stakeholders, including a balanced representation of the following groups:

- Four (4) residents, including one (1) to represent each of the adjacent neighbourhoods:
  - James Nicholson – Central Neighbourhood,
  - Nicholas Kevlahan – Durand Neighbourhood,
  - Susan Millman – Kirkendall Neighbourhood, and
  - Jonathan Therien – Strathcona Neighbourhood;

- Two (2) members of City Council representing Wards 1 and 2:
  - Councillors Brian McHattie and Bob Bratina, respectively;

- Three (3) Hess Village property owners, including a representative of the Hess Village Pedestrian Mall Authority:
  - Alastair Kermack,
  - Jim Skarratt, and
  - Marion Tucker (Hess Village Pedestrian Mall Authority); and,

- Three (3) Hess Village bar owner/operators:
  - Dean Collett,
  - Denis Vranich, and
  - Paul Pappas.
The first meeting of the Hess Village Community Liaison Committee was held on September 21, 2009. It was led by Dave Hardy, of Hardy Stevenson and Associates Limited, a professional facilitator retained to co-ordinate and facilitate the CLC meetings, prepare meeting minutes, and assist in the resolution of issues, as outlined in Report PED09127(a) and the draft Terms of Reference. The meeting agenda included a review of the draft Terms of Reference, through which the following changes to the Terms were agreed upon, and are thus recommended in this report:

1. A representative of the Hamilton Police Service (HPS) is to be added to the formal committee composition, attending all meetings. The draft Terms of Reference had included HPS representation as a resource staff provided on an as needed basis to address specific issues. Given that many of the issues the CLC may discuss are particularly relevant to the HPS, including strategies to control and minimize the occurrence of inappropriate behaviour, nuisance and noise, and the implementation and effectiveness of safety and policing enhancements, this change is warranted. The HPS representative in attendance, Superintendent Bill Stewart, concurred.

2. The CLC agreed to elect co-Chairs and Vice-Chairs to lead the Committee, rather than one (1) Chair and one (1) vice-Chair as proposed by the draft Terms of Reference.

The recommended, revised Terms of Reference, appended to this report, will be used to guide the Hess Village CLC.

ALTERNATIVES FOR CONSIDERATION:

No alternatives to this report’s recommendation are proposed. Direction for the Hess Village CLC has been clearly established through Reports PED09127 and PED09127(a).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – Not applicable.

Legal – Not applicable.

POLICIES AFFECTING PROPOSAL:

Establishing Community Liaison Committees support 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. As noted in PED09127(a), 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:**

The draft Terms of Reference were provided to CLC nominees with opportunity to provide comment, and were discussed at the initial CLC meeting held on September 21, 2009, resulting in the version recommended for Council’s endorsement in this report (PED09127(b)).

**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)
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;

• One (1) representative of Hamilton Police Services.

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, 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 two (2) co-Chairs elected by the CLC members. Two (2) vice-Chairs will also be elected to act in the absence a corresponding co-Chair. The co-Chairs have 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 co-Chairs.
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 co-Chairs.

- 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 who are not CLC members will be provided with an opportunity to ask questions and/or 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 co-Chairs 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 co-Chairs 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.