

AMENDED AGENDA FOR THE VILLAGE OF SHOREWOOD HILLS POOL COMMITTEE

Date and Time: Wednesday, April 13, 4:30 pm

Location: Virtual via Zoom

To register to speak on an agenda item, send an email to info@shorewood-hills.org before 8:00 am the day of the meeting detailing which item is of interest. Your comments may be limited to 3 minutes. Written comments on the agenda can be sent to info@shorewood-hills.org before 8:00 am the day of the meeting. Requests to speak and comments submitted after this date/time may not be able to be accommodated.

You can listen to the meeting by dialing: 1 312 626 6799 US (Chicago). Enter Meeting ID: 831 9026 0130 and Passcode: 596983.

1. Call to Order
 - a. Note compliance with open meeting law
 - b. Approve prior meeting minutes
2. Pool Manager update on hiring and planning
3. Village Administrator update regarding membership and program registrations
4. Membership Sales Report
5. Session 2 Program Registration Open Date
6. Badger Aquatics Club (BAC) Rental Agreement
7. Please take notice that the committee may adjourn to closed session pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to consider employment, promotion, compensation, or performance evaluation data of any public employee over which the jurisdiction exercises responsibility that require a closed session and may reconvene to open session as per Wisconsin State Statutes 19.85(2) to address any business that may be the result of the deliberations made in closed session (Compensation for Erik Johnson and Chris Carbon for assistance with pool operations).
8. Adjourn

PLEASE TAKE NOTICE, that any person who has a qualifying disability as defined by the Americans with Disability Act that requires the meeting or materials at the meeting to be in an accessible format, should contact the Municipal Clerk, 810 Shorewood Boulevard, or phone 267-2680, during regular business hours at least 48 hours before the meeting so that reasonable arrangements can be made to accommodate each request.

It is possible that members of, and possibly a quorum of members of other governmental bodies of the Village of Shorewood Hills who are not members of the above committee may be in attendance at the above stated meeting to gather information. However, no formal action will be taken by any governmental body at the above meeting other than the committee identified in the caption of this notice.

**Village of Shorewood Hills
Pool Committee Minutes
Thursday, December 17, 2021 at 7pm
DRAFT**

The meeting was called to call to order by Mark Lederer at 7:03 p.m.

The following members of the Pool Committee were virtually (Zoom) present: Mark Lederer, Scott McKinney, Lois Polenz, Mark Soderberg, Dana Hellgren, Kip Schick, Jon Miskowski, and Jessica Vaughn. Also in attendance were Sharon Eveland and Amanda Ellmaker.

Ms. Eveland noted that the meeting had been properly posted.

Mr. Lederer briefly reported on the status of PerfectMind software and noted that the interim pool managers reported to him that the facility was in good shape. He stated the replacement of a diving board and the resurfacing of the parking lot were planned for this year.

Ms. Eveland called a roll call vote to enter closed session to interview Ms. Ellmaker for the pool manager position. Ms. Eveland and Ms. Ellmaker were invited to join the committee in closed session. The committee vote was as follows:

Mark Soderberg – Yes, Dana Hellgren – Yes, Scott McKinney – Yes, Lois Polenz – Yes
Jon Miskowski – Yes, Mark Lederer – Yes, Kip Schick – Yes, Jessica Vaughn – Yes

The committee entered closed session at 7:10 pm.

The committee voted to return to open session at 8:30 pm. During the closed session, the Committee conducted the interview process for the Pool Manager.

Mark Lederer – Yes, Mark Soderberg – Yes, Dana Hellgren – Yes, Jon Miskowski – Yes
Kip Schick – Yes, Lois Polenz – Yes

Mr. Lederer continued his report on the setup of PerfectMind for the 2022 season. He reported on the issues and timing of the resurfacing of the pool parking lot. He noted there remains an open resident seat on the committee and requested any suggestions be forwarded to him. He deferred the question of interim pool manager compensation to a future meeting.

The meeting adjourned at 8:38 pm.

Respectfully Submitted,
Mark Lederer

DRAFT 1/17/2022

**Village of Shorewood Hills
Pool Committee Minutes
Monday, January 17, 2022**

The virtual meeting was convened by Mark Lederer at 11:30 am.

In attendance were Committee members Mark Lederer, Scott McKinney, Kip Schick, Lois Polenz and Jon Miskowski. Also in attendance were interim pool managers Chris Carbon and Erik Johnson and Village Administrator Sharon Eveland.

Mr. Lederer read the following motion:

The Pool Committee approves and recommends to the Village Board of Trustees the hiring of Amanda Ellmaker as pool manager with annualized, total compensation of \$36,000.

Scott McKinney made the above motion and Jon Miskowski seconded the motion. Mr. Lederer asked if there was any discussion and hearing none, he called for a vote. The vote was 5 - 0 in favor of the motion.

Mr. Lederer adjourned the Pool Committee at 11:32 am.

Respectfully Submitted,
Mark Lederer

**Village of Shorewood Hills
Pool Committee Minutes
Thursday, February 3, 2022
DRAFT**

The meeting was called to call to order by Mark Lederer at 5:03 p.m.

The following members of the Pool Committee were virtually (Zoom) present: Mark Lederer, Scott McKinney, Lois Polenz, Mark Soderberg and Jessica Vaughn. Also in attendance were Sharon Eveland, Eric Johnson, Chris Carbon, and Amanda Ellmaker.

Ms. Eveland noted that the meeting had been properly posted. On behalf of the committee, Mr. Lederer welcomed Ms. Ellmaker as the new pool manager.

Ms. Eveland reported on her ongoing effort to implement PerfectMind for the upcoming season including, but not limited to correcting errors and omissions in the setup in 2021. She noted she and Mr. Lederer had spent 11 in training and once the system was operating as intended, Ms. Ellmaker and other Village staff would assume day to day responsibility for normal operations.

Ms. Ellmaker reported on the timetable and milestones in the interview and hiring on the seasonal staff and invited committee members to participate in the interviews of lifeguards and coaches. She reminded the committee that only first-time applicants and those were applied for more senior positions than those held in the prior season would be interviewed. Her hope was to make offers contingent on the approval of the Village Administrator by March 25rd.

Ms. Ellmaker reviewed the pool schedule for the upcoming season. The committee discussed capacity constraints, particularly associated with swim lessons which are included in the membership fees. Mr. Carbon pointed out there was no fixed membership cap, but typically was about 950 members on a first come, first served basis. Ms. Eveland noted that the Village would determine if (and when) membership(s) would be closed.

Ms. Eveland proposed that prospective changes to the pool's policies (other than membership fees) be deferred to a future committee meeting and would be subject to Village Board approval. She reviewed possible increases in membership rates with the committee for the upcoming season. The committee discussed various alternative structures and rates including the history and rationale behind the current structure. The committee also discussed whether wages should also be increased for the pool staff. Although no specific increase in membership fees or wages was formally approved, by consensus the committee was support of an increase in fees and wages but sought additional information as to fees and wages at other pools in the area.

The meeting was adjourned at 6:21 pm.

Respectfully Submitted,
Mark Lederer

Begin forwarded message:

From: Mark Lederer <markelederer@gmail.com>
Date: April 11, 2022 at 5:20:55 PM CDT
To: Sharon Eveland <seveland@shorewood-hills.org>
Subject: Fwd: 2022 BAC Rental Agreement Considerations

FYI - Attached is a copy of last year's rental agreement with BAC and some issues EJ has raised regarding this season's agreement.

Mark

----- Forwarded message -----

From: **Erik Johnson** <ejohnsonmail@gmail.com>
Date: Mon, Apr 11, 2022 at 5:16 PM
Subject: 2022 BAC Rental Agreement Considerations
To: Carbon, Chris primary <cpcarbon@gmail.com>, Amanda Ellmaker <poolmanager@shorewood-hills.org>, Mark Lederer <markelederer@gmail.com>

Here's a list of information that will be helpful for Amanda and Mark to share with the pool committee on Wednesday, as well as the potential questions that the pool committee would need to answer to sort out 2022. Carbon - chime in if you disagree with anything or if you have anything to add.

2021 Agreement:

I have attached what I believe was the final draft of BAC's rental agreement. Mark can confirm that as he drafted this doc, but it has the essential info that we need which are...

2021 Regular Season Rate: \$12/hr/lane. Before the season began, BAC gave SW a spreadsheet that listed all of the time requests

2021 Post Season Rate: \$300/week plus operational costs (water, gas, electric, chemicals, and labor)

2022 Agreement Considerations:

Regular Season Rental: Historically the pool committee has mirrored any rental rate increases along with any membership rate increases. I don't recall where things landed on the membership rates, but I believe it was 2%? Maybe 3%? Regardless, if they were to continue with past practice, they would take last year's \$12/lane/hr and raise it ___% to calculate the 2022 rate. Obviously that's up to the committee, so this would be question 1 for the them to consider:

QUESTION 1: Do you want to keep BAC's regular season rate at \$12/hr/lane, do you want to increase BAC's rate the same percentage as you raised membership rates, or do you want to change it by some other amount?

Pre Season Rental: Question 1 here would be is it even possible to staff a preseason for BAC given Amanda's availability. I spoke to Amanda and she was comfortable that she would be able to handle the workload for running to pool preseason for BAC. She was also comfortable continuing the historical agreement that SW would not charge BAC for additional labor, nor would she be compensated additionally for those weeks, as she was planning to be down there quite a bit anyway getting things ready and learning the ropes of the mechanicals of the pool. So if the plan was to keep 2022 similar to previous seasons, BAC would be responsible for their weekly rental rate, plus electric, gas, water, and chemicals. I can work with Amanda on the nitty gritty on how to calculate these costs, but one thing to note is that **14 days** prior to opening day (5/28) we stop charging BAC for water, electric, and chemicals as we'd have to start those things by that point regardless to get the pool ready for the members. We continue charging gas until **3 days** before opening day, as that's the point we'd turn on the heat to have it warm for members. So the next question for the committee....

Question 2: Do you want to keep BAC's "out of season" rate as a "weekly" rate plus operational costs as was done in 2021? If so, do you want to keep the rate at \$300/week, raise it by ___%, or change it by some other amount?

If the committee is looking for feedback on how the weekly rate method worked, I would say it worked extremely well - even WITH the addition of a 2nd renter (Middleton). Made a lot more sense and made life pretty easy on everyone. WAY better than charging them a per hour per lane rate in the off season.

Post Season Rental: The committee can approve the post season rate along with the preseason rate as they are very similar. HOWEVER.... before promising BAC any post season time, you need to see if Amanda is available to take care of the pool this fall. that is NOT something she and I discussed. If she is, the next step would be to come up with an agreement on her compensation for the additional weeks of labor to keep the pool open. Once those things are sorted out, you can just use the same model for post season as you have for preseason, with the addition of the labor cost added to the "operation cost" portion of their bill.

I think this pretty much covers everything. Feel free to reach out with any questions. happy to provide any needed context of clarifications.

-EJ

September 18, 2021

Rental of the Village of Shorewood Hills (the Village) Pool to Badger Aquatics Club (BAC)
May 3, 2021 – Fall 2021

Rental Periods – The schedule of rental periods is set forth in Exhibit A. The Season is the period when the pool is open to its membership. The Pre-Season begins May 3, 2021 and concludes when the Season begins. The Post Season schedule begins September 7, 2021 and will conclude when BAC provides written notice to the Village, but no later than October 31, 2021.

Rental Days/Times for Pre-Season and the Season – Are set forth in Exhibit A.

Rental Rates – During the Pre-Season and Season, the rental rate is \$12 per hour per lane. Other than noted in Exhibit A, all lanes are long course. During the Post Season, the rental rate is \$300 per week.

Cost Reimbursement – During the Post Season BAC will reimburse the Village pool for all its operating costs (water, gas, electricity, chemicals, labor...).

Access – BAC will be issued a key to open and lock up the facility. The key shall not be copied and will be returned at the end of the rental period. Lost key charge is \$500. BAC will complete “check-in and check-out procedures before and after each use of the facility as stipulated by the Pool Manager. BAC will permit that only its members and BAC staff will enter the facility. However, BAC is not responsible for other persons entering the facility during times when the facility is open to the pool’s membership.

Lifeguards – The Village is not responsible for providing any lifeguards during the rental periods. BAC is solely responsible and liable for the safety of all individuals they permit in the facility during the rental periods.

Termination – The Village reserves the right to terminate the rental agreement at any time.

Covid-19 Precautions – BAC agrees to comply with all pool safety guidelines and restrictions issued by the Village, Dane county and State of Wisconsin public health authorities including but not limited masking and social distancing guidance.

Maintenance – BAC shall bring any maintenance issues to the attention of the Pool Manager.

Insurance & Liability Consent – BAC shall provide its own insurance coverage and name the Village as an additional insured on its policy and sign the Village’s attached Liability Consent.

**VILLAGE OF SHOREWOOD HILLS
RELEASE, INDEMNIFICATION & HOLD
HARMLESS OF ALL CLAIMS**

In consideration for permission granted to the undersigned by the Village of Shorewood Hills (the Village) to rent the use of its pool facility, the undersigned Badger Aquatics Club, Inc. (BAC) hereby forever discharge and release, indemnify and hold harmless the Village, its successors and assigns, from all claims, debts, demands, damages, injuries, actions and causes of action whatsoever which the undersigned may now have or may hereafter have, as a result of its use of the pool facility pursuant to its 2021 rental agreement with the Village.

This release, indemnification and hold harmless shall be valid and in full force and effect even if it is determined that the Village, its agents or employees, were negligent in causing any such injury, damage or debt.

This release, indemnification and hold harmless shall be binding upon the undersigned, their heirs, successors and assigns.

Executed at Madison, Wisconsin this _____ day of _____, 2021

On behalf of Badger Aquatics Club, Inc.

Signature: _____

Printed Name: _____