

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
October 7, 2013

A Meeting of the Police Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, October 7, 2013.

PRESIDING: Chairman Douglas Morrow, Sr.

IN ATTENDANCE: Police Committee Members S. Allen Pikus and Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/Recorder  
Terri Hudson

Lieutenant Gay Bailey, Milford Police Department  
Michael Rivera, Special Events Manager, DelDOT Traffic Safety Section

Chairman Morrow called the Police Committee Meeting to order at 8:04 a.m.

*Special Events Issues and Road/Street Closings*

Chief Hudson introduced Special Events Manager Mike Rivera from DelDOT's Traffic Safety Section. He asked Mr. Rivera to speak to the police committee about some of the requirements and compliant issues that are impacting the increasing number of events that are occurring within the city.

Mr. Rivera informed the committee that not just in Milford, but statewide, 5K's and festivals are on the increase. DelDOT permits almost 500 per year and he anticipates there are almost twice as many events whose organizers are unaware of DelDOT's requirement.

He explained the Special Event Policy and Permit application is a great way of keeping track of who is doing what on our roadways which will help with compliance and safety issues. This also prevents overlapping events that could occur on the same route.

Mr. Rivera frequently hears from organizers that they have been doing the same thing for thirty, forty, fifty years which is true in a lot of cases. Though the regulations have always been in place, they have not always been enforced. He said it is difficult to police every event statewide. However, in the last three to four years, DelDOT has aggressively pursued the Special Event Permit application. He explained the application requires the applicant information, date, time and how traffic control is planned.

Mr. Rivera explained one of the big issues today is the use of noncompliant traffic control devices such as barricades.

It was confirmed the permit requires the applicant to indicate whether or not the police are being used for the event. Mr. Rivera stated they are in contact with the municipality upon receipt of the DelDOT application.

The city clerk confirmed there is a permit process required in the city and noted that DelDOT, the police department and the city are in constant communication regarding any permit received.

Mr. Rivera noted that one of the steps in the City of Dover permit application requires the organizer to contact DelDOT. This assures everyone is aware of the event. He said that ultimately, it is the responsibility of the City of Milford to approve the event in conjunction with DelDOT. DelDOT basically approves the traffic control plan though it can be tricky. If the proper devices are not used and the organizer does not seek proper traffic control, that places DelDOT in a bad position and puts the city in a liability situation.

Mr. Pikus recommended the city update the process to include these requirements. Mr. Rivera advised that he is working

closely with the city clerk, Chief Hudson and Lieutenant Bailey on eliminating a problem where organizers are copying and pasting their information from one year's application to the next year.

Chief Hudson stated that the applications indicate that Milford Police Department will provide traffic assistance when in fact, his department has not been contacted.

Mr. Rivera agreed explaining that Milford Police Department may have supported the event five years ago and because they are copying the information, the application indicates that Milford Police will be handling the event again this year.

He reported there is also a problem with noncompliant traffic control devices. The third problem involves the request for police coverage, which is often taken for granted even though the police departments are not always able to provide them. He emphasized this occurs in every town and city in Delaware. Mr. Rivera said he just had an issue in Seaford with Lieutenant Bohn where they provide duty officers because they are the only officers available. If an incident occurs where Seaford Police have to respond, the duty officer leaves the event without the proper traffic control. When this occurs, it puts everyone in a bad situation including DelDOT.

Mr. Rivera noted that DelDOT requires the application be submitted six weeks in advance though that is not always done. When he met with the organizers of the Halloween Parade last week, their reaction was that it was last minute information.

Mr. Rivera emphasized that he had a conversation with Charles Gray last year and warned him these regulations were going to be enforced this year. He had the same conversation in all the towns. He emphasized this is not from DelDOT but something coming from the legislators, the Secretary of Transportation and the highest administration to his office, as the coordinator of these special events, in an attempt to manage traffic better.

Mr. Rivera said the regular motorist is not worried that the parade has gone on for twenty-seven years. Instead, they want to know why they are stuck in traffic for two and a half hours. Without changing the route or denying an application, which DelDOT does not want to do, these regulations must be enforced. DelDOT certainly does not want to ask Milford Police Department to go out and remove the Halloween Parade and the police definitely do not want to do that. However, according to Title 17, DelDOT has the right to request that. He said we cannot continue to neglect the rules and hope nothing happens while drivers are stuck in delays for two and a half hours.

Mr. Pikus asked if a private organization wants to block off a portion of Route 14 or Walnut Street (state-maintained), are they required to have street guards or some other form of traffic control other than Milford Police; Mr. Rivera responded by stating there are other options which can be discussed though some are better than others.

Mr. Pikus asked what happens if the police are tied up and someone wants to block off a street and whether they have to contact someone. He is aware that when DelDOT closes a street for construction, they contract road guards. He asked if the state pays or the individual requesting the closure pays.

Mr. Rivera asked if it is a special event Mr. Pikus is referring to; Mr. Pikus stated yes, for example an event sponsored by a local organization in this community who wants to close off a section of a street. He asked if that requires their own street guards.

Mr. Rivera explained that some type of traffic control is necessary. It is illegal to close a street by only using sawhorses. The organizer can use Milford Police, fire police or can put up compliant barricades and a compliant detour.

He explained that a scaled down detour was recently done at the Eat in the Street event. They used compliant barricades and detour trailblazers. However, DelDOT prefers to have police officers present which tends to slow motorists down much more than the other options. Though it is not a DelDOT issue, the main problem Mr. Rivera is noticing is that a lot of towns and cities do not charge the event organizer for the traffic control. He noted that if DelDOT comes out to set something up, they are required to charge per the Governor which is a problem with the Halloween Parade.

Mr. Rivera said they are happy to support every event to ensure traffic would flow properly and that everyone is safe. Unfortunately, DelDOT is unable to do that. If the organizer wants DelDOT to come out and put up barricades and detours, it will cost money.

Mr. Pikus asked if the organizer who requests the street be closed is billed for any DelDOT services. Mr. Rivera stated yes, they will be billed for using DelDOT assets and any services provided. Currently, the organizers know they don't have to pay law enforcement so very little effort is put into the route. They create a route which closes a number of streets without any consideration. If the organizer is required to pay for Milford, Seaford or Dover Police Department to cover these events, there would be much more thought given to the roads being used for these 5Ks to prevent these major impacts and the need for additional police.

Mr. Rivera noted the Homecoming Parade uses the same route as the Halloween Parade, but is a smaller group. Because of that, police are able to clear intersections, then go to another to cover. He said that Lieutenant Bailey informed him that traffic is permitted to flow north or south, depending on where the parade is. On the other hand, the Halloween Parade stretches 1.7 miles for two and a half hours. Essentially passing through Milford during that time is impossible. We have to better alert the public of that issue. The only and cheapest way to do that is to use message boards and the organizer is responsible for those costs. He emphasized that is a requirement.

DelDOT has the authority to request the event be removed in consultation with the local law enforcement. DelDOT is able to request DSP or the local police agency remove that event. That is something DelDOT does not want to do. Instead, they prefer working with the organizer to find a solution that allows their event to take place but that also will not impact the public as many of these events do.

Mr. Pikus asked if Mr. Gray is aware of these requirements and if he is willing to do these things; Mr. Rivera said he is aware of the requirements and was provided the information last year.

When asked if the organizer is required to contact the city first, Ms. Hudson explained that some organizers contact DelDOT first and some contact the city or the police. Either way, DelDOT, Milford Police and the city work hand in hand and contact is made with one another once a request is submitted.

Mr. Pikus asked if Mr. Gray is aware this event can be shut down. Mr. Rivera said he has explained that. He emphasized they are not picking on this particular event noting the reason they are discussing this parade is because DelDOT received more than seven complaints last year which is a lot. He explained that these complaints do not go to the city nor do they go to Mr. Gray. Instead, they go to Public Relations at DelDOT and then directly into Mr. Rivera's section. The public has an expectation and once they receive a complaint, DelDOT has to attempt to resolve the problems. There is no guarantee but something must be done.

He advised that historically, it has been proven that a message board will capture a certain percentage of people and provide them with the information to use an alternate route. It will not fix everything but happens to be the cheapest and easiest solution for mitigating traffic impacts in these events.

The price to lease the boards is \$84 a day; there is also a labor charge to transport and set them up. Typically one message board for one day will cost \$140. The requirement for high-impact events is three days.

He said that Mr. Gray kept stating they were informed so close to the event and they did not have the budget to pay for this. Mr. Rivera suggested he reach out to private vendors. Some of the vendors sponsor events and may donate the equipment. They prefer the organizers use outside resources because DelDOT would not be able to keep up with every event considering there are 500 a year now. Not all need message boards and DelDOT is not in the business of renting out equipment. However, DelDOT is in the business of providing transportation management. As a courtesy to the organizations, they try very hard to assist them. Mr. Rivera offered to help Mr. Gray by putting the boards out for three days and only charging for one day with the expectation that next year, they would be responsible for the full amount.

Mr. Rivera then reported that ten days advanced notice is required for a construction project. DelDOT does the event organizers a favor by only requiring three days which has been determined to be the most effective amount of time to educate the public that this event will occur.

Mr. Rivera reiterated there are a number of events that do not meet these requirements and get away with it. He would prefer to have an unlimited budget that would allow him to go out every weekend and hunt down special events. Unfortunately, a lot of what they do is reactionary. He said the Halloween Parade is that exact situation. It has been permitted for years and years and they get by with DelDOT only receiving one or two calls. But when seven or eight calls are made, there is a serious issue that needs to be addressed.

He noted that Milford is unique because it has two state routes running through it. The Mispillion River limits access north and south. Some of the areas that have been closed in past years essentially disrupts the entire town. DelDOT can manage that but the public needs to be alerted that these roads are going to be closed during that time.

Within Milford, he said that the majority of the residents know the parade will occur. But truckers coming from other areas who want to cut through Milford to get to Route 1 need to be taken care of. He said we can survive using Church Street as a detour for local traffic but tractor trailers are unable to make those turns. Once you get a big truck in there, everyone is stuck in that area.

He noted that there will be no more crossing Route 1 for any event in the beach towns. The Dewey Goes Pink 5K was the last one permitted to do that. Next year there will be an alternate route.

They tried something new at Dewey where they ran contraflow and actually shifted traffic over and allowed bikes to come down and turn around which actually worked. As a result, Bethany will be doing that as well.

Mr. Rivera pointed out that DelDOT is not singling Milford out in this situation. Instead, this is being addressed statewide. One of our legislators was going to a meeting last year and got stuck in Dewey's Triathlon traffic. As a result, there were no more crossings on Route 1. However, Mr. Rivera feels it will be better for the traveling public. DelDOT frequently gets caught in the middle because they have to balance moving people. People have had these events for years and years but there is a need to keep everyone safe. His biggest concern is when people are stuck in traffic for two hours, they become angry motorists and angry motorists can become very dangerous.

He said these situations put the city and DelDOT in a position to absorb a great deal of liability. Without using the proper traffic devices, it is easy for any lawyer to come in and right away point out that improper barricades were used. It is going to be the City of Milford's fault. They will also come after DelDOT because they have the biggest pockets; then they will go after the City of Milford. He does not want to continue to approve an event that he knows will not be handled properly.

Mr. Pikus asked what needs to be done to correct this. Mr. Rivera said it comes down to how the city wants to handle these events. His recommendation would be to develop a policy. If they are using Milford Police Department, they should be charged for that. DSP charges \$85 an hour for these events. He guarantees the city will have a better ability for coverage and it will not hit the city's budget every time. The organizers will also consider with much more thought the routes being created. Right now it is carte blanche because it is free so no one really cares how many routes or streets are being impacted. A lot of the organizations putting on these events are making money. In turn, they are taxing Milford Police Department to be out there.

Mr. Rivera confirmed that Dewey Police do not charge for these events. He said he does not understand it because the town pays for an event in which the organizer is making money. He is unsure why those services were provided free and believes it started years ago when there were only a couple events a year. Dewey Beach has thirty or more 5Ks a year. Milford has countless events and that number is growing every year.

Mr. Pikus feels we definitely need to start charging to recoup some of these costs.

Mr. Rivera said the second item is the need for compliant traffic control devices. He is unsure how the city wants to handle this and whether they are willing to provide them to organizations at a cost. The public works departments typically purchase this equipment and if an organizer wants to close a road, they could rent them if that is how the city wants it handled.

Mr. Pikus asked if the police department needs those barricades and how we have handled this in the past. Chief Hudson advised our public works/street department has always provided barricades. In some cases, sawhorses have been used.

Mr. Pikus confirmed the sawhorses are illegal; Mr. Rivera said they cannot be used on any road in the State of Delaware. Only Type II Barricades are legal and he will e-mail a picture.

When asked if anyone was familiar with the barricades, Chief Hudson noted that DMI borrowed them for the Eat in the Street event.

Mr. Pikus asked the approximate price; Mr. Rivera said they can be purchased on state contract which is the least expensive route. He has still not obtained a final price from his finance department. DelDOT rents them for \$4.52 though they have a limited amount and are unable to provide them at every event. He worked with DMI to show them how easy the process was. That event required eight trailbrazer signs, detour signs and six barricades. That alleviated the burden of having police officers standing at the road closings which in the case of the Eat in the Street event, would have been from 2:00 p.m. to 9:00 p.m.

Mr. Rivera added that if an organization prefers to pay for police, that is their decision. However, he cannot rationalize how they can request two regular duty police officers standing there when there are other things they can be addressing. But that is something internal that needs to be discussed though he feels the solution is to charge the organizer for the officers as he is telling other towns and cities.

Mr. Pikus asked if the city continues to use the old barricades and there is a problem, is the city liable; Mr. Rivera said 100% because the city is using noncompliant equipment.

Ms. Hudson asked if these mandates also apply to city-maintained streets; Mr. Rivera stated yes. Sawhorses are not compliant on any road or street in Delaware. Georgetown uses them too and Mr. Rivera will be talking to them about acquiring the compliant barricades.

Mr. Rivera reported there are more lawyers in Delaware who understand the Manual on Uniform Traffic Control Devices than actual transportation people. As soon as something occurs, they start flipping through that manual and begin marking off one thing after another claiming that is what caused the problem. It may not have anything to do with the cause, but the way litigation is today, he said it will be picked apart and the first thing pointed out.

The more events Milford has, there is more of an impact on traffic and the more likely something can occur.

Ms. Wilson pointed out the amount of money the Community Parade has cost the city over the years. All our police officers work and then we have to borrow officers from other departments. Chief Hudson added that it does cost the city a great deal of money. Because the organizers indicate they are putting the parade on for the city, that makes it a co-sponsored event in partnership with the city.

Ms. Wilson said it only makes sense that especially for large events, the organizer should be charged a fee for police services.

Mr. Rivera stated that he does not want any confusion between state-maintained and city-maintained events. The requirements are almost identical. The only difference is the type III barricades have three pieces. On a city-maintained road, a type II barricade can be used. There are rare instances where something may be occurring in a cal-de-sac (like a block party) and DelDOT will allow the use of compliant traffic cones. However, that does not apply to the majority of

the events that occur in Milford. Walnut or Front Street cannot be closed with sawhorses or traffic cones.

He then informed the police committee that he rode the entire route with Mr. Gray's father, Jim Gray. Mr. Jim Gray kept saying he wished they had the barricades they used for Eat in the Street. Mr. Rivera told him, they can give him two barricades as they do try to show some good will to these organizations. He understands everything is about money. But the way he looks at it, if the organization does not have \$200 to provide the proper equipment, then perhaps they should reconsider having the event.

Mr. Pikus asked if we have a small church group wanting to close a city street, are they are still required to use compliant barricades; Mr. Rivera stated yes—compliance is compliance. It is uniform with no wiggle room. However, it can occur in streets where it shouldn't. However, if the City of Milford is approving those events, the city is putting themselves at risk for a huge lawsuit should something occur. All it takes is one time when a person is injured after the city has closed a street with cones or a sawhorse and the repercussions could be astronomical.

Mr. Pikus pointed out that sometimes cones are used to block or direct traffic for a funeral and asked if that is legal; Mr. Rivera explained that funerals are exempt from the special event policy.

Mr. Pikus noted that a lot of our funeral directors use the regular street cones. Mr. Rivera reported that cones must be orange in color, a minimum of 28 inches and have a 6-inch retroreflective band on top and additional 4-inch below that. Anything else is not compliant.

Mr. Rivera said that public works has a need for the compliant barricades if the city were to purchase them. It is very unlikely the cones would sit in a garage somewhere unused. In the meantime, the city could decide how to manage the special events. He reiterated the barricades are required for all road closures including utility and construction work.

He advised that the downtown area is basically shut down for the Freedom Festival as well and specifically from Walnut over to Park Avenue. The city needs to start using those barricades for those type closings.

Chief Hudson pointed out that even with the compliant barricades in place, detour signs are also needed so that traffic knows how to get around the event.

Though the public has the conception that DelDOT is in this business to make money, Mr. Rivera explained that when a piece of equipment is delivered, the organizer is only charged the salary of the person involved. DelDOT makes absolutely no money. The taxpayers of Delaware cannot support these private events and they would be paying the salary of the DelDOT employee delivering the equipment otherwise.

He referenced the Dover Downs Races whose bills are enormous. It would be very unfair for the taxpayers to pay the cost of DelDOT providing assistance to this event. As a taxpayer himself, he agrees with the policy that DelDOT charge for these events. He said he feels bad when he has to charge a church or another not-for-profit organization, but the fact is, everyone sitting in this council chambers should not be paying for these events. In the case of the Halloween Parade, it will cost \$250 for the safety equipment. On the other hand, the organizers are willing to pay \$4,000 to cover the costs of bringing bands to Milford.

Chief Hudson asked Mr. Rivera to speak about certified flaggers. He advised that many of these organizations have volunteers who are willing to cover roadways and intersections during these events.

Mr. Rivera reported that according to Delaware Code, the only people allowed to direct traffic in Delaware are law enforcement, fire police or certified flaggers. The State of Delaware recognizes the certification of the American Traffic Safety Services Association. To become a certified flagger requires a four-hour class.

However, Mr. Rivera cautions the city about placing a person at an intersection on Route 113 who is only a certified flagger. Only law enforcement or fire police should be directing traffic through these signalized intersections.

He said employees can become certified and used on side roads and smaller roads during 5Ks and other event. The University of Delaware has an LTAP or T<sup>2</sup> Center who goes to municipalities and provides this training. He believes there are grants available to cover the costs or partial costs of the training. He emphasized that the city needs to exercise caution when using certified flaggers because they cannot be used for signalized intersections though it is an avenue in other areas. He said fire police are a great resource, though if something should happen such as a serious accident or fire, then the fire police leave the event and there is no one there to handle the traffic.

He noted that when an event is billed to DSP, they use special duty officers who are only assigned to that event. Mr. Rivera highly recommends the city pursue this avenue. He will be making this recommendation to other municipalities he will be speaking to as well.

A lot of event organizers want to use volunteers. They can be used as marshalls to help the runners though they are unable to direct or interfere with traffic. A lot of times that occurs even though they are not allowed. In those cases, they are exposing themselves, along with the city to enormous liability. If this person is at an intersection and an accident occurs, the first thing asked is who was directing traffic and if they were certified.

Additionally, anyone operating in the right of way is required to wear a Class 2 Safety Vest at a minimum. He said there are seven water stops at the Dover Marathon scheduled in two weeks. All the people working those stations are in a fixed position in a right-a-way so they are required to wear safety vests. If one of them is struck and injured, the first thing a defense attorney will say is their client did not see them because they were not wearing the appropriate safety clothing. Police officers are required to wear these vests as well in these situations.

Chairman Morrow directed Chief Hudson and Lieutenant Bailey to follow-up on what needs to be done as far as compliant barricades and certification of flaggers.

Chief Hudson then reported that a couple years ago at the Halloween Parade, a car went through the barricades on Front Street west of Walnut Street.

Mr. Rivera said these barricades are made with retroreflectivity to the degree they can be seen from an extreme distance away. The prismatic retroreflectivity actually provides an additional layer of safety for these vests.

He added there is no longer a requirement for lights on top of the barricades which keeps the cost down. They are supposed to contain the "road closed" sign though they all do not need that. One must contain the 'road closed' sign and additional barricades can be placed side by side because they need to run curb to curb with no or very minimal opening.

Lt. Bailey then advised that he has taken over the duties of Lieutenant. Rust. He has learned a lot from Mr. Rivera about compliance and has found we are not even close. For example, there was a 5K this past weekend in town. There were nine major intersections that needed covering and not by volunteers but by fire police or a police officer. Duty officers were used, an extra officer was brought in and Chief Hudson and himself worked the event along with a Senior Patrol Officer. Two of the officers jumped intersections to provide complete coverage.

He stressed that it is an effort for the police department to provide the appropriate coverage for these events.

Lieutenant Bailey warned that some people are going to say the police department is not willing to help. He explained it is not a case that the police won't help, but in some cases are unable to help. He agrees the police department cannot continue placing duty officers at these events which ties them up for hours when they should be on the road handling complaints.

The lieutenant expects to hear some negative remarks about the police department, DelDOT and the City of Milford with the upcoming event.

He said the problems the chief discussed is that not only do we pay twenty plus officers at least five hours overtime for the

parade, but officers from other departments are also needed. They are not paid by Milford that night, but when their communities have events, we send our officers and those officers are paid overtime again. He said it is a huge undertaking and very time consuming.

Lieutenant Bailey noted that 1.7 miles of Walnut Street is closed for approximately two and a half hours. He agrees there are a lot of complaints from motorists that are unable to get through town.

Mr. Pikus asked how trucks coming from the west get to SeaWatch during this time; Lt. Bailey said because there has never been any sign boards to direct traffic, they usually sit in traffic. Mr. Pikus said they are unable to get through on Kings Highway or Tenth Street because of the road closings which is a problem a lot of people don't consider.

Chief Hudson added that the police department notifies the larger industries such as Perdue and SeaWatch of the date of the parade well in advance so that they can inform their drivers beforehand.

He reported that Norfolk Southern is also contacted as a safety precaution. Unfortunately, train traffic is actually out of the city's control though we do everything possible to stay on top of it. Mr. Rivera agreed noting the State of Delaware has no say on how they conduct their trains though they will work with you for the most part.

Mr. Rivera pointed out the city does a great job trying to address these problems. They discussed putting a message board further down Route 113 to direct traffic to Johnson Road. The problem is once these northbound vehicles get past Route 14, it is very difficult to turn around to go south in a tractor trailer. Route 113 takes them to Route 1 North and trying to navigate those crossovers are impossible and a hazard in itself.

Mr. Pikus verified that Mr. Gray is aware the signs must be put up and they will be billed; Mr. Rivera said yes adding he is now seeking donations for their \$250 cost. He reiterated that they were informed of this requirement last year.

Mr. Rivera says it is a great event and great for the city but other motorists need to be considered as well. He does not feel that route was given a lot of consideration when it was first developed and the impact it would have. Trying to change the route would be a train wreck at this point. He is aware the city installed lights along the route for this event.

DelDOT does not want to change the route and prefers trying to manage this in a different way. They can put up one hundred message boards but it will always be a problem. From conception, there was very little thought given to the impact the route would have on traffic. He sees it more and more where people want to run 5Ks and they need to use less impacted roadways and parks when available. Instead they prefer crossing Walnut Street, crossing the railroad tracks to the Middle School, and turning around on a state-numbered route. If some of the costs the city absorbs are passed on to these organizers, he guarantees that next year they will be running in a less impacted area or doing two crossovers instead of nine. The police cannot always guarantee the availability of duty officers and in a timed event, when running through a signaled intersection or stop sign without coverage is a recipe for disaster. He emphasized that DelDOT cannot continue to approve these events unless they are reasonably confident they will be properly controlled.

This event had planned to use fire police who provide a great service and are invaluable at many events. But the fact is, they are not contracted and not obligated to be there. They are available on a volunteer basis. If they have a family emergency, they will more than likely not show up. It was an issue because there were less fire police than the organizers expected. As a result, the police were forced to place seven officers at the event. It is not fair to the police department or to the city who has approved the event based on the merits of what was submitted. It is also not fair to DelDOT to approve the event and then find out there was inadequate traffic control though the application indicated otherwise.

Chief Hudson advised that the Parks and Recreation employees did a great job Saturday. They were in the proper safety attire and when they were informed they could not direct traffic, they still assisted by directing the runners with flags from the side of the road.

Mr. Rivera stated that it would behoove public works to get their employees certified. It is a benefit to the entire city. When

they are doing an emergency repair on the street and everyone is a certified flagger, there are no problems. They can even assist in emergency type situations as occurred during the electric outage two weekends ago.

He encouraged someone to contact the University of Delaware for more information on training and possible grants. In addition, ask for assistance in getting barricades and compliant traffic control devices. Mr. Rivera reiterated that the T<sup>2</sup> Center helps municipalities with flagging and equipment at a discounted rate.

Chief Hudson noted they are also willing to come to Milford to do the training. Mr. Rivera agreed noting he is a certified flagger instructor and they might be able to send someone from DelDOT or the Delaware Safety Council. DelDOT provided this training to a couple of cities a few years ago. Then it just died off though he is unsure why. He would be happy to raise that question again if the city is interested.

He emphasized that DelDOT is here to help. They want to protect everyone's interest and at the end of the day want everyone to go home safe. The rules are very clear and there is no room for interpretation. The goal is to start moving toward being compliant as much as possible.

City Manager Carmean said that he has had a lot of similar conversations with Chief Hudson. As the city manager, he and the city clerk have had a lot of headaches with these events and parades. They are very time consuming and he agrees Milford is getting more and more. When the route was established for the Halloween Parade years ago, it was a different time. Besides a substantial increase in traffic, the amount of people living here has tripled. It has gotten to the point where it is almost impossible to handle though he agrees we are not handling it according to the law.

Mr. Carmean confirmed that we have certified flaggers in the street and electric departments. He asked if recertification is required for the flaggers; Mr. Rivera said yes, every four years. Each certified flagger has a card with an expiration date. The American Traffic Safety Services Association certifies approximately 90% of the flaggers in Delaware though there are other companies.

The city manager said he has trash trucks all over town and the workers are in and out of the street constantly. When they are picking up a large volume of trash, the truck is blocking the street and one of the workers usually waves vehicles by. He is very concerned that if a vehicle hit another head on, the city is setting themselves up for a substantial lawsuit. Therefore, he would like to have all the workers certified.

Mr. Morrow asked if they wear reflective vests or jackets. Chief Hudson said he sees them frequently and they are always wearing the safety vests/jackets.

Mr. Rivera reemphasized this is not only the case in Milford but every town in the State of Delaware.

He provided the information on the University of Delaware again and encouraged the employees in the City of Milford to take the training on traffic control and the expectations of the manual. The flagger training is also available and he believes there may be assistance with funding as well as the safety devices.

To summarize the meeting, Mr. Rivera asked that the city consider the compliant traffic control devices. Detour trailblazer signs are a big plus and will alleviate a lot of the pressure with the police and fire police. The 18" x 24" signs are made of corrugated plastic and can be zip tied to existing poles. That would eliminate the need to have law enforcement at all of these closings though DelDOT prefers having them to reinforce the barricades and trailblazers. The same would apply to a road project when the road or street is closed.

He encouraged everyone to reevaluate the situation of providing free resources to all of these organizations though that is the city's call. He is confident that would result in more logical routes coming out of the 5K's and parades if implemented.

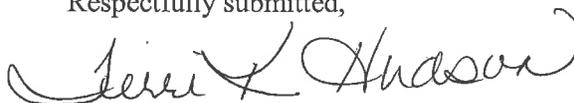
His goal is that in a year or two, everyone will know these expectations. The main thing is to stay united with the police department, the city and DelDOT working together. At the end of the day, it is about compliance and safety.

Mr. Morrow thanked Mr. Rivera for his time adding that we have learned a lot. He said we will do what we can and most importantly must abide by the law to protect our city.

Chief Hudson thanked Mr. Rivera for his assistance to the police department and the city not just today, but on many occasions. He noted that in addition to meeting with the Community Parade Committee, Mr. Rivera has taken the time to meet with DMI and Chamber to educate them on these requirements.

With no further business, the meeting was adjourned at 9:14 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terri K. Hudson". The signature is written in black ink and is positioned above the typed name.

Terri K. Hudson, MMC  
City Clerk/Recorder