

"Policing with a Purpose"



# Smyrna Police Department

Chief of Police  
David Lee

2646 Atlanta RD SE  
Smyrna, GA 30080-2118  
Phone: 770-434-9481  
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Deputy Chief  
Robert L. Harvey



David Lee  
Chief of Police  
City of Smyrna, Georgia Police Department  
2646 Atlanta Rd. SE  
Smyrna, GA 30080  
January 23, 2017

Phillip Howard  
Manager  
Howard's Wrecker Service  
1650 Armstrong Pl. SE  
Mableton, GA 30126

Dear Phillip Howard:

Over the course of the past year, deficiencies in your operation have given rise to concerns that have caused the City of Smyrna to reconsider the relationship between Howard's Wrecker Service and the City of Smyrna. More particularly, the following deficiencies have been reported to me and was forwarded to the Mayor and City Council for their review:

- On July 8, 2016, your company responded to an accident involving a tanker truck on the East-West Connector near Fontaine Rd. Your company decided that the equipment necessary was unavailable thus, the recovery of the tanker was turned over to Barrow Wrecker Service.
- On August 5, 2016, your company took a total of 35 minutes to arrive on the scene of a motor vehicle accident that was blocking the roadway at Spring Rd. and Cumberland Blvd.
- On August 26, 2016, one of my officers requested a wrecker for the impoundment of a vehicle from a traffic stop. The vehicle in question was an ice cream truck. Upon arrival of your driver, he asked the officer if he could

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have an ice cream cone from the van being impounded. The driver reportedly stated "it won't matter, no one will know anyway".

- On September 6, 2016, a request for 2 (two) wreckers was relayed to your company in reference to a fatality accident on the East-West Connector. One wrecker arrived in 20 minutes. The second wrecker arrived one hour after request.
- On September 10, 2016, your company took 36 minutes to arrive on the scene of a traffic stop on Cobb Pkwy. At Spring Rd. The wrecker was requested at 0025 hours.
- On November 18, 2016, a wrecker from your company was requested to tow a City Police car to our Public Works Facility. In doing so, the wrecker driver caused slight damage to the vehicle when the vehicle was not properly loaded and it slid off of the wrecker. A check of your driver's information led to the discovery that he was operating your wrecker with a suspended driver's license.
- On December 2, 2016 at 1913 hours, a wrecker was requested from your company in reference to a vehicle impound on Ridgecrest Ln. Your dispatcher advised that no wreckers were available and that your company could not handle the request. Our communications center called Barrow Wrecker Service and their company completed the request for service.

Pursuant to a memorandum of understanding executed on the 5<sup>th</sup> day of June, 2014 by you and the Mayor of the City of Smyrna, you agreed to the following:

1. Section 1 – "the Contractor agrees that the performance of work and services pursuant to the requirements of this MOU shall be performed 24-7 daily"

Over the course of the last 6 months of 2016, my office received 7 (seven) separate complaints in regards to the services provided by your company. Two of the complaints involved your company violating the terms of the mentioned Memorandum of Understanding by either failing to or refusing to provide services when called upon to do so. It is with this in mind, the Mayor and Council of the city

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of Smyrna, Georgia have chosen to terminate the Memorandum of Understanding dated June 5, 2014 and award a wrecker contract to Barrow Wrecker Service as a sole provider. This action will commence on March 1, 2017.

Thank you for your years of service to the citizens of the City of Smyrna and I wish you much success in the future.

Sincerely,

David Lee  
Chief of Police  
City of Smyrna, GA Police Department