



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** 2017-52      **Version:** 1      **Name:**

**Type:** Authorization      **Status:** Consent Agenda

**File created:** 1/26/2017      **In control:** City Council

**On agenda:** 2/6/2017      **Final action:** 2/6/2017

**Title:** Authorization to Terminate a Memorandum of Understanding with Howard's Wrecker Service dated June 5th, 2014

**Sponsors:** Derek Norton

**Indexes:**

**Code sections:**

**Attachments:** 1. Issue Sheet 2017-52 Howards MOU Terminatiron.pdf, 2. Howards 2014 MOU, 3. Howard's MOU Termination

Date	Ver.	Action By	Action	Result
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**WARD:** Ward 1

**COMMITTEE:** Public Safety

**\$ IMPACT:** 0

Authorization to Terminate a Memorandum of Understanding with Howard's Wrecker Service dated June 5th, 2014

**ISSUE:** Howard's Wrecker Service has failed to honor fully their agreement as stated in a Memorandum of Understanding dated June 5th, 2014 whereas Howard's Wrecker Service agreed to perform work and services "24-7 daily" On July 8, 2016 and again on December 2, 2016 Howard's wrecker Service was unable to answer calls for service and the wrecker calls were subsequently turned over to Barrow Wrecker Service. The Police Chief and staff are requesting authorization to terminate the existing Memorandum of Understanding and authorization for the Police Chief to notify Howard's Wrecker Service by way of a letter via certified mail.

**BACKGROUND:** Historically, the City of Smyrna has been serviced by 2 (two) wrecker services namely Howard's Wrecker Service and Barrow's Wrecker Service, both of whom are headquartered in the city limits of Smyrna. The wreckers are called on a rotating basis whereas the rotation occurs every other wrecker service call. On June 5, 2014, a Memorandum of Understanding (MOU) was drafted and executed by the Mayor and representatives from each of the two wrecker services. Within this MOU were specific expectations that each of the wrecker services were to abide by. One of the expectations was to offer their services on a "24-7 daily" basis. From July 8, 2016 through December 2, 2016, the Police Department received 7 (seven) seperate internal complaints concerning the practices of Howard's Wrecker Service. These complaints were in reference to Howard's inability to respond to wrecker requests, questionable actions on the part of the employees, extended response times to calls for service, and 1 (one) wrecker driver being arrested for operating a wrecker while having a suspended driver's license after a patrol car was slightly damaged after

falling off of his wrecker. The Police Department is recommending the termination of the MOU with Howard's Wrecker Service due to violating the terms. The effective date of the requested termination is March 1, 2017.

**RECOMMENDATION/REQUESTED ACTION:** The Police Chief and Staff recommend this action