

PROPOSAL NO. 2, 2025

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LAWRENCE, INDIANA AMENDING TITLE 1, ARTICLE 1, CHAPTER 2, SECTION 12 OF THE MUNICIPAL CODE REGARDING COMMON COUNCIL APPROVAL ON EXPENDITURES OF PROFESSIONAL SERVICE CONTRACTS

WHEREAS, Title 1, Article 1, Chapter 2, Section 12 of the Code of Ordinances ("Code") of the City of Lawrence, Indiana (the "City") establishes that Professional Services Contracts equal to or in excess of \$50,000 must be approved by the Common Council ("Council"); and

WHEREAS, the Council desires to amend this Section of the Lawrence Code to shed additional light on the City's professional services contracts and ensure that contractual terms match annual appropriations; and

NOW THEREFORE, BE IT ORDAINED, by the Common Council of the City of Lawrence, Indiana that:

SECTION 1. Lawrence Code § 1-1-2-12 requiring Common Council approval on expenditures of professional service contracts exceeding \$50,000 is hereby amended to read as follows:

§ 1-1-2-12. COMMON COUNCIL APPROVAL ON EXPENDITURES OF PROFESSIONAL SERVICE CONTRACTS EXCEEDING \$5,000.

(A) Any expenditure for professional services or to retain a consultant or other professional by or with the City of Lawrence, Indiana, in an amount equal to or in excess of \$5,000 in a fiscal year must be approved by the Common Council prior to any payment of claims under such contract. The term of any professional services contract shall not extend past the end of the fiscal year in which it is executed.

(B) If such a professional is initially engaged for an amount less than \$5,000, the Controller may not disburse funds in excess of that amount in any given fiscal year without the prior approval of the Common Council.

(C) (1) Consistent with division (A) above, the Council will not approve any claim for an expenditure for professional services without first reviewing and approving said contract submitted by the City administration in advance of a request for payment of the first claim under said contract.

(2) Any and all service providers and consultants entering into professional service agreements anticipated to exceed \$5,000, or known to exceed \$5,000, in a fiscal year, include a term that extends beyond the end of the current fiscal year, or that otherwise do not comply with this division (C) and division (A) above, perform such services at their own risk and without claim of payment against the City thereon, including in quantum meruit.

(D) An EXPENDITURE FOR PROFESSIONAL SERVICES OR TO RETAIN A CONSULTANT OR OTHER PROFESSIONAL is defined to mean a financial disbursement to an individual or corporate entity who is to be or has been retained by the City of Lawrence, Indiana as an independent contractor providing professional services, or any contractor that is paid from the "Other Services and Charges" major budget category. Examples include, but are not limited to, legal professionals, government affairs consultants, engineers, architects, accountants, and other financial, political, or legal consultants. It explicitly does not include payments via payroll to City employees, contracts for products, or expenditures for infrastructure projects.

(E) Approval under this section means a simple majority vote of the Council, obtained by written request sent to the Clerk for inclusion in the next meeting agenda. Approval of the Board of Public Works and Safety should be obtained prior to the Council's consideration.

SECTION 2. In the event any one or more of the provisions contained in this Ordinance should be held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired and shall remain in full force and effect, and in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision will be added as a part of this Ordinance that is as similar to the illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

SECTION 3. All resolutions or ordinances or parts thereof in conflict with the terms and conditions of this Ordinance are hereby repealed and replaced to the extent of the conflict.

SECTION 4. This Ordinance shall be in full force and effect from and after its adoption by the Common Council, approval by the Mayor, and publication as required by law.

ADOPTED this ____ day of _____, 2025.

Attest: _____
Leatrice Adkisson,
City Clerk

Betty Robinson,
President

Presented by me to the Mayor of the City of Lawrence, Indiana, this ____ day of _____, 2025, at _____ o'clock _____.m., to the Mayor of the City of Lawrence, Indiana.

Leatrice Adkisson, City Clerk

Presented to me and signed this ____ day of _____, 2025, at _____ o'clock _____.m.

Deborah Whitfield, Mayor