



# CITY OF FORT WAYNE

## BOARD OF STORMWATER MANAGEMENT – PUBLIC HEARING

### ROOM 035 – COUNCIL CHAMBERS

MINUTES • JANUARY 9, 2024, 12:00 P.M.

MATTHEW WIRTZ, CHAIR \* SHAN GUNAWARDENA, MEMBER \* CHRIS GUERRERO, MEMBER  
MICHELLE FULK-VONDRAN, CLERK

### PUBLIC HEARING MINUTES

#### **Resolution #110-11-28-23-1, Instituting proceedings to partially vacate a regulated drain Pierson Drain #2**

#### **MEETING HELD AT 12:00 P.M.**

**Present:** Matthew Wirtz, Shan Gunawardena, Michelle Fulk-Vondran, Stacy Haviland, Patrick Zaharako, Ashley Faurote, Eric Ruppert, Patrick Joley and Eric Steinman.

**Matthew:** Good afternoon, we will call to order the Public Hearing to Amend Resolution #110-11-28-23-1, Instituting proceedings to partially vacate a regulated drain Pierson Drain #2, today January 9, 2024. My name is Matthew Wirtz Chair of the Stormwater Management Board, to my right is member Shan Gunawardena and to my left is Michelle Fulk-Vondran, Clerk. Before we begin, I would like to ask that all attendees please sign-in for this hearing. Stacy, please proceed with your presentation.

**Stacy Haviland:** Good afternoon Board, My name is Stacy Haviland with City Utilities Stormwater Engineering. We are asking for approval of this resolution to partially vacate Pierson Drain #2. Indiana Code authorizes the Board to do so when: (1) the drain does not perform the function for which it was designed and constructed, or it has become inadequate to properly drain all affected land under current conditions; (2) the expense of reconstruction outweighs the benefits of reconstruction; and (3) the vacation will not be detrimental to the public welfare. This will fall under item #3. This is the Pierson Drain watershed, it is approximately 2.42 square miles. The North is bounded just North of Trier Rd, to the East of Maplecrest, the West is near Coliseum Blvd and the South is draining into the Maumee River. In 1878 Jacob Pierson petitioned to create a ditch - Pierson Drain - to drain into the Maumee River which is near current day Coliseum Blvd and Reed Rd. The drain is still existing today as an open drain which empties into the Maumee Overflow channel. The Fort Wayne Board of Stormwater Management acquired jurisdiction over Pierson Drain on December 18, 2018. This is the portion of Pierson Drain that we are looking to vacate; from the crossing at Reed Road to the confluence of the Maumee River which runs through and adjacent to the old Lakeside Golf Course. This portion of the drain is located entirely within property owned by the City of Fort Wayne. The Pierson Drain does not have an active maintenance fund, this vacation removes the potential for future drain assessments and will allow the City to enter into an agreement to create a stream channel mitigation bank with the Department of Natural Resources (DNR). DNR will incorporate water quality improvements as part of the stream channel mitigation bank creation. These improvements require that the legal drain restrictions be removed. The drain will still function as a drain after the vacation. DNR will have a conservation easement or restrictive covenants on the drain, and we will work with the agencies to ensure that all existing utilities and trail corridors will have appropriate easements. This is a conceptual rendering the south is Maumee River and west is Coliseum Blvd. The southern portion

you see will all be wetland mitigation bank. The Pierson Drain vacation will become effective January 9, 2024, if approved in this public hearing. We will work with the Department of Natural Resources on an agreement for the construction of the improvements. DNR will be responsible for the design of the improvements. Construction of the stream channel improvements is anticipated in 2025. As part of the notification process required by code, a legal notice of the hearing was published. We have not received any comments or questions. With that we are requesting approval of this resolution. I am happy to answer any questions.

**Matthew:** Any questions or comments about this hearing? If so, please state your name, address, and try to keep comments to a couple of minutes.

**Matthew:** Hearing no comments, I will entertain a motion to approve the amended resolution and close the public hearing for Resolution #110-11-28-23-1, Instituting proceedings to partially vacate a regulated drain Pierson Drain #2.

**Shan:** So, moved.

**Matthew:** All those in favor?

**Shan & Matthew:** Aye.

**Matthew:** This public hearing is hereby adjourned. Thank you!

**Meeting adjourned at 12:39 PM.**

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Matthew A. Wirtz, Chair

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Shan Gunawardena, Member

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Chris Guerrero, Member

ATTEST: \_\_\_\_\_  
Michelle Fulk-Vondran, Clerk

Date: \_\_\_\_\_