



PRESS RELEASE

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Northeast Residents Hear City Admit Problems with Waste Facility Plans

On December 16th the legal complaint filed by 19 Northeast citizens along with Don't Dump on Northeast (DDONE), a non-profit corporation, had its first hearing in Hennepin County District Court. The lawsuit alleges that the City does not have the proper heavy industrial zoning required for the type of hazardous and other waste collection transfer processes it had proposed to establish at a new facility at its chosen site at 27th and University in Northeast Minneapolis. This initiative was to involve the relocation of the Southside Transfer Station from South Minneapolis as well as the establishment of a Hennepin County Household Hazardous/Toxic Waste facility.

The Court is expected to rule by March 15 on the City of Minneapolis 'motion to dismiss' the lawsuit. However, it will be hard to see the outcome of the hearing as anything other than a victory for the plaintiffs – no matter how the court rules.

In order to argue its case that the lawsuit was 'premature', the City was forced to backtrack on its whole plan. Until a few weeks ago, the City website stated that it envisioned a groundbreaking for the facility in Spring, 2012. In January 2011, the City spent more than \$2 million to acquire the site expressly for the purpose of this facility. The City commissioned a detailed traffic study and presented it to neighborhood groups in the Fall of 2010, built a webpage describing the project, and negotiated extensively with County staff regarding major aspects of the proposed uses. But on December 16th, City attorneys retracted and disavowed all of these previously stated plans to construct the facility at 27th and University, arguing that there is "no project" planned for the site. Most significantly, city attorneys conceded the plaintiff's main point at the hearing that, given the proposed site's zoning, the City cannot have primary, accessory or ancillary waste transfer facility uses at the proposed site.

The City had previously argued that--as long as the proposed uses emphasized recycling-- it would be fine to have some level of waste transfer uses at the site as well.

“The admission by the City that this is not legally possible is a huge change, it effectively destroys their whole plan,” said nearby neighborhood resident Bruce Shoemaker. “The City acknowledged in court that they can’t have waste transfer uses at this facility, so the whole move of the Southside Transfer Station to Northeast would seem to be off the table.”

This turnaround leaves many questions unanswered—questions that City staff and officials have been avoiding answering for months. Given the recent statements of their attorneys, what exactly is their plan for this site? What is to be the future of the Southside Transfer Station? Is the City continuing its discussions with the County about locating a household hazardous waste facility at 27th and University? It is high time that officials stopped ignoring Northeast residents on this issue and started to provide some answers.

“Northeast neighborhood residents have lived with uncertainty regarding this proposal for almost two years,” said Margie Siegel, whose home is located just a few hundred feet from the proposed facility. “It is time for City staff and officials to admit they made a mistake and that it is not appropriate to locate a facility like this immediately adjacent to a residential area. This whole plan needs a major re-think.”

For more information see www.ddone.org or contact Margie Siegel, msiegel@bitstream.net and 612-578-4621.