

Town of Winchester
8522 Park Way, Larsen, WI 54947
Town Board Meeting Minutes
February 3, 2025
7:00 p.m.

A. CALL TO ORDER

1. Pledge of Allegiance
2. Verification of Notice
3. Roll Call:

Chair Olson	Present
Supervisor Miller	Present
Supervisor Pavlik	Present
Treasurer Kreutzberg	Present
Clerk Stevens	Present

Public Attendance: 13

B. APPROVAL OF MINUTES

1. January 20, 2025 Town Board Meeting Minutes.

MOTION:

Motion by Supervisor Miller

Second by Supervisor Pavlik

Motion to approve the Minutes of the January 20, 2025 Town Board Meeting as presented.

Motion carried unanimously.

C. REPORTS

1. Winnebago County Board Representative Report

Representative Miller reported that again this year the County Board is sponsoring a scholarship program. Any high school senior who lives in the county may apply. The scholarship is \$2000, and the application deadline is March 31, 2025.

More information is available at:

<https://www.co.winnebago.wi.us/county-board/winnebago-county-board-scholarship-program>

D. BUSINESS REFERRED BY THE PLAN COMMISSION – No Referrals

E. BUSINESS

1. Dogs Running at Large

Chair Olson explained that this business was requested by several people in the community. He started the discussion by opening the floor to them.

Sue Machak, 5079 Pumpkin Court, explained that she first wanted to give a short summary of how many dogs are running loose in Winchester according to social media posts. She listed 13 lost dogs in the past year with several of the lost dogs being ‘repeat offenders’.

Chair Olson said he thinks that is where most of the problem lies—with people who refuse to keep their dog under control.

Sue Machak said that one of the repeat offenders which she knows has occurred at least four times, letting their dogs out while she was walking her dog in the park. She said two dogs saw them and charged them. She said one of the firemen happened to be nearby and he helped keep the dogs at bay until she could get away. She said these same dogs were also found by someone on CTR II and in the subdivision twice.

Tracey St. Mary, 8555 Saddleback Lane, said she would like to add to Ms. Machak's concerns. She said there is a chronic stray by her house and when she contacted the owner, his response was, "Just let him run loose, he'll find his way home." She said that is unacceptable. She said she had an incident with a dog that came into her yard when she had an older dog at the time, and the stray would jump on her dog and knock him down and the old dog would have mobility issues for the next week or more. She said she called and complained but the dog was still coming over to her house. She said that on December 23rd her friend came over with her two dogs to play with her new puppy, and she walked in questioning whose lab was in her yard. She said the dog played in her yard for over an hour. She said they then went inside, but the whole time, no one came looking for the dog. She said that is what she has an issue with—when a dog continually runs away from home. It is not acceptable to say it will eventually come home. She said she has made it perfectly clear that the next dog that comes into her yard will be put in her outdoor kennel and she will call the dog catcher, and they will have to pay to get their dog back. She said she just got a new puppy, and she cannot have random dogs coming into her yard and then disappearing. She explained her puppy is going to follow them. She said the particular dog that is the main issue crosses CTR II consistently. She said that is a very busy highway—he is going to get hit. She said she will lose it if the dog gets hit—that is unacceptable. She said she understands that dogs get out sometimes. She has had other dogs in her yard. She calls Winnebago County, and they check them out and return the dog. She said that the dog was returned, and she has never seen it again—that is okay. She can understand that it happens once in a while. But the dogs that continually run amuck, that cannot continue.

Chair Olson clarified that the habitual running at large is the issue. Ms. St. Mary confirmed.

Stephanie Vander Galien, 5260 White Pine Drive, said that she has one specific neighbor that lives on a corner lot with two neighbors bordering him. She said he has two large dogs. She said he does not contain them in any way, he doesn't have an underground fence, he doesn't have a fence, he does not have any leashes, he does not have a chain. She said one of the dogs saw her in the window and charged at her once but took off back for home. She said that wandering is not an issue at this point, but they have decided they like pooping in her yard and the owner does not pick it up. She noted in the past two weeks, he has made a half-hearted effort, but she still has 'logs' all over her yard and garden. She said she has tried contacting him by text twice, but he does not respond. She said she went to their door once, but they were not home. She said she does not think she should have to deal with cleaning up the mess.

Chair Olson agreed.

Sue Machak followed up stating that she often walks her dog around town as do many other people. She said when stray dogs are running and charging at you, it is a safety issue. You do not know what those dogs are going to do. You do not know what your dog is going to do in that situation. There could be a child with you. It could be an older person who could get knocked over. People could get bitten. She said to have dogs that continually get loose—more than four times—is unacceptable.

Duane Howard, 9420 Manu Road, said he agrees—if your dog runs away from home, he will bring it back to you, but it is the everyday thing or when the dog turns and barks at you or growls at you. He asked what his rights are in those cases. He said the dog stands in his driveway and barks at him. He

asked if the Town could fine them or what can we do. He said he has to say that for the past two weeks, he has not seen either dog—since you sent them a letter. He said he had gone to his house four times and got nowhere.

Tony Eckstein, 7031 County Road MM, said he should just find a gun and shoot it.

Duane Howard said a man in Waupaca went to jail for that.

Chair Olson said he would like to find a better solution than that.

Supervisor Pavlik noted that Wisconsin Statute 174 addresses this if anyone wants to look at what the law says about this. He said there are very specific situations in which you can shoot the dog, but it is so very narrowly defined. But people have gone to jail for shooting a stray dog on their property because the conditions which justify it are so restricted. They did not comply with the law.

Chair Olson asked Clerk Stevens about the restriction included in the Nuisance Ordinance.

Clerk Stevens confirmed that letting dogs running at large is prohibited.

Chair Olson asked what the fines schedule is.

Clerk Stevens explained that the first offense is \$200 plus the costs of prosecution, the second offense is \$300 plus the cost of prosecution, the third offense is \$400 plus the costs of prosecution, the fourth offense and each offense thereafter is \$500 plus the costs of prosecution.

Chair Olson said it sounds like we need to get a little tougher on habitual offenders. He said what we need is pictures—if people can get pictures of these dogs on their property or running loose it helps greatly. He said Mr. Howard had pictures and when the Clerk showed the owners the pictures, they could not deny it and things changed.

Mr. Howard clarified that there is another dog that is barking and growling at him which he is complaining about. He said the other two were on his land, but they have recently stopped them from running.

Chair Olson noted that we already have the ordinance in place, and we already have a fine schedule. They just have to start sending letters to the habitual offenders. He said we need to know who the offenders are, photos if possible.

Sue Machak asked if there are pictures on social media of dogs running loose, does that work.

Clerk Stevens explained that if the person complaining supplies the information, it can be used. She said she would not go out looking for offenders, explaining that the Town's Ordinance enforcement is complaint based. She said in order for her to start the process, you need to come to her with documentation supporting the complaint. She said the Town does not immediately jump to citations and fines. She said they like to give people a chance to correct the situation. She said she will send a letter notifying the owners of the issue, along with copies of the photos, and copies of the ordinance and fine schedule. She said that way they understand what the issue is and what will happen if they continue to let it happen. She said we try to educate people that they can't keep doing it but if push comes to shove and we keep getting complaints, they will be cited and fined.

Sue Machak said it will be hard for her to get pictures when she is out walking her dog, and a dog is charging at her.

Chair Olson said they understood that. Clerk Stevens said she should document the incident. If you cannot get a photo, write down the date and the time and the owner, if you know it, create a record. She explained that they have to prove there is an issue. She said in one of the cases, they denied the

issue but when shown photographs, they could not deny it any longer. She said they thought their dogs were locked up, but they were getting out.

Tracey St. Mary asked if they could call Winnebago County non-emergency line.

Clerk Stevens explained that anyone can file a police report at any time. She noted that the Town does have a dog control officer, Katie Joas, but she is very limited—she cannot go onto private property. She explained that if a dog is running loose but is on private land, she cannot go get it. She said it must be on public property or if someone is able to safely catch it, you can call her, and she will come to pick it up. She confirmed that Katie Joas cannot go on private property to chase a dog.

Clerk Stevens also noted that you can call the Sheriff's Department, but it must be understood that most of the officers do not have crates or the necessary equipment to catch and transport dogs. She said they would come to make sure that the dog is not hurting anyone, but then they will probably call Katie Joas to deal with it. She said it is a difficult situation with which to deal.

Tracey St. Mary asked if we identify a stray and the owner is found, do we also verify that the dog is registered.

Clerk Stevens confirmed that it is checked and if not licensed, the owner is required to license them. She said any dog over the age of five months is required to be licensed. Late fees sometimes apply as well.

Chair Olson said it seems like there is enough public support that they will start sending letters if appropriate. He asked for the public to get updated information and pictures if possible—pictures really help. Chair Olson asked if Katie Joas had anything to add. She indicated she did not.

Chair Olson asked if the Winnebago County Sheriff's Officers had anything they would like to add.

Officer Immel said it seems like the Town is handling the situations well and has a good process to deal with it. He said he agrees that pictures are helpful. He said if they come and see the dog on your property, that is one thing, but it is hard for them to do anything if the dog goes back home.

Officer Wildeman noted they do have an ordinance and can write citations if needed. He said generally speaking they do need to have some proof; however, it depends on the circumstances.

Chair Olson confirmed that there is a County Ordinance, and they can write citations for violation of that. The officers confirmed that as correct.

Chair Olson said the Town will start tightening up on this and will start sending letters. He said they have a couple complaints that they can respond right away.

2. 2025 Stray Dog Kenneling Service

Clerk Stevens reported that as discussed at the December 16 Town Board meeting, the Wolf River Vet Clinic is no longer offering stray dog kenneling services. As a result, the Town reached out to the Neenah Animal Shelter, the Oshkosh Animal Shelter, the Fox Valley Humane Society, and Orphan Animal Rescue (Neenah).

Clerk Stevens continued noting the Fox Valley Humane Society indicated they do not have the capacity to take on another municipal contract. The Oshkosh Humane Society indicated they too are stretched to capacity and are hesitant to enter into an agreement. Additionally, the Town's Dog Control Officer, Kati Joas, feels that the location of their facility is too far to transport animals. Orphan Animal Rescue does not handle dogs.

Motion carried unanimously.

F. CORRESPONDENCE

1. Clerk Stevens reported Representative Nate Gustafson is holding a listening session at the Town Hall on Saturday, March 22, 2025 from 1:00 to 3:00 p.m.

G. APPROVAL OF DISBURSEMENTS

Clerk Stevens presented the accounts payable.

MOTION:

Motion by Supervisor Miller

Second by Supervisor Pavlik

Motion to approve the accounts payable as presented.

Motion carried unanimously.

H. NEXT MEETING AND AGENDA ITEMS

Chair Olson noted the next Town Board meeting will be March 3, 2025 at 7:00 p.m. He asked for future agenda item requests.

Tracy St. Mary asked about the regulation about electric fencing and if the Board would consider revising it. Clerk Stevens explained that since Ms. St. Mary last spoke with her, the code has been updated, and the regulation has changed. She suggested Ms. St. Mary come to the office to review the code and if she then would still like it on an agenda, it could be added.

No other requests were made.

I. ADJOURNMENT

MOTION:

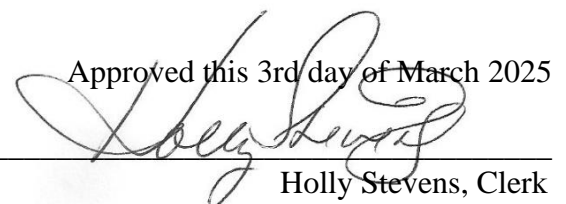
Motion by Supervisor Miller

Second by Supervisor Pavlik

Motion to adjourn at 7:23 p.m.

Motion carried unanimously.

Approved this 3rd day of March 2025



Holly Stevens, Clerk